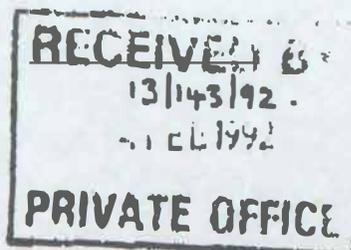




TJS/AH

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT



4 February 1992

Dear Tom,

ARMY (NORTHERN IRELAND) BILL

Thank you for your letter of 31 January enclosing a memorandum for LG Committee about this Bill. I have also seen Peter Brooke's letter of 3 February to you, Gillian Shephard's letter of 4 February and the letter of 3 February from Nick Lyell's private secretary.

Richard Ryder and I discussed the possible Parliamentary handling of this Bill with Archie Hamilton yesterday, and I subsequently talked to Peter Brooke. I accept that this Bill is necessary given the unique status of the UDR; and I accept the importance which both you and Peter Brooke have stressed of being seen to make progress with the Bill in this Session, despite the obvious difficulties which an extra Bill presents the Business Managers at this late stage. I must make clear that there can be no guarantees that the Bill will be able to complete all its stages. The warnings in Peter Brooke's letter about the likely attitude of the DUP and, to some extent, the UUP mean that any chance of getting all-party agreement to accelerate its passage in the Commons must be remote. But I accept that this is not by itself a reason for not starting the Bill on its way.

Accordingly, I agree that the Bill should be introduced and published later this week. I should be grateful if your officials could make the necessary arrangements with Parliamentary Counsel.

I am copying this letter to the Prime Minister, Peter Brooke, Members of LG Committee and to First Parliamentary Counsel and Sir Robin Butler.

Yours ever,
John

JOHN MACGREGOR

The Rt Hon Tom King MP
Secretary of State for Defence
Main Building
Whitehall
London SW1A 2HB

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Covering ~~RESTRICTED/CONFIDENTIAL/SECRET/TOP SECRET~~

* P R I O R I T Y *

UNDER SEC 346/1
31 JAN 92
CENT SEC

1/6

SECRETARY OF STATE'S ENQUIRY

SUBJECT: *Merger of Ulster Defence Regiment (UDR)*

ACTION (Advice/Draft Reply/Nil Return): *Mr Leach* Mufax/~~Telecopy~~

(It is the responsibility of the action official to take any necessary action including redirection.)

DEADLINE: *7/2/92*

Mr Leach

RECEIVED
31 JAN 92
MUFAX ROOM

Copies:

- PS/Secretary of State (B) *m*
- PS/Paymaster General (L&DENI&DFP)
- PS/Minister of State (L, B) *m*
- PS/Mr Needham (L, DOE&DED)
- PS/Mr Hanley (L, DANI&DHSS)
- PS/PUS (L&B) *m*
- PS/Mr Fell *m*
- Mr Thomas (L)
- Mr Bell (AUS L)
- Mr Ledlie (DUS B) *m*
- Mr Semple (DFP)
- Mr Hodges (DANI)
- Mr Elliott (DHSS)
- Mr Murray (DOE)
- Mr Carvill (DENI)
- Mr Loughran (DED)
- Mr Hopkins (IDB)
- Mr Erskine (OLC) *m*
- Mr Chesterton (PEFO)
- Mr Alston (AUS B Pol) *m*

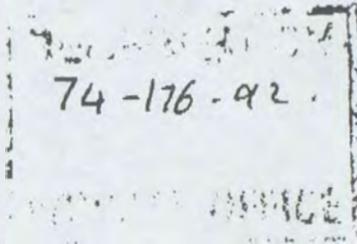
- Mr J Lyon (CJB)
- Mr A P Wilson (AUS B) *m*
- Mr Steele (Dir Prisons)
- Mr Hamilton (Cent Sect) *m* *3/2*
- Mr A Wood (Dir Info L&B)
- Mr Allsop (Estabs L)
- Mr Cooke (SIL)
- Mr D J R Hill (CPL)
- Mr D A Hill (ESL)
- Mr Cornick (RCB)
- Mr Laverty (Estabs B)
- Mr Maccabe (PAB)
- Mr Leach (SPOB) *m*
- Mr McClelland (POB)
- Miss Mills (CJB)
- Mr Shannon (CPJB)
- Mr Dodds (A-I Sect)
- Mr Rodell (Parly Clerk)
- Mrs Madden (PTSD)
- Mr Caine (Special Adviser)

Additional Copies:

Mrs Helmer

1. PS/Sofs (L)
2. PPS/Sofs
3. Secretary of State

CP/SOFS/10790

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TJS/AH

 PRIVY COUNCIL OFFICE
 WHITEHALL, LONDON SW1A 2AT

29 January 1992

Dear Tom,

Thank you for your letter of 28 January about the proposed Bill to enable the merger of the Ulster Defence Regiment with the Royal Irish Rangers. I have now had the opportunity to discuss this with Richard Ryder and this letter records our joint views on how to proceed. We feel that, subject to the agreement of the Legislation Committee, it may be possible to introduce the Bill this Session and we would use our best endeavours to ensure its enactment, but there can, of course, be no guarantees.

In deciding whether it is realistic to introduce the Bill this Session we will need information from you on two aspects of its handling. First, we will require assurances that the Bill will have complete cross-party support. Your letter indicates some doubt about this, and I hope that you and Peter Brooke can resolve this speedily. Second, we will need an assessment of the likelihood of being able to obtain agreement to the enactment of the Bill on dissolution, if that should occur before it has duly completed all its stages.

As the Legislation Committee Secretariat has advised your officials, the next step is for you to circulate a memorandum on the Bill, and it should cover the matters I have mentioned. I hope that it will be possible to reach agreement in correspondence so that, if the Bill is to be introduced, we could do so without delay.

I am sending a copy of your letter and this reply to Richard Ryder and to Peter Brooke.

Yours ever,
JH

JOHN MACGREGOR

The Rt Hon Tom King MP
 Secretary of State for Defence

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MINISTRY OF DEFENCE
WHITEHALL LONDON SW1A 2HB
Telephone 071-21 82111/3

SECRETARY OF STATE

75-176 42
PRIVATE OFFICE

MO 19/3D

28 January 1992

We spoke earlier today about the proposed Bill to enable the merger of the Ulster Defence Regiment (UDR) with the Royal Irish Rangers, to form the Royal Irish Regiment. You agreed last month that we could press ahead with drafting a short Bill.

The Bill is definitely needed if the morale of the UDR, particularly vital in the current circumstances, is not to be severely damaged by a delay to the merger. I enclose a copy of the current draft of the Bill, which is nearly finalised subject to clearance on hybridity. As you will see it is a very short Bill. I am confident that it will be supported by all the GB parties, the SDLP and the OUP. We will need to consider our best approach to the DUP. *Brian Mackinnon may be the person to talk to the NI Parties and I am speaking to Peter Budge about this.*

I would be grateful for your agreement that the Bill may proceed, and for your advice on the most accelerated timetable we could follow in order to get it through.

Tom King

X probably

The Rt Hon John MacGregor OBE MP
Member of the Council

CONFIDENTIAL

Army (Northern Ireland)

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To provide for the Ulster Defence Regiment to cease to be maintained at the end of June 1992, for the amendment of section 2 of the Armed Forces Act 1966 in relation to service in Northern Ireland, and for connected purposes. A.D. 1992.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 1.—(1) The Ulster Defence Regiment shall not be maintained after the end of June 1992.

Ulster Defence Regiment. (j01) ✓

(2) A member of the Ulster Defence Regiment whose term of service with the Regiment would apart from this section continue after the end of June 1992 shall be a member of the regular forces (for all purposes) for the remainder of that term.

10 (3) The conditions of service of a person to whom subsection (2) above applies, other than an officer, shall remain unchanged for the remainder of the term referred to in that subsection (except to the extent that they are changed apart from this section) but shall be deemed to include 15 conditions having the same effect as sections 10(5), 24, 25, 44, 139, 140 and 141 of the Reserve Forces Act 1980.

20 2.—(1) In subsection (1) of section 2 of the Armed Forces Act 1966 (power of the Defence Council to make regulations as to engagement of persons in regular forces), after paragraph (ii) there shall be inserted—

Regulations as to terms and conditions of service, etc. (j02a) 1966 c.45.

“(i) providing for service in the regular army (or service in the regular army otherwise than for the purposes of training) to be restricted to service in Northern Ireland”.

(2) After that subsection there shall be inserted—

“(1A) In the case of persons whose service (or service otherwise than for the purposes of training) is restricted to service in Northern Ireland, so long as they serve shall have effect as if subsection (1)

CONFIDENTIAL

2

Army (Northern Ireland)

full-time service included references to part-time service (or to a combination of full-time and part-time service).

(1B) In subsection (1A) above references to part time service include references to service by a person who is required to serve only at such times as he may be called out in accordance with the regulations." 5

(3) In subsection (1) of section 13 of the Reserve Forces Act 1980 (regulations about call out) after paragraph (b) there shall be added--

"(c) for securing that, in such cases as may be prescribed, the liability imposed by [that subsection] [section 10 or 11 10 above] is to service in Northern Ireland and not to service in any part of the world".

1966 c.45.

(4) The provisions of the Reinstatement in Civil Employment Act 1950 applicable in Northern Ireland shall apply to a person who is, or is liable to be, called out in accordance with regulations made by virtue of 15 section 2(1A) of the Armed Forces Act 1966 as they apply to a person who has entered, or (as the case may be) may be required to enter, upon a period of whole-time service in the circumstances mentioned in section 1(a) of that Act.

(5) Any service rendered by a person called out in accordance with 20 regulations made by virtue of section 2(1A) of the Armed Forces Act 1966, and any continuous period of training of seven days or longer performed by a person liable to be called out in accordance with such regulations, shall be relevant service within the meaning of the provisions of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 25 1951 applicable in Northern Ireland.

Repeals. [j11]

3. The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the first column of the Schedule.

Expenses. [j12]

4. There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums paid out of money so 30 provided under any other enactment.

Short Title [j14]

5. This Act may be cited as the Army (Northern Ireland) Act 1992.

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Army (Northern Ireland)

3

SCHEDULE

REPEALS (J001)

Chapter	Short title	Extent of repeal
5 1975 c. 24.	The House of Commons Disqualification Act 1975.	In section 1(1)(c) the words "or the Ulster Defence Regiment".
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In section 1(1)(c) the words "or the Ulster Defence Regiment".
10 1980 c. 9.	The Reserve Forces Act 1980.	Section 7. Section 10(5). Sections 24 and 25. Section 26(1)(vii). Section 44. Sections 139 to 144. Section 145(2). Section 146(2).
15		

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