



# Tuvalu Act 1978

## 1978 CHAPTER 20

### **3 Retention of citizenship of the United Kingdom and Colonies by certain citizens of Tuvalu.**

- (1) A person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(2) above if he, his father or his father's father—
- (a) was born in the United Kingdom or a relevant territory; or
  - (b) is or was a person naturalised in the United Kingdom and Colonies by virtue of a certificate of naturalisation granted in the United Kingdom or a relevant territory ; or
  - (c) was, in the United Kingdom or a relevant territory, registered as a citizen of the United Kingdom and Colonies, or was so registered by a High Commissioner exercising functions under section 8(2) or 12(7) of the 1948 Act; or
  - (d) became a British subject by reason of the annexation of any territory included in a relevant territory,
- or if his father or his father's father would, if living immediately before the commencement of the 1948 Act, have become a person naturalised in the United Kingdom and Colonies under section 32(6) of that Act (previous local naturalisation in a colony or protectorate) by virtue of having enjoyed the privileges of naturalisation in a relevant territory.
- (2) In the preceding subsection "relevant territory" means any territory which on Independence Day is a colony or an associated state, other than any territory which on that day is not a colony for the purposes of the 1948 Act as then in force (and accordingly does not include Tuvalu).
- (3) Subsection (1) above shall not apply to a woman by virtue of her registration as a citizen of the United Kingdom and Colonies if that registration was effected under section 6(2) of the 1948 Act (registration as citizens of the United Kingdom and Colonies of women who have been married to such citizens).
- (4) A woman who is a citizen of the United Kingdom and Colonies, and is the wife of such a citizen, shall not herself cease to be such a citizen under section 2(2) above unless her husband does so.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) Part III of the 1948 Act (supplementary provisions) as in force from time to time, except section 23 (legitimated children), shall have effect for the purposes of this section as if this section were included in that Act.
- (6) A person born out of wedlock and legitimated (within the meaning of section 23(2) of the 1948 Act) by the subsequent marriage of his parents shall be treated, for the purpose of determining whether he has by virtue of this Act ceased to be a citizen of the United Kingdom and Colonies, as if he had been born legitimate.