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PRIME MINISTER

NATIONALITY BILL

Earlier this month, I circulated the draft of a White Paper setting out our proposals for a new Nationality Bill to my colleagues in the Home and Social Affairs Committee.

Subject to one important change, the Committee agreed the draft White Paper, and I shall shortly be circulating it to our Cabinet colleagues seeking approval for publication.

The Committee were agreed that in future the existing citizenship of the United Kingdom and Colonies should be replaced by three new citizenships, viz. British Citizenship (for people with close connections with the United Kingdom) which would confer on the holder the right to enter and remain in the country without restriction; Citizenship of the British Dependent Territories (for those connected with the Colonies and the remaining Associated States); and British Overseas Citizenship (for the remaining citizens of the United Kingdom and Colonies). This latter category of citizenship would not be transmitted to future generations, and would eventually disappear.

The main discussion in the Committee centred on the proposals for the transmission of British Citizenship by descent to children born overseas, particularly the children of Crown Servants, and of those business people working for United Kingdom-based firms overseas. Under my proposals, British Citizenship would, as a general rule, be transmitted only to the first generation of children born abroad to British citizens. Special provision would be made for the children of Crown servants, including children of members of the Armed Forces and of the Diplomatic Service; their children born overseas would become British citizens by birth. The prevailing view in the Committee was that it would be right to treat business men similarly to Crown servants: those having a continuing close connection with the United Kingdom should be able to transmit citizenship to their children through successive generations, provided that the continuing close connection with the United Kingdom was preserved. The Committee took the view that, under the original proposals, the Government would come under very great pressure to change its stance and to accord the British business community overseas more generous treatment. They recognised that there is a risk, which cannot be quantified, that such treatment will give rise to abuse over immigration in future years. It might be possible to minimise that risk by requiring people to renounce any other nationality where British citizenship is transmitted beyond the first generation, even though we do not propose to abolish dual nationality as a general rule. Officials are examining this possible safeguard as a matter of urgency, but we shall not know the outcome before the White Paper has to be published.

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I am sending copies of this minute to the other members of H Committee and to Sir Robert Armstrong.

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21. June 1980

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