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cc Press Office.

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PRIME MINISTER

Prime Minister

Content with Home Secretary's
proposed statement on
Nationality Law, scheduled
for Wednesday?

Wm

NATIONALITY LAW

MAD 24/VII

The draft of the White Paper on Nationality Law which was considered at the meeting of Home Affairs Committee on 18th June (H(80)13th meeting) was, after some minor amendments, cleared by our Cabinet colleagues and is being printed.

I am arranging for it to be published at 11 a.m. on Wednesday 30th July, and shall seek permission to make a statement in the House after Questions that afternoon. A written answer to an arranged Question will appear in the official Report published on Tuesday to give notice of publication.

I attach a draft of what I propose to say in the statement. Perhaps I may assume that if I do not hear to the contrary by close of play on Monday 28th July there are no comments on it.

I am sending copies of this minute to our Cabinet colleagues, the Minister of Transport, the Chief Whip and Lord Denham.

Lord

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DRAFT STATEMENT ON NATIONALITY

With permission, Mr. Speaker, I will make a statement about the law on nationality.

2. It has long been recognised that our nationality law is out of date. The previous Government published a Green Paper in 1977. We said in our Election Manifesto that we would introduce a new British Nationality Act. I have published today a White Paper which contains our proposals for legislation. A Bill will be introduced as soon as Parliamentary time permits.

3. It is widely accepted that we need a new citizenship confined to those who have close connections with the United Kingdom. We propose that this should be known as British Citizenship.

4. The Green Paper proposed that all those citizens of the United Kingdom and Colonies who did not become British Citizens should become British Overseas Citizens. We have, however, been impressed with the argument that a separate citizenship should be established for the dependencies as a whole. We propose that this should be called Citizenship of the British Dependent Territories. I emphasise that the establishment of this separate citizenship will not alter the United Kingdom's obligations and commitments to our overseas territories.

5. Those who are now citizens of the United Kingdom and Colonies but do not qualify either for British Citizenship or for Citizenship of the British Dependent Territories will become British Overseas Citizens.

6. Children born in the United Kingdom (or the Channel Islands or the Isle of Man) will normally acquire British Citizenship by birth. But we think that in principle there is a good case for providing, with the safeguards contemplated in the White Paper, that a child of parents neither of whom is a British Citizen and neither of whom is settled here should not acquire British Citizenship solely by his birth in the United Kingdom.
7. A British Citizen by birth, whether male or female, will transmit his or her citizenship to the first generation born abroad and, normally, to the first generation only. But children born abroad to Crown Servants who are British Citizens will be citizens by birth, and there will be special provisions for children born abroad to certain other people who have close connections with business and other organisations based in the United Kingdom, or with some international bodies.
8. All adults, whether Commonwealth citizens or foreigners, who wish to obtain British Citizenship will do so by naturalisation.
9. The present automatic entitlement of wives to obtain our citizenship by registration will be ended. Instead, both husbands and wives will be able to apply for naturalisation on the same terms as others, though after three years' residence instead of five.
10. The present entitlements to acquire citizenship by registration possessed by wives, and by Commonwealth citizens who were settled here before 1st January 1973, will be preserved for an interim period of two years.

11. After careful consideration, we have decided not to introduce any restrictions on the holding of dual nationality by those people who come here and acquire British Citizenship by naturalisation or registration.

12. Citizenship of the British Dependent Territories will be acquired under the same general pattern as that proposed for British Citizenship. This citizenship will not give the right of entry to a dependency other than that with which a person is connected.

13. British Overseas Citizenship represents in essence the relationship with the United Kingdom held by people connected with countries which were once part of the British Empire, or whose ancestral connections with the United Kingdom or its present dependencies are not sufficiently close to qualify them for British Citizenship or Citizenship of the British Dependent Territories. Children born after the Act comes into force to parents who have become British Overseas Citizens will not themselves hold that citizenship.

14. I make it clear once again that we shall continue to recognise the special position for immigration purposes of certain United Kingdom passport holders, mainly from East Africa, and we shall maintain our undertaking to continue the special voucher scheme for them.

15. It will no longer be necessary to use the term "British Subject" as the common status of all people connected with the Commonwealth. In the Bill, the only expression denoting the common status of all people connected with the Commonwealth will be "Commonwealth citizen".

16. All those who have citizenship of the United Kingdom and Colonies at the time when the Act comes into force will acquire one of the new citizenships. No one who is then a citizen of the United Kingdom and Colonies will be left without a citizenship. Generally speaking, those citizens who or whose parents or grandparents were born, adopted, naturalised or registered in the United Kingdom will become British Citizens. Those Citizens of the United Kingdom and Colonies from overseas who have been here for five years and are settled will also become British Citizens.

17. There is a small group of people, formerly stateless and most of them children, who have become patrial by registration overseas and who we think ought to be given whichever citizenship their mothers acquire. Apart from these, every citizen of the United Kingdom and Colonies who is patrial will become a British Citizen and no one who has the right of abode in this country will lose it. In the long term, only British Citizens will have the right of abode. But individual people who are not citizens of the United Kingdom and Colonies but now have the right of abode will retain it. The Bill will not adversely affect the position under the immigration law of anyone who is lawfully settled in the United Kingdom, whether or not he becomes a British Citizen. Nor will it affect our commitment to admit the wives and dependent children of men lawfully settled here.

18. When the Act comes into force there will be some applications for citizenship still outstanding. The Bill will provide that an application for citizenship which has been properly made and is still under consideration at the time when changes in the law come

into effect should be dealt with according to the law at the time when it was made, though if citizenship is granted it will, of course, be whichever of the new ones is appropriate.

19. Mr. Speaker, I commend our proposals to the House.