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SUBJECT

File



10 DOWNING STREET

From the Principal Private Secretary

7 May 1981

BRITISH NATIONALITY BILL: NEW CLAUSE ON NON-DISCRIMINATION

When the Home Secretary called upon the Prime Minister this afternoon, they had a brief discussion on the proposal that there should be a New Clause in the Nationality Bill which provided that, wherever the citizenship of any person might be affected by the exercise of any discretion, that discretion should be exercised without any regard to that person's race, colour or religion.

The Prime Minister said that she had read the Home Secretary's minute of 5 May. Her main concern was that if we put an unnecessary New Clause in the Bill, we might throw doubt on all the Bill's other principles.

The Home Secretary said that he was not at all enthusiastic personally about the proposed New Clause, but he thought that the Government would face more trouble if the Clause was omitted than if it was included. If the Government opposed the New Clause, we might be defeated on the matter in Committee. But even if we avoided that, it was quite likely that a similar Clause would be put into the Bill in the Lords. The Attorney-General's office had been consulted about the Prime Minister's particular concern about the effect of the New Clause on the rest of the Bill and they were of the view that this was not something that would give rise to difficulties.

The Prime Minister said that, in the light of what Mr. Whitelaw had said, she agreed that the Government should accept the principle of the New Clause's provisions but we should table our own New Clause and invite the Committee to vote for it in preference to the one already tabled by the Opposition.

C A WHITMORE

John Halliday, Esq.,
Home Office.

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