



# British Nationality Act 1981

## CHAPTER 61

### BRITISH NATIONALITY ACT 1981

#### PART I

##### BRITISH CITIZENSHIP

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- 2 Acquisition by descent.
- 3 Acquisition by registration: minors.
- 4 Acquisition by registration: British overseas territories citizens etc.
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- 4E The general conditions
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- 4H Citizen of UK and colonies unable to become citizen at commencement
- 4I Other person unable to become citizen at commencement
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- 6 Acquisition by naturalisation.

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*Acquisition at commencement*

- 23 Citizens of U.K. and Colonies who are to become British overseas territories citizens at commencement.

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*Renunciation and resumption*

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#### *Naturalisation as a British citizen under section 6(1)*

- 1 (1) Subject to paragraph 2, the requirements for naturalisation as...
- 2 (1) If in the special circumstances of any particular case...
- 2A (1) A person has a qualifying immigration status for the...

#### *Naturalisation as a British citizen under section 6(2)*

- 3 Subject to paragraph 4, the requirements for naturalisation as a...
- 4 Paragraph 2 shall apply in relation to paragraph 3 with...
- 4A (1) Subject to paragraph 3(5), a person has a qualifying...

#### *The qualifying period for naturalisation as a British citizen under section 6*

- 4B (1) The qualifying period for the purposes of paragraph 1...

#### *Naturalisation as a British overseas territories citizen under section 18(1)*

- 5 (1) Subject to paragraph 6, the requirements for naturalisation as...
- 6 (1) If in the special circumstances of any particular case...

#### *Naturalisation as a British overseas territories citizen under section 18(2)*

- 7 Subject to paragraph 8, the requirements for naturalisation as a...
- 8 Paragraph 6 shall apply in relation to paragraph 7 with...

#### *Periods to be treated as periods of absence from U.K. or a British overseas territory*

- 9 (1) For the purposes of this Schedule a person shall...

#### *Interpretation*

- 10 In this Schedule “the relevant territory” has the meaning given...
- 11 (1) This paragraph applies for the purposes of this Schedule....

### SCHEDULE 2 — Provisions for Reducing Statelessness

#### *Persons born in the United Kingdom after commencement*

- 1 (1) Where a person born in the United Kingdom after...

#### *Persons born in a British overseas territory after commencement*

- 2 (1) Where a person born in a British overseas territory...

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*Persons aged 18 to 22 born in the United Kingdom  
or a British overseas territory after commencement*

- 3 (1) A person born in the United Kingdom or a...

*Minors aged 5 to 17 born in the United Kingdom  
or a British overseas territory after commencement*

- 3A (1) A person born in the United Kingdom or a...

*Persons born outside the United Kingdom and the  
British overseas territories after commencement*

- 4 (1) A person born outside the United Kingdom and the...

*Persons born stateless before commencement*

- 5 (1) A person born before commencement shall be entitled, on...

*Supplementary*

- 6 If in the special circumstances of any particular case the...

#### SCHEDULE 3 — Countries Whose Citizens are Commonwealth Citizens

#### SCHEDULE 4 — Amendments of Immigration Act 1971

- 1 In this Schedule “the 1971 Act” means the Immigration Act...  
2 For “paternal”— (a) where it occurs in the provisions of...  
3 (1) For “certificate of patriality”, wherever (except in section 33(1))...  
4 In section 3(7) of the 1971 Act (powers available where...  
5 In section 8(5) of the 1971 Act, for the words...  
6 In section 25(5) of the 1971 Act (extension of provisions...  
7 In section 33 of the 1971 Act (interpretation)—

#### SCHEDULE 4A — Deprivation of Citizenship without notice: judicial oversight

- 1 Deprivation without notice: application to Special Immigration Appeals  
Commission  
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3 Interpretation

#### SCHEDULE 5 — Citizenship Oath and Pledge

— THE FORM OF CITIZENSHIP OATH AND PLEDGE IS AS FOLLOWS...

- 1 The form of citizenship oath and pledge is as follows...  
Oath  
Pledge  
2 The form of citizenship oath and pledge is as follows...  
Oath  
Pledge  
3 The form of citizenship oath is as follows for registration...  
4 The form of citizenship oath is as follows for registration...

#### SCHEDULE 6 — British Overseas Territories

Anguilla Bermuda British Antarctic Territory British Indian Ocean  
Territory Cayman...

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## SCHEDULE 7 — Consequential Amendments

*ACT OF SETTLEMENT (12 & 13 Will. 3. c. 2.)*

*LEGITIMACY DECLARATION ACT 1858 (c. 93)*

*SUBMARINE TELEGRAPH ACT 1885 (c. 49)*

*BRITISH NATIONALITY ACT 1948 (c. 56)*

*IRELAND ACT 1949 (c. 41)*

- 1 In section 3(1)(a) (certain provisions not affected by fact that...
- 2 For section 7(2) (interpretation of references to protectorates etc. by...

*DEFAMATION ACT 1952 (c. 66)*

*DEFAMATION ACT (NORTHERN IRELAND) 1955 (c. 11) (N.I.)*

*CYPRUS ACT 1960 (c. 52)*

*EMERGENCY LAWS (RE-ENACTMENTS AND REPEALS) ACT 1964 (c. 60)*

In section 9 (territorial extent of Part I), in subsection...

*DIPLOMATIC PRIVILEGES ACT 1964 (c. 81)*

For section 3(2) (disregard, in connection with citizenship of children...

*COMMONWEALTH SECRETARIAT ACT 1966 (c. 10)*

*WEST INDIES ACT 1967 (c. 4)*

- 1 In section 13(3) (power to make changes in nationality or...
- 2 In Schedule 3 (modifications of British Nationality Acts)—

*MARINE BROADCASTING (OFFENCES) ACT 1967 (c. 41)*

In section 3(3) (persons prohibited from broadcasting whilst on or...

*ANTARCTIC TREATY ACT 1967 (C. 65)*

In section 1(3) (person prohibited from harming Antarctic flora and...

*FUGITIVE OFFENDERS ACT 1967 (c. 68)*

....

*CONSULAR RELATIONS ACT 1968 (c. 18)*

In section 1(2) (meaning of certain terms in Schedule 1),...

*TANZANIA ACT 1969 (c. 29)*

*INCOME AND CORPORATION TAXES ACT 1970 (c. 10)*

....

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*MERCHANT SHIPPING ACT 1970 (c. 36)*

- 1 In section 70(3) (meaning of “British seamen” in section 70),...
- 2 In section 93(3) (meaning of “independent Commonwealth country” in section...

*CHILDREN ACT 1975 (c. 72)*

- 1 In Part II of Schedule 1 (adoption orders)—
- 2 In Schedule 2 (status conferred in Scotland by adoption)—

*ADOPTION ACT 1976 (c. 36)*

In section 47(2) (nationality enactments)— (a) in paragraph (a), for...

*NATIONAL HEALTH SERVICE ACT 1977 (c. 49)*

In paragraph 3 of Schedule 11 (territorial extent)— in the...

*SOLOMON ISLANDS ACT 1978 (c. 15)*

In section 6 (construction of nationality provisions)—

*ADOPTION (SCOTLAND) ACT 1978 (c. 28)*

In section 41(2) (nationality enactments)— (a) in paragraph (a), for...

*NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978 (c. 29)*

In paragraph 3 of Schedule 10 (territorial extent)—

*STATE IMMUNITY ACT 1978 (c. 33)*

In section 4(5) (definition of “national of the United Kingdom”),...

*DEEP SEA MINING (TEMPORARY PROVISIONS) ACT 1981 (c. 53)*

- 1 In section 1 (prohibition of unlicensed deep sea mining)—
- 2 In section 14(3) (persons who may be guilty of offences...

SCHEDULE 8 — Transitional Provisions

*Applications for naturalisation or registration pending at commencement*

- 1 (1) This paragraph applies to any application—
- 2 Where a person who has been registered or to whom...

*Registration at U.K. consulate, after commencement, of certain births occurring in foreign countries less than a year before commencement*

- 3 (1) This paragraph applies to a person born less than...

*Declarations by certain persons who by virtue of an Order in Council under section 4 of the Cyprus Act 1960 have ceased to be citizens of the United Kingdom and Colonies*

- 4 (1) Where— (a) a person has before commencement duly made...

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*Applications for certificates of patriality pending at commencement*

- 5 Any application for a certificate of patriality under the Immigration...

*Appeals under Part II of Immigration Act 1971*

- 6 Where a person who has been refused a certificate of...  
7 Any appeal under Part II of the Immigration Act 1971...  
8 In relation to appeals against any decision taken or other...

SCHEDULE 9 — REPEALS



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**Changes and effects yet to be applied to :**

- s. 6(2) words substituted by [2009 c. 11 s. 40\(1\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- s. 41(7) words inserted by [2009 c. 11 s. 41\(4\)](#)
- s. 46(1) words substituted by [2003 c. 44 Sch. 26 para. 29](#)
- Sch. 1 para. 2 Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) by [2009 c. 11 s. 39\(4\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2A inserted by [2009 c. 11 s. 39\(11\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 4A inserted by [2009 c. 11 s. 40\(5\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 11 inserted by [2009 c. 11 s. 49\(3\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 1(3) repealed by [2009 c. 11 s. 39\(3\)Sch. Pt. 2](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 1(2) substituted by [2009 c. 11 s. 39\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 3 substituted by [2009 c. 11 s. 40\(3\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 4 substituted by [2009 c. 11 s. 40\(4\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 1(1)(a) words repealed by [2009 c. 11 s. 39\(1\)Sch. Pt. 2](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 9(1) words substituted by [2009 c. 11 s. 49\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 4B and cross-heading inserted by [2009 c. 11 s. 41\(1\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(3)(4) inserted by [2009 c. 11 s. 40\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- s. 41(1)(bc)-(be) inserted by [2009 c. 11 s. 41\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- s. 41(1B)(1C) inserted by [2009 c. 11 s. 41\(3\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(ba)(bb) inserted by [2009 c. 11 s. 39\(5\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(ca) inserted by [2009 c. 11 s. 39\(7\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(5) inserted by [2009 c. 11 s. 39\(10\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 6(2)-(4) inserted by [2022 c. 36 Sch. 1 para. 3\(4\)\(d\)](#)
- Sch. 1 para. 2(1)(c) repealed by [2009 c. 11 s. 39\(6\)Sch. Pt. 2](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(a) substituted by [2009 c. 11 s. 39\(4\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))

- Sch. 1 para. 2(2)-(4) substituted for Sch. 1 para. 2(2)(3) by [2009 c. 11 s. 39\(9\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(d) word substituted by [2009 c. 11 s. 39\(8\)\(a\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(d) words substituted by [2009 c. 11 s. 39\(8\)\(b\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))