

Prime Minutes

You may like to see the
attached extract from the
Portuguese Constitution on Macao.

MT

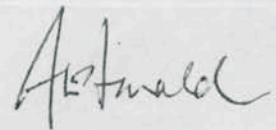
A. J. C. 12/10

Mr Clift

cc: Mr Elliott
Mr Giffard
PS/Lord Belstead
PS/PUS
PS
Mr Coles, No 10 ✓
Chanceries: Lisbon
Peking
Governor, Hong Kong

FUTURE OF HONG KONG: RELEVANCE OF THE STATUS OF MACAO:
MY MINUTE OF 5 OCTOBER
PFA

1. I attach the relevant extract from Article V of the Portuguese Constitution to which reference is made in paragraph 5 of my minute.
2. I hope that I shall shortly get from the Portuguese Ambassador an English version of the secret clause, but he said it was taking some time to go through his personal records.
3. The Ambassador emphasised that this was being passed to me on a personal basis. I hope that Lisbon will respect this confidence.



12 October 1982

A E Donald

Article V of Portuguese Constitution

Second line, paragraph 3.

1. Portugal comprises the territory defined by history on the European continent and the archipelagos of the Azores and Madeira.
2. The State shall not, except for frontier ratifications, alienate any part of the Portuguese territory or of the sovereign rights it exercises over it.
3. The extent and limits of territorial waters and the rights of Portugal to adjacent sea beds shall be defined by law.
4. The territory of Macao, and the Portuguese administration, shall be governed by a Statute in keeping with its special situation.

Hong Kong:

Future of

26 Jul 1982



Mr Coles, No 10

RESTRICTED



p.a.

M 14/10.

Hong Kong
Future

FUTURE OF HONG KONG

My minute of 12 October refers.

With the compliments of

A E Donald

FOREIGN AND COMMONWEALTH OFFICE

LONDON, SW1A 2AH

Portuguese Embassy,
11, Belgrave Square,
London, SW1X 8PP

12th October, 1982

PERSONAL

Dear Mr. Donald,

When we talked last week I promised to send you the text of the provisions of the Portuguese Constitution concerning Macao.

They are as follows:-

" ARTICLE 5

T e r r i t o r y

1. Portugal comprises the territory defined by history on the European continent and the archipelagos of the Azores and Madeira.
2. The state shall not, except for frontier rectifications, alienate any part of the Portuguese territory or of the sovereign rights it exercises over it.
3. The extent and limits of territorial waters and the rights of Portugal to adjacent sea beds shall be defined by law.
4. The territory of Macao, under Portuguese administration, shall be governed by a Statute in keeping with its special situation.

ARTICLE 306

S t a t u t e o f M a c a o

1. The statute of the territory of Macao by virtue of Law No. 1/76 of 17 February 1976 shall continue in force.
2. On a proposal by the Legislative Assembly of Macao the Assembly of the Republic may, after consulting the Council of the Revolution, approve amendments to the statute or its replacement by another one.
3. If the proposal is approved with amendments, the President of the Republic shall not promulgate the decision of the Assembly of the Republic unless the Legislative Assembly of Macao expresses its approval. "

You will I am sure have noticed the specially careful wording of No. 4 of Article 5.

A.E. Donald, Esq., CMG.,
Assistant Under-Secretary of State,
Foreign and Commonwealth Office,
London, SW1A 2AL.

J. de Freitas-Cruz

J. de Freitas-Cruz
(J. de Freitas-Cruz)
Ambassador of Portugal.