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B.06825

PRIME MINISTER

c Sir Robert Armstrong

OD(K): Future of Hong Kong: Draft White Paper

BACKGROUND

Flag A
Flag B
On 7 September, the Foreign and Commonwealth Secretary circulated Part I of the White Paper in draft. It is incomplete because negotiations are still in progress. For clarity, the proposed layout of the White Paper as a whole is set out in the attachment to this minute.

2. The meeting of OD(K) will need to take a final view on the general shape of the White Paper. As far as content is concerned, the timetable is likely to preclude anything other than minor changes to the text; it is considered essential to publish the White Paper within twenty-four hours of initialling the agreement so that it can be seen in its proper context from the start.
3. As well as constituting the basis on which the Hong Kong people will be invited to comment on the overall acceptability of the arrangements in the agreement, the White Paper will be debated in the British Parliament in December.
4. The Chancellor of the Exchequer will be represented by the Economic Secretary and the Secretary of State for Trade and Industry by the Minister for Trade (Mr Channon). Neither the Attorney General nor the Minister of State, Foreign and Commonwealth Office (Mr Luce) are able to attend. The Solicitor General is available to deputise for the former but in view of the subject matter of the meeting and the fact that Sir Patrick Mayhew is entirely unbriefed on this subject, the view has been taken that his presence is not essential.


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HANDLING

5. You should invite the Foreign and Commonwealth Secretary to introduce the discussion. Points to establish are -

a. Shape and layout

Are colleagues content with the layout of the White Paper? Do they have structural improvements to suggest?

b. Part I

Paragraphs 26 to 29 of Part I ("The views of Her Majesty's Government on the agreement") are the most important in terms of Parliamentary and public impact. Should they be given greater prominence, perhaps by making them a keynote passage at the beginning of the White Paper? Would there, at least, be advantage in spelling out at the beginning of Part I that the ceded territories of Hong Kong Island, Kowloon and Stonecutters Island would not be viable alone, rather than burying this key point in paragraph 28? Similarly, the statement that "the Government believe that the agreement is a good one..." and "...have no hesitation in commending it to the people of Hong Kong and to Parliament" (paragraph 29) comes late on in Part I and is not sign-posted in any way. Would a bolder treatment be presentationally preferable?

c. Timing

Part III (Detailed commentary on the agreement and annexes) will be particularly important, both in Hong Kong during the test of acceptability and in Parliament during the debate in December on the White Paper and later on the Hong Kong Bill. The problem is that it can only be finalised once the negotiations have ended and this may not leave OD(K) with enough time to consider it. Should arrangements be made for OD(K) to consider Part III in draft, even if it is incomplete?

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CONCLUSION

6. You could invite the Foreign and Commonwealth Secretary to revise the draft White Paper in the light of the points made in discussion.

Bryan Cartledge.

B G Cartledge

11 September 1984

CONQUEROR



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FUTURE OF HONG KONG
LAYOUT OF WHITE PAPER

PART I

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PART II

The Joint Declaration

Annex I - Arrangements for the Hong Kong Special Administrative
Region:

- a. constitutional arrangements and government structure;
- b. the legal system
- c. the public service
- d. the financial system
- e. the economic system and external economic relations
- f. the monetary system
- g. shipping
- h. civil aviation
- i. culture and education
- j. external relations
- k. defence, security and public order
- l. rights and freedom
- [m. nationality]



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Annex 2 - Arrangements for the establishment of a
Sino-British Joint Liaison Group

Annex 3 - Provisions governing land

[Exchange of memoranda on nationality]

PART III

Detailed commentary on the agreement and annexes

PART IV

Relevant documents