

Changes to legislation: British Nationality Act 1981, Paragraph 2 is up to date with all changes known to be in force on or before 05 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

REQUIREMENTS FOR NATURALISATION

Modifications etc. (not altering text)

- C1** Sch. 1 modified (7.11.2002, partly retrospective) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\), s. 11](#)

Naturalisation as a British citizen under section 6(1)

- 2 ^{F1}(1) If in the special circumstances of any particular case the Secretary of State thinks fit, he may for the purposes of paragraph 1 do all or any of the following things, namely—
- ^{F2}(za) treat the applicant as fulfilling the first requirement specified in paragraph 1(2)(a) although the applicant was not in the United Kingdom at the beginning of the period there mentioned;
 - (a) treat the applicant as fulfilling the ^{F3}second requirement specified in paragraph 1(2)(a) or the requirement specified in] paragraph 1(2)(b), or both, although the number of days on which he was absent from the United Kingdom in the period there mentioned exceeds the number there mentioned;
 - (b) treat the applicant as having been in the United Kingdom for the whole or any part of any period during which he would otherwise fall to be treated under paragraph 9(1) as having been absent;
 - (c) disregard any such restriction as is mentioned in paragraph 1(2)(c), not being a restriction to which the applicant was subject on the date of the application;
 - (d) treat the applicant as fulfilling the requirement specified in paragraph 1(2) (d) although he was in the United Kingdom in breach of the immigration laws in the period there mentioned;
 - (e) waive the need to fulfil ^{F4}either or both of the requirements specified in paragraph 1(1)(c) and (ca)] if he considers that because of the applicant's age or physical or mental condition it would be unreasonable to ^{F5}expect him to fulfil that requirement or those requirements].
- ^{F6}(1A) Sub-paragraph (1B) applies where the applicant has indefinite leave to enter or remain in the United Kingdom.
- (1B) The Secretary of State may for the purposes of paragraph 1 treat the applicant as fulfilling the requirement specified in paragraph 1(2)(d), without enquiring into whether or not the applicant was in the United Kingdom in breach of the immigration laws in the period there mentioned.
- (1C) The reference in sub-paragraph (1A) to having indefinite leave to enter or remain is to be construed in accordance with the Immigration Act 1971.]

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^{F7}(2)

^{F8}(3)

Textual Amendments

- F1** Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) (13.5.2014) by virtue of [Citizenship \(Armed Forces\) Act 2014 \(c. 8\)](#), [ss. 1\(2\), 2\(2\)](#)
- F2** Sch. 1 para. 2(1)(za) inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(a\)](#); S.I. 2022/590, [regs. 1\(2\), 2](#), Sch. 1 para. 8 (with Sch. 2 para. 3)
- F3** Words in Sch. 1 para. 2(1)(a) substituted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(b\)](#); S.I. 2022/590, [regs. 1\(2\), 2](#), Sch. 1 para. 8 (with Sch. 2 para. 3)
- F4** Words in Sch. 1 para. 2(e) substituted (1.11.2005) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 1\(2\), 162\(1\)](#) (with s. 159); S.I. 2005/2782, [art. 3\(1\)](#) (subject to art. 3(2))
- F5** Words in Sch. 1 para. 2(e) substituted (1.11.2005) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 1\(2\), 162\(1\)](#) (with s. 159); S.I. 2005/2782, [art. 3\(1\)](#) (subject to art. 3(2))
- F6** Sch. 1 para. 2(1A)-(1C) inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(c\)](#); S.I. 2022/590, [regs. 1\(2\), 2](#), Sch. 1 para. 8 (with Sch. 2 para. 3)
- F7** Sch. 1 para. 2(2) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(d\)](#); S.I. 2022/590, [regs. 1\(2\), 2](#), Sch. 1 para. 8 (with Sch. 2 para. 3)
- F8** Sch. 1 para. 2(3) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(d\)](#); S.I. 2022/590, [regs. 1\(2\), 2](#), Sch. 1 para. 8 (with Sch. 2 para. 3)

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Changes and effects yet to be applied to :

- 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))

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))