



10 DOWNING STREET

THE PRIME MINISTER

23 April 1986

My dear Miss Dunn.

I wanted to write to you personally about the response we are giving to the requests put forward by the Legislative Council on the Nationality Order.

We have considered very carefully all the points which have been made and in particular those made in your letters to me earlier this year. We have recognised the strength of feeling in Hong Kong and we have been anxious to take it fully into account.

We are today announcing our response to the Legislative Council's requests. As you will see, we have met in full the Council's request for a passport endorsement about visits to the United Kingdom. We received many reports from the Governor on feeling in Hong Kong about the issue and were aware of the widespread concern. We have done our best to meet that concern and to provide the necessary reassurance which people in Hong Kong were looking for. We welcome visitors from Hong Kong and the close contacts between Britain and Hong Kong which their visits help to maintain.

We hope we have also been able to meet the views of many in Hong Kong who thought that we should give special recognition to former servicemen in Hong Kong who fought in

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Hong Kong's defence in the Second World War. We hope the arrangements we have made will be seen as both fitting and imaginative.

We have not however been able to meet the request on behalf of those British Dependent Territories citizens in Hong Kong who are not ethnically Chinese. I know this will be unwelcome news. But we have considered this very carefully indeed and we hope that on reflection people in Hong Kong will recognise the reasons which led us to our decision and will come to see the value of the arrangements we have already made to provide these communities with an assured citizenship status as well as a continued home in Hong Kong.

I should like to record my thanks to the Legislative Council for the full and constructive contributions they have made to improving the nationality arrangements we are making for people in Hong Kong. I believe the Government have recognised this in our response to your requests. We are, as you know, now laying the Nationality Order before Parliament. We look forward to receiving the Council's continued assistance and advice.

With best wishes,

Yours sincerely  
Lydia Dunn

The Hon. Lydia Dunn, C.B.E., J.P.



MEMBERS OF LEGISLATIVE COUNCIL

立法局議員

*Mr. Mink*

28th April, 1986

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Rt. Hon. Mrs. Margaret Thatcher, MP,  
No. 10 Downing Street,  
London SW1,  
England.

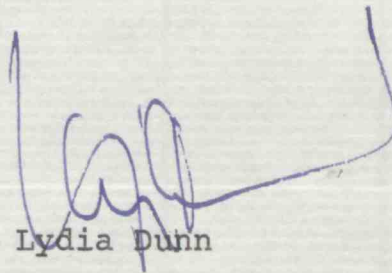
Dear Prime Minister,

It was thoughtful <sup>*attached*</sup> of you to write to me about the British Government's response to the Legislative Council's proposals on nationality. We welcome the decisions on the passport endorsement and the settlement of ex-servicemen. But you will not be surprised by our disappointment at the failure to offer more immediate assurance to the non-ethnic Chinese minorities.

I appreciate your generous tribute to the contributions of the Legislative Council which I have passed on to my colleagues.

With my best regards,

Yours sincerely,



Lydia Dunn

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PARLIAMENTARY QUESTION FOR ANSWER ON 23 APRIL 1986

To ask the Secretary of State for the Home Department whether he is yet in a position to respond to the requests made by the Legislative Council of Hong Kong concerning the draft Hong Kong (British Nationality) Order in Council.

MR DOUGLAS HURD

The Government have carefully considered the requests made by the Legislative Council and have held detailed discussions with the Hong Kong government. We have also taken fully into account the views expressed in the debates in Parliament in January and in the Legislative Council, as well as representations put to us by organizations and individuals in Hong Kong.

The Council's first request was that we should provide an endorsement in the British National (Overseas) passport making it clear that the holder did not require a visa or entry certificate to visit the United Kingdom. The Government will meet this request. As we have made clear on many occasions, visitors from Hong Kong are welcome to come to the United Kingdom. British Dependent Territories

/citizens



citizens do not have to obtain a visa in advance to visit the United Kingdom. This is the position under the current immigration rules and this Government has no intention of introducing any visa requirement for such visitors. This is understandably a matter of great importance to people in Hong Kong. In response to their wishes, therefore, the Government have agreed that an endorsement reflecting this position should be placed in the new British National (Overseas) passports. The endorsement will read:

"In accordance with the United Kingdom Immigration Rules, the holder of this passport does not require an entry certificate or visa to visit the United Kingdom."

A leaflet will be issued with each passport explaining the endorsement and the position under the immigration rules.

The Council's second request was that former servicemen in Hong Kong who served in the defence of Hong Kong in the Second World War should be granted British citizenship. The number involved is about 270. In view of their particular service the Government will meet the spirit of this request. It is not possible under the British Nationality Act 1981 to confer British citizenship on them all regardless of the nature of their service or their present citizenship. But I will consider sympathetically applications for registration as British citizens under section 4(5) of the British Nationality Act 1981 from any who are eligible under this provision because they are British Dependent Territories citizens or other British nationals and because they served under the

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Government of Hong Kong, for example in the Hong Kong Volunteers. The number who might be eligible is likely to be about 60. I am also ready from today to accept and grant applications from any of the 270 or so former servicemen in Hong Kong together with their dependants who wish to come to the United Kingdom for settlement.

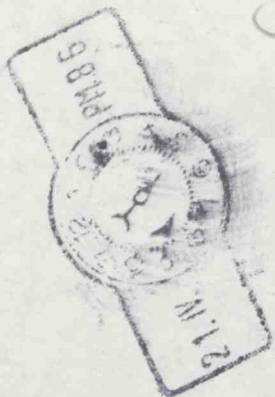
The Council's third request was that those British Dependent Territories citizens who were not ethnically Chinese should be granted British citizenship rather than British Overseas citizenship if after 1 July 1997 they would otherwise be stateless. There are at present about 11,500 British Dependent Territories citizens who might be affected by this provision. The Government has carefully considered all the arguments put forward in support of this request, but we have concluded that the granting of British citizenship is not justified in the present circumstances. We are satisfied that we shall be able properly to meet the needs of these citizens, their children and their grandchildren for an accepted citizenship status and for a place to call their home. This will be ensured through the guarantees of right of abode in Hong Kong after 1997 provided in the Agreement with the People's Republic of China, and through the provisions of British Overseas citizenship status for any who would otherwise be stateless, down to the second generation born after 1997. British citizenship would not strengthen the position of these communities in Hong Kong. If however any British national were in the future to come under pressure to leave Hong Kong, we would expect the Government of the day to consider sympathetically the case for admission to the United Kingdom.



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We believe our response to the Legislative Council has shown that we pay close attention to the views expressed by the Council and the people of Hong Kong and that, as a result, the nationality provisions for Hong Kong have been clarified and improved. We believe it would be right now to put in place the nationality provisions which have been extensively discussed in Parliament and in Hong Kong so that detailed planning work can continue without delay. I intend therefore to lay the draft Order in Council before the House in the next few days.

Passports: Hong Kong Oct 82.







HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

21 April 1986

*Dear Charles*

HONG KONG: LETTER TO MISS LYDIA DUNN

Your letters of 6 January and 7 March to Robert Culshaw asked for draft replies to letters of 3 January and 28 February to the Prime Minister from Miss Lydia Dunn, Senior Unofficial Member of the Executive and Legislative Councils of Hong Kong (UMELCO). The letters concerned the three requests made by UMELCO in connection with the Hong Kong Nationality Order in Council.

The Prime Minister wrote to Miss Dunn on 20 March undertaking to write to her again once decisions on UMELCO's three requests had been made.

The response to the Legislative Council's proposals has been agreed by OD(K) and will be made by way of an arranged Parliamentary Question on 23 April. It would be helpful if Miss Dunn could receive the Prime Minister's letter just in advance of our announcement. The text of the letter would need to be sent by telegram to the Governor of Hong Kong on 22 April so that he could pass it to Miss Dunn.

... I attach a draft of a letter to Miss Dunn which has been agreed by the Home Secretary and the Foreign Secretary, together with a copy of the Parliamentary Answer which will be given on 23 April. As you will see, we think that a short and relatively personal letter is likely to be the most effective way of helping the reception of our announcement. We cannot, of course, expect that Miss Dunn will stop pressing publicly for British citizenship to be granted to the ethnic minorities in Hong Kong, but we hope the Prime Minister's letter will help at least temper the immediate response.

It would be very helpful, therefore, to know as soon as possible whether the Prime Minister is content with the draft so that the FCO can inform the Governor.

I am copying this letter to Robert Culshaw (FCO).

*Yours sincerely*  
*William Fittall*

W R FITTALL

Charles Powell, Esq

Draft letter for signature by the PRIME MINISTER to:

The Hon Lydia Dunn, CBE, JP  
Senior Unofficial Member  
Legislative Council  
HONG KONG

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DRAFT HONG KONG (BRITISH NATIONALITY) ORDER 1986

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