



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