

Changes to legislation: British Nationality Act 1981, Paragraph 3 is up to date with all changes known to be in force on or before 23 January 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 2

PROVISIONS FOR REDUCING STATELESSNESS

Modifications etc. (not altering text)

C1 Sch. 2 excluded by S.I. 1983/882, art. 2(3)

*Persons ^{F1}aged 18 to 22] born in the United Kingdom
or a ^{F1}British overseas territory] after commencement*

Textual Amendments

- F1 Words in Sch. 2 para. 3 cross-heading substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 1\(1\)\(b\)](#)
- F1 Words in Sch. 2 para. 3 cross-heading inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\), ss. 11\(2\), 87\(1\); S.I. 2022/590, regs. 1\(2\), 2, Sch. 1 para. 9](#)

- 3 (1) A person born in the United Kingdom or a ^{F1}British overseas territory] after commencement shall be entitled, on an application for his registration under this paragraph, to be so registered if the following requirements are satisfied in his case, namely—
- (a) that he is and always has been stateless; and
 - (b) that on the date of the application he ^{F2}had attained the age of eighteen but] ^{F3} . . . was under the age of twenty-two; and
 - (c) that he was in the United Kingdom or a ^{F1}British overseas territory] (no matter which) at the beginning of the period of five years ending with that date and that (subject to paragraph 6) the number of days on which he was absent from both the United Kingdom and the ^{F4}British overseas territories] in that period does not exceed 450.
- (2) A person entitled to registration under this paragraph—
- (a) shall be registered under it as a British citizen if, in the period of five years mentioned in sub-paragraph (1), the number of days wholly or partly spent by him in the United Kingdom exceeds the number of days wholly or partly spent by him in the ^{F4}British overseas territories];
 - (b) in any other case, shall be registered under it as a ^{F5}British overseas territories citizen].

Textual Amendments

- F1 Words in Sch. 2 para. 3 substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 1\(1\)\(b\)](#)

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- F2** Words in Sch. 2 para. 3(1)(b) inserted (28.6.2022) by Nationality and Borders Act 2022 (c. 36), **ss. 11(3), 87(1)**; S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 9
- F3** Words in Sch. 2 para. 3(1)(b) repealed (1.4.2003 with effect as mentioned in s. 162(4) of the amending Act) by Nationality, Immigration and Asylum Act 2002 (c. 41), ss. 8, 161, 162, **Sch. 9** (with s. 159); S.I. 2003/754, **art. 2**, Sch. 1 (with arts. 3, 4, Sch. 2 (as amended by S.I. 2003/1040, art. 2 and S.I. 2003/1339, art. 4))
- F4** Words in Sch. 2 para. 3 substituted (26.2.2002) by British Overseas Territories Act 2002 (c. 8), **s. 1(1)(b)**
- F5** Words in Sch. 2 para. 3(2)(b) substituted (26.2.2002) by British Overseas Territories Act 2002 (c. 8), **s. 2(2)(b)**

Changes to legislation:

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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\(3\)\(a\)](#))