



QUEEN ANNE'S GATE LONDON SW1H 9AT

Prime Minister

MAR 20/81

19 November 1981

Dear Peter

BRITISH NATIONALITY ACT 1981 - DATE OF COMMENCEMENT

As you may know, my officials have been in touch with yours and those of other interested Departments to identify what needs to be done before I can make an order bringing the British Nationality Act 1981 into effect.

The main burden will fall on our Departments, who will be concerned with preparing the Regulations which will prescribe the fees and the manner in which applications for citizenship and the oath of allegiance are to be made. Passports will be affected and new application forms, guidance notes to the public and instructions to staff both at home and abroad, also have to be prepared on all these matters. Parallel Regulations, forms, and instructions will be needed for the new British Dependent Territories' citizenship and this will entail consultation with the dependencies. The Regulations are subject to a negative resolution procedure and we need to be sure that they will not be annulled before I can bring this Act into force.

There is also the matter of training our staff, both at home and overseas. This cannot be carried out effectively until the paperwork is done. I understand that the Passport Office would find it very difficult to train their staff during the peak Summer period or in the run up to it.

This is a complex piece of legislation whose implementation will need very careful handling. It affects most of the people living here and many living abroad. It is therefore essential to get the preparatory work right. I am convinced that the earliest realistic date by which I can have everything ready is 1st January 1983.

There is much to be said for announcing this date as early as possible both to pre-empt enquiries and to avoid accusations of creating tension in the ethnic minorities by keeping everyone unnecessarily in suspense. I therefore propose, subject to any comments I receive by the end of this month, to announce the date by way of an arranged Question early in December.

I am sending copies of this letter to the Prime Minister, Members of H Committee, the Secretary of State for Defence, the Secretary of State for Industry, the Secretary of State for Trade, the Secretary of State for Energy, the Attorney General, the Lord Advocate and Sir Robert Armstrong.

Yours ever,  
William

20 NOV 1965





FCS/81/132

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Immigration

NBPM  
WFSR  
MA  
MAD  
25/11

British Nationality Act 1981

1. I agree that the new Nationality Act should take effect on 1 January 1983 as you propose in your letter of 19 November. The timing suits us well. As I understand the plan, the intention is that the bulk of the work you outline will have been completed by the summer of 1982. That should give us the time we need during the second half of next year to complete our discussions with the dependent territories, and to ensure that they and our consular officers at posts abroad are completely familiar with the new procedures before commencement.
2. In addition, a 1 January commencement will be a help to those who have to administer the new nationality law in years to come, as the Act will apply to children born at any time from the beginning of 1983. This was the pattern of the British Nationality and Status of Aliens Act 1914 which took effect on 1 January 1915, and the British Nationality Act 1948 which came into force on 1 January 1949. It is preferable to a commencement at some intermediate date during 1982 which would have caused the nationality of children born during that year to be determined by different legislation depending on whether they were born before or after the Act came into effect.
3. I also agree that the date of commencement should be made public by an early arranged Parliamentary Question as you suggest.
4. I am copying this minute to the recipients of yours.

(CARRINGTON)

Foreign and Commonwealth Office  
25 November 1981



*MA*

Treasury Chambers, Parliament Street, SW1P 3AG

Rt Hon William Whitelaw CH MC MP  
Secretary of State  
Home Office  
50 Queen Anne's Gate  
London SW1H 9AT

3 December 1981

*By William*

BRITISH NATIONALITY ACT 1981: DATE OF COMMENCEMENT

Thank you for copying to me your letter of 19 November to Peter Carrington, whose reply of 25 November I have seen, about the date of the commencement of this Act.

I am content with your proposals. As you say, this is a complex and important piece of legislation and I can well understand your wish to get the preparatory work right. I make only two comments. The first is that the cost of the preparatory and indeed longer term work will have to be contained within the control totals agreed recently by Cabinet. I also assume that the increased level of receipts from charges to recover the full costs of documents for naturalisation and registration will become effective from 1 April 1982, and be quite separate from the date of commencement for the main legislation.

I am copying this letter to those who received copies of yours.

*Leon Brittan*  
LEON BRITTAN

- 4 DEC 1981

