

In the opinion of H.M. Government the desirability of meeting the demand of British communities abroad in this matter is such as to require very serious consideration, and even if the difficulty with regard to the creation of instances of dual nationality cannot be overcome this ought not to be regarded as a fatal objection to such remedial legislation as may be required.

Any scheme for the purpose of enabling the members of British communities abroad to maintain their British status through the second (or later) generations should secure as far as may be practicable that only those persons who have a real connection with the British Empire are brought within the scope of the scheme. It is considered, therefore, that any amendment of the law should not be by way of general enactment automatically endowing descendants of British subjects with British nationality, but that the law should be altered in such a way as to require some action by the individuals concerned involving the assertion of a desire to preserve British status—*e.g.*, by registration at a British Consulate.

The following scheme is accordingly submitted for consideration :—

In all foreign countries the child of a British father who would not under the present law possess British nationality should acquire British nationality as from birth upon registration of the child at a British Consulate within one year of its birth by parent or guardian. The British nationality so acquired will cease at the end of the year after the child attains his majority, unless within that year he himself renews his registration at a British Consulate or otherwise as may be prescribed by regulation. It may perhaps be desirable to require also that, in those countries in which the *jus soli* exists, and in which there is power to make a declaration of alienage (or its equivalent), retention of British nationality should be conditional upon making such a declaration as well as upon renewal of registration.

It is to be observed that the above scheme, which could be carried out by an appropriate amendment of section 1 of the British Nationality and Status of Aliens Act, 1914, would not be limited in its effect to the second generation born abroad, but would continue to be effective through successive generations so long as the required conditions as to registration were observed.

It is intended that the scheme should be made retrospective so as to include children of the second generation born abroad between 1st January, 1915, and the date of the coming into force of the amending Act, and to permit the registration of such children within one year after the latter date.

In formulating any scheme for the amendment of the British Nationality and Status of Aliens Act, it is to be borne in mind that that Act was the result of agreement at previous Imperial Conferences, and any amendment of it which is made should be uniform throughout the Empire, and should carry the consent of all the self-governing Dominions.

Home Office, June, 1921.

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