



# British Nationality Act 1981

## 1981 CHAPTER 61

### PART V

#### MISCELLANEOUS AND SUPPLEMENTARY

#### **43 Exercise of functions of Secretary of State by Governors and others.**

- (1) Subject to subsection (3), the Secretary of State may, in the case of any of his functions under this Act with respect to any of the matters mentioned in subsection (2), make arrangements for that function to be exercised—
- (a) in any of the Islands, by the Lieutenant-Governor in cases concerning British citizens or British citizenship;
  - (b) in any [<sup>F1</sup>British overseas territory]<sup>F2</sup> . . . , by the Governor in cases concerning [<sup>F3</sup>British overseas territories citizens] or [<sup>F4</sup>British overseas territories citizenship]<sup>F5</sup> and in cases concerning British Nationals (Overseas) or the status of a British National (Overseas)]
- (2) The said matters are—
- (a) registration and naturalisation; and
  - (b) renunciation, resumption and deprivation of British citizenship or [<sup>F4</sup>British overseas territories citizenship].
  - [<sup>F6</sup>(c) renunciation and deprivation of the status of a British National (Overseas).]
- (3) Nothing in this section applies in the case of any power to make regulations or rules conferred on the Secretary of State by this Act.
- (4) Arrangements under subsection (1) may provide for any such function as is there mentioned to be exercisable only with the approval of the Secretary of State.

#### **Textual Amendments**

- F1** Words in s. 43(1)(b) substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 1\(1\)\(b\)](#)
- F2** Words in s. 43(1)(b) repealed (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 7, Sch. 2](#)
- F3** Words in s. 43(1)(b) substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 2\(2\)\(b\)](#)

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**Changes to legislation:** *British Nationality Act 1981, Section 43 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*

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- F4** Words in s. 43 substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s. 2\(2\)\(a\)](#)
- F5** By [S.I. 1986/948, art. 7\(6\)\(b\)](#) it is provided that s. 43 shall have effect as if in subsection (1)(b) at the end there were inserted the words “and in cases concerning British Nationals (Overseas) or the status of a British National (Overseas)”
- F6** By [S.I. 1986/948, art. 7\(6\)\(c\)](#) it is provided that s. 43 shall have effect as if in sub-section (2) at the end there were inserted paragraph (c)

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**Modifications etc. (not altering text)**

- C1** [S. 43](#) amended by [S.I. 1986/948, art. 7\(6\)\(a\)](#)

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