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CGRM	Head of DS5
ACDS(Ops)	Head of NLC

MO 5/21

Press Conference - ?HEAD OF DS15(L)DECLARATION OF ACTIVE SERVICE

APS/Minister(AF) passed to this office a copy of your submission of the 20th April. The Secretary of State has seen this and the supplementary note produced by Mr Brown yesterday (not to all or needed). The Secretary of State is not convinced that the operational advantages of declaring Active Service outweigh the disadvantages in other respects. In particular he is concerned about the reaction of the Unions who, as you point out in your minute, have been told that Active Service would not be declared unless it appeared to be absolutely necessary. There is also the difficulty that, as we understand it, the powers would also apply to the journalists with the Task Force. Given that Active Service would in any case apply when the force was engaged in operations the Secretary of State wonders whether there is a need to declare a blanket zone. He would wish to know whether there are any indications, other than the particular example quoted in the signal attached to Mr Brown's minute, that the crews and masters of RFAs and civilian ships are not responding promptly to the directions of the Force Commander and whether there are similar indications that they will not respond as the Force proceeds further South.

2. The Secretary of State is certainly not ruling out such a declaration entirely - and he would be quite happy to raise it with his OD(SA) colleagues. But he does regard it as a matter which needs careful consideration and justification before it is agreed. I should be grateful if you could consider these points and let me have a further note. If there is urgency the next meeting of OD(SA) is on Sunday and the Secretary of State would be quite happy to raise it orally then.

CNS may  
visit at  
OD(SA)

NHR Evans

22nd April 1982

(N H R EVANS)  
APS/S of S



40A

CONFIDENTIAL

CXY107 10/1934 100C1870

FOR CXM

PRIORITY/PRIORITY 101205Z APR 82

FROM CTG 317.0  
TO CINCFLEET  
INFO MODUK NAVY  
FOF3

DIST:- DNOT NSAG  
DNOT NCS  
CGRM  
DNW  
DN PLANS  
DNMP

CONFIDENTIAL

SIC 19F/UZE/NAV  
STAFF-IN-CONFIDENCE  
OPERATION CORPORATE

MODUK NAVY FOR DGST (N) RFA CHINESE

REF A. SIR LANCELOT ABA/UZE/NAV/LMN/25H/19F 091630Z APR

B. COMAW 19F 052355Z APR PARA 3 AND 5 (NOTAL)

C. CTU 317.8.3 19F 091918Z APR (NOTAL) (POINTS OF CONCERN)

D. MODUK NAVY 19F 090130Z APR (GUNS IN LSLs/FOREIGN PORTS)

1. ALTHOUGH HAVE NOT DISCUSSED PROBLEM WITH RFA MASTERS, HAVE VISITED RFAS AND BEEN UNCOMFORTABLY IMPRESSED BY SENSE OF REAL APPREHENSION AMONG CHINESE. COULD ARGUE QUOTE CANT TAKE JOKE SHOULDNT JOINED UNQUOTE BUT INCLINE TO SIDE OF VOLUNTEERS BETTER THAN PRESSED. MUST GUARD AGAINST, IN EXTREMIS, WALKOUT/MUTINY

PAGE 2 RBDFOHH 179 CONFIDENTIAL

2. WISH PUT DOWN MARKER CONSIDERATION GIVEN REPLACEMENT OF CHINESE BY

BRIT RFA OR RN RATINGS. RFA OFFICERS MUST REMAIN

3. IN ANY EVENT CONSIDER LSLs WOULD BE STRENGTHENED BY ADDITION OF GUN DIRECTOR (VISUAL) IN FORM OF SD(G) OR F/CPD(GI) TO JOIN ASCENSION. SUCH ADDITION BEST QUAL TO TRAIN UP GUNS/BLOWPIPE CREWS AND TAKE CHARGE OF RN RATINGS IF PROVIDED

4. STRONGLY SUPPORT ALL CAN BE DONE REASSURE CHINESE.

BT

Signal reply sent by DGST(N).  
DNMP/DNW input to org that present provision of 1x Power/Co + 1x Co/PO(m) + 1x AB(m) per ship is adequate. No extra required.

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- CYG 1 DIC
- CWN 1 DOMS
- CXK 1 DSC(ROW)

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**MINISTRY OF DEFENCE**

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D/MIN(AF)/PB/5/1/5

APS/S of S

OPERATION CORPORATE: DECLARATION OF ACTIVE SERVICE

1. We spoke about the attached minute from Head of DS 15 (L) concerning CINCFLEET's request for the Secretary of State's consent to a declaration of active service for the forces currently deploying in the South Atlantic. You agreed that in Minister (AF)'s absence it would be appropriate for this proposal to be submitted directly to the Secretary of State.
2. The declaration is required by CINCFLEET in advance of actual hostilities (when active service is automatically applied) in order to enhance his powers of direction over the Masters of Ships taken up from trade and civilians on board ships already in a "threat environment".
3. In order to enable CINCFLEET to make the declaration, it would be necessary for the Secretary of State to sign the form of words attached to Head of DS 15 (L)'s minute. We are not obliged to inform Parliament although, as news of the change would be likely to become known without much delay through the press representatives accompanying the task force, you may wish to consider whether it would be appropriate to inform Parliament as soon as the decision had been taken. You will in any case presumably wish to inform No 10 of what is proposed.
4. If this office can assist any further please do not hesitate to let us know.

21 April 1982

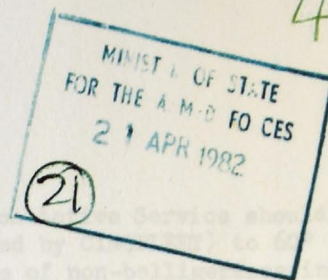
*Colston*

J P COLSTON  
APS/Minister (AF)

400

LOOSE MINUTE

D/DS15(L)/632/7/4

PS/Minister(AF)

Copy to:

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Sec/2SL	Treasury Solicitor (Mr Ellis)
MA/AG	Head of DS11
PS/AMP	Head of DS5
CGRM	Head of NLC
ACDS(Ops)	

OPERATION CORPORATE: DECLARATION OF ACTIVE SERVICE

Commander-in-Chief Fleet has requested the Secretary of State's consent to his declaration of Active Service for the forces under his command involved in Operation CORPORATE and associated operations (200852Z APR 82).

2. "Active Service" is governed by Section 134 of the Naval Discipline Act 1957 as amended, Section 224 of the Army Act 1955 and Section 222 of the Air Force Act 1955. It exists automatically when the force in question is engaged in operations against an enemy. In addition, with the consent of the Secretary of State it can be deemed to be in force by declaration of the appropriate authority (in this case CINCFLEET) if it appears to him to be necessary. The main effects are that civilians employed in the service of or accompanying the force become subject to the Service disciplinary codes. In addition, the limit on fines which courts-martial can impose for military offences is increased from 28 days' pay to 56 days' pay; and the Army and the Royal Air Force may hold Field General Courts Martial in certain circumstances, with consequent simplifications of procedure.

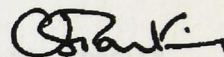
*The foundries with the Task Force will also be affected*

3. The main civilians affected by the declaration of Active Service will be the crews of all requisitioned ships (except UGANDA, as a hospital ship). In discussions between P&O and the Seamen's Union on 6 April S of S agreed that the Union should be told that Active Service would not be declared unless it appeared to both the Naval Commander and the Secretary of State that it was absolutely necessary. In addition, among the civilian personnel covered will be NAAFI personnel on HM Ships; these are being offered the option of temporary enlistment in the RN during Active Service; those who remain NAAFI civilian employees will have their pay enhanced by NAAFO during Active Service.

4. It is recommended that the zone within which Active Service should be declared should be from 7° South (as requested by CINCFLEET) to 60° South. This limit is because of the stipulation of non-belligerence in the Antarctic Treaty, which applies from 60° South. The 7°S line is just north of Ascension Island and is also the line at which the 150% supplement to NUS rates comes into effect and is therefore a logical starting point for the active service zone.

5. It is not proposed to make any formal announcement of this declaration but the decision will no doubt become known via the Task Force in due course. Suitable defensive briefing will be provided for the Press Office. The FCO are content with the proposal and VCNS has endorsed the operational case made by CINCFLEET.

6. If Minister(AF) is content I would be grateful if you could arrange for the Secretary of State to sign the attached declaration.



C S PONTING  
Head of DS15(L)

20 April 1982

Encl

cc 1955 Minutes (10)  
You are invited  
- 1000  
1000  
Member (A) is distributed  
Head of 1915(L)  
207821

ACTIVE SERVICE

SECRET

In exercise of the powers conferred upon me by section 134 of the Naval Discipline Act 1957, section 224 of the Army Act 1955 and section 222 of the Air Force Act 1955, I consent to the declaration of Active Service by the Commander-in-Chief Fleet for the forces under his command in the Atlantic Ocean, between 7° and 60°S, for such period not exceeding three months as he may specify in his declaration.

PAGE 2 REDICR 725 S E C R E T UK EYES BRAVO  
DIED, 25 PRESS. COS MUST HAVE POWERS GIVEN BY THE NOA BEFORE  
ACT IN THESE CIRCUMSTANCES.  
2. OPERATIONS OTHER THAN IS FOR ACTIVE SERVICE FOR  
S. ATLANTIC AREA SOUTH OF TROPIC OF CAPRICORN TO 60S. HOWEVER, THERE WOULD BE NO OBJECTION TO DECLARING FOR AREA SOUTH OF 7S AS ORIGINALLY ENVISAGED, IF THIS IS PREFERABLE FROM NOA POINT OF VIEW.  
3. IN VIEW OF IMMINENCE OF CERTAIN EXPECTED OPERATIONS, REQUIRE EARLY CONSENT TO REF A, MODIFIED AS IN PARA 2 IF SO DESIRED.

April 1982

Secretary of State for Defence

DISC (A) (M)  
OAKM  
DISC (A) (M)  
DISC (A) (M)  
S of S

SECRET

✓ CC APS / MINISTER (A1)  
40  
You are dealing  
with this one,  
I believe.

Minister (A1) distribution  
Head of OSIS(L)

GP BUTAFOOTER FOR IT IS UNY PP

207001

SECRET

UK EYES BRAVO

HH  
PP RBDWCR  
DE RBDECR 725 1100900  
ZNY SSSSS  
P 200852Z APR 82  
FM CINCFLEET  
TO RBDWCR/MODUK  
INFO RBDWCR/MODUK NAVY  
RBDWCR/MODUK AIR  
RBDWCR/CGRM  
BT

SECRET UK EYES BRAVO  
SIC AAA/A2P/19F  
OPERATION CORPORATE

A. CINCFLEET 152117Z APR 82.

1. FURTHER TO PARA 1 OF REF FOLLOWING OPERATIONAL CONSIDERATIONS  
NOW REQUIRE ACTIVE SERVICE TO DECLARED:

- A. THIRTEEN SHIPS TAKEN UP FROM TRADE NOW UNDER MY COMMAND.  
CTG'S MUST HAVE AUTHORITY TO DIRECT MASTERS WHEN IN ACTION  
OR WHEN THREAT IS IMMINENT.
- B. SOME WAR SHIPS ALREADY IN THREAT ENVIRONMENT AND MORE POSITIVE  
ROES EXPECTED. CIVILIANS ON BOARD SHOULD BE SUBJECT TO NDA  
BEFORE ACTION IS ENGAGED.
- C. THE MAIN TF NOW SOUTH OF ASCENSION HAS MANY CIVILIANS ATTA-

PAGE 2 RBDECR 725 SECRET UK EYES BRAVO  
CHED, EG PRESS. COS MUST HAVE POWERS GIVEN BY THE NDA BEFORE  
ACTION COMMENCES.

2. OPERATIONAL REQUIREM IS FOR ACTIVE SERVICE TO BE DECLARED FOR  
S. ATLANTIC AREA SOUTH OF TROPIC OF CAPRICORN TO 60S, HOWEVER,  
THERE WOULD BE NO OBJECTION TO DECLARING FOR AREA SOUTH OF 7S AS  
ORIGINALLY ENVISAGED, IF THIS IS PREFELE FROM MOD POINT OF VIEW  
3. IN VIEW OF IMMINENCE OF CERTAIN EXPECTED OPERATIONS, REQUIRE  
EARLY CONSENT TO REF A, MODIFIED AS IN PARA 2 IF SO DESIRED.

BT  
DSC (AFOM)  
CGRM  
DSC (ROW)  
DSC (NAVY OPS)  
NNNN S of S

SECRET



407

Head of DSIS (L)

You agreed to consider and submit advice to Ministers as a matter of urgency.

JK

16/4

P. M.  
OO RDMWR  
DE R. DECR 539 1052145  
ZNY CCCCC  
O 152117Z APR 82  
FM CINCPACFLT  
TO RDMWR/RODUK  
INFO RDMWR/RODUK NAVY  
RDMWR/CCRN  
RDMWR/RODUK AIR  
BT

CONFIDENTIAL EXCLUSIVE  
SIC AAA/A2P/19F  
OPERATION CORPORATE

1. ACTIVE SERVICE AS DEFINED IN MDA S.134(1) IS DEEMED TO BE LIMITED FOR THOSE FORCES ASSIGNED TO OPERATION CORPORATE AND ASSOCIATED OPERATIONS.
2. PROPOSE TO DECLARE ACTIVE SERVICE FOR SUCH FORCES FOR A PERIOD OF THREE MONTHS WITH IMMEDIATE EFFECT; EACH INDIVIDUAL SHIP AND AIRCRAFT BEING DEEMED TO BE ON ACTIVE SERVICE FROM THE DATE OF DECLARATION OR THE DATE OF MOVING SOUTH OF LATITUDE 7 DEGREES SOUTH WHICHEVER IS THE LATER.
3. CONSENT TO THIS DECLARATION IS REQUESTED IN ACCORDANCE WITH MDA S.134(5).

DSC (Rov)  
S of P  
DSC (NAV OPS)  
DSC (AF OPS)  
CGRM

D O REF P. 44  
16/0222<sup>+</sup>