

CONFIDENTIAL

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Prime Minister



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The Home Secretary recommends that we should not block Lady Vickers' Bill, provided it is not extended to give citizenship to anyone other than a Falklander. He proposes to put a paper on these lines to L Committee tomorrow.

PRIME MINISTER

BRITISH NATIONALITY (FALKLAND ISLANDS) AMENDMENT BILL

WM
17/11

Baroness Vickers has introduced a Bill (similar to those tabled last Session by Mr Kilroy-Silk and Lord Bruce of Donnington) to give British citizenship to everyone who has a connection with the Falkland Islands. Under the British Nationality Act 1981, most Falkland Islanders will in fact be British citizens but there are estimated to be about 400 whose connections with the United Kingdom are not close enough to give them the right of abode. Baroness Vickers' Bill would give them British citizenship. They already have freedom to enter the United Kingdom under an administrative concession which I announced last April.

There are drawbacks to allowing the Bill to pass. It would create an exception to the principle only recently enacted in the British Nationality Act 1981 that the United Kingdom should have a citizenship (British citizenship) confined to those with close connections with the United Kingdom while the dependent territories should have their own citizenship.

Moreover the Bill may well be seen as a precedent. A House of Lords Question has already been tabled about the Pitcairn Islanders. The inhabitants of St Helena are known to wish to have British citizenship. The Hong Kong government may be less eager to press for further concessions if they are to have their way on nomenclature in passports. There is nevertheless a substantial risk that Hong Kong supporters will try and insert a provision giving legal backing to that administrative concession. This could be damaging because it would be almost impossible to leave British Overseas

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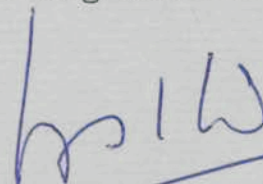
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citizens out of any legislative declaration that particular categories of citizens were British nationals.

Despite these drawbacks, I do not see how the Government can be seen to be actively opposing Baroness Vickers' Bill, which will command widespread support among our supporters. Even lack of co-operation could be damaging to us. I therefore recommend that, while we should make clear the implications which the Bill has for the overall scheme of citizenship set out in the 1981 Act, we should not oppose the Bill. Indeed I think that we should go further and offer drafting assistance if the Bill is given a Second Reading. We should make it clear that we were only doing this on the basis that the Bill remained confined to Falkland Islanders' citizenship and was not widened to bring in anyone else. I do not envisage that we should offer Government time for the Bill when it reaches the Commons, but it could well be passed on the nod if we do not seek to block it.

The Bill is expected to have its Second Reading on Monday, 29 November, and I therefore propose to circulate a memorandum to Legislation Committee on Friday, 18 November recommending the line suggested in paragraph 4.

I am sending copies of this minute to the members of OD and L as well as to Sir Robert Armstrong and First Parliamentary Counsel.



17 November 1982

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RW

10 DOWNING STREET

From the Private Secretary

18 November, 1982

BRITISH NATIONALITY (FALKLAND ISLANDS)
AMENDMENT BILL

The Prime Minister has seen and noted the
Home Secretary's minute of 17 November.

W. F. S. RICKETT

Mrs. L. Pallett,
Home Office

RW



Prime Minister

H & C. 19/11.
MF

PM/82/100

PRIME MINISTER

British Nationality (Falkland Islands) Amendment Bill

1. I have seen the Home Secretary's minute of 17 November about the Bill introduced by Baroness Vickers to give British citizenship to everyone who has a connection with the Falkland Islands.
2. I endorse his analysis and support the line he proposes. There may be considerable difficulties with some of the other dependencies, particularly Hong Kong, but in the parliamentary circumstances I see no other way forward.
3. I am copying this minute to the Home Secretary and to the other members of OD and L as well as to Sir Robert Armstrong and First Parliamentary Counsel.

FP

(FRANCIS PYM)

Foreign and Commonwealth Office
19 November 1982

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