

ELIZABETH II



1964 CHAPTER 22

An Act to facilitate the resumption or renunciation of citizenship of the United Kingdom and Colonies.

[25th March 1964]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) A person who has ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation, whether made before or after the commencement of this Act, shall be entitled to registration under this section as a citizen of the United Kingdom and Colonies on making application therefor in the prescribed manner, if he is of full capacity and satisfies the Secretary of State—

- (a) that at the time he made the declaration he was or was about to become a citizen of a country mentioned in section 1(3) of the principal Act and either could not have remained or become such a citizen but for the declaration or had reasonable cause to believe that he would be deprived of his citizenship of that country unless he made the declaration; and
- (b) that he has a qualifying connection with the United Kingdom and Colonies or with a protectorate or protected state or, if a woman, has been married to a person who has or would, if living, have such a connection;

and the Secretary of State may so register any person who would be entitled thereto if he had such a connection.

(2) A person has a qualifying connection with the United Kingdom and Colonies if he, his father or his father's father—

- (a) was born in the United Kingdom or a colony; or
- (b) is or was a person naturalised in the United Kingdom and Colonies; or
- (c) was registered as a citizen of the United Kingdom and Colonies; or
- (d) became a British subject by reason of the annexation of any territory included in a colony.

(3) A person has a qualifying connection with a protectorate or protected state if—

- (a) he was born there; or
- (b) his father or his father's father was born there and is or at any time was a British subject.

(4) Subject to subsection (5) of this section, the reference in subsection (2)(b) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the principal Act, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (local naturalisation).

(5) Any reference in this section to any country, or to countries or territories of any description, shall be construed as referring to that country or description as it exists at the date on which application under this section is made to the Secretary of State; and subsection (2) of this section does not apply to any person by virtue of any certificate of naturalisation granted or registration effected by the Governor or Government of a country or territory outside the United Kingdom which is not at that date a colony, protectorate or protected state.

(6) Section 8 of the principal Act (registration in Commonwealth countries and territories) and section 9 of that Act (effect of registration as a citizen) shall apply in relation to this section as they apply in relation to section 6 of that Act.

Renunciation
of citizenship.

2.—(1) A declaration of renunciation of citizenship of the United Kingdom and Colonies may be made under section 19 of the principal Act by a person who is not a citizen or national of any other country and shall, if so made, be registered under that section if, but only if, the Secretary of State is satisfied that that person will after the registration become a citizen or national of some other country; and if that person does not become such a citizen or national within six months from the date of registration he shall be, and be deemed to have remained, a citizen of the United Kingdom and Colonies notwithstanding the registration.

(2) The Secretary of State may make arrangements for the exercise in any country mentioned in section 1(3) of the principal Act of any of his functions under the said section 19 by the High Commissioner or acting High Commissioner for Her Majesty's Government in the United Kingdom.

3.—(1) This Act may be cited as the British Nationality Act 1964, and this Act and the British Nationality Acts 1948 and 1958 may be cited together as the British Nationality Acts 1948 to 1964. Short title, citation and supplemental provisions.

(2) In this Act "the principal Act" means the British Nationality Act 1948, and Part III of that Act (supplementary provisions) shall have effect as if any reference in it to that Act, except one referring to the date of the commencement of that Act, included a reference to this Act. 11 & 12 Geo. 6 c. 56.

(3) This Act shall come into force at the expiration of a period of two months beginning with the date on which it is passed.

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British Nationality Act 1964

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