Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Hong Kong (War Wives and Widows) Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

Hong Kong (War Wives and Widows) Act 1996

1996 CHAPTER 41

An Act to provide for the acquisition of British citizenship by certain women who are Hong Kong residents. [18th July 1996]

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:—

Annotations:

Commencement Information

I1 Act wholly in force at Royal Assent.

1 Acquisition of British citizenship.

(1) The Secretary of State may, on an application made for the purpose, register as a British citizen any woman who, before the passing of this Act, was the recipient or intended recipient of a UK settlement letter if—

(a) she has her residence, or principal residence, in Hong Kong; and

(b) where she is no longer married to the man in recognition of whose service the assurance was given, she has not remarried.

(2) In this section "UK settlement letter" means a letter written by the Secretary of State which—

(a) confirmed the assurance given to the intended recipient that, in recognition of her husband's service, or her late or former husband's service, in defence of Hong Kong during the Second World War, she could come to the United Kingdom for settlement at any time; and

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(b) was sent by the Secretary of State to the Hong Kong Immigration Department for onward transmission to the intended recipient (whether or not she in fact received it).

2 Consequential nationality provisions.

(1) A woman who is registered as a British citizen by virtue of this Act shall be treated for the purposes of the [M1]British Nationality Act 1981 as a British citizen otherwise than by descent.

(2) The following provisions of that Act shall have effect as if this Act were included in that Act, namely—

section 37 (Commonwealth citizenship);

section 40 (deprivation of citizenship);

section 41 (regulations) other than subsection (2);

section 42 (general provisions about registration etc.);

section 44(1) and (2) (decisions involving exercise of discretion);

section 45 (evidence);

section 50 (interpretation); and

section 51(3) (meaning of "citizen of the United Kingdom and Colonies" in other Acts and instruments).

Annotations:

Marginal Citations

M1 1981 c.61.

3 Short title and extent.

(1) This Act may be cited as the Hong Kong (War Wives and Widows) Act 1996.

(2) This Act has the same extent as the provisions of the [M2]British Nationality Act 1981 mentioned in section 2(2) above.

Annotations:

Marginal Citations

M2 1981 c.61.

Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Hong Kong (War Wives and Widows) Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 1 restricted by 2006 c. 13 s. 58
- s. 1 text amended by 2009 c. 11 s. 47(2)(a) Sch. Pt. 2
- s. 1(c) and word inserted by 2009 c. 11 s. 47(2)(b)
- s. 2(2) text amended by S.I. 2003/1016 art. 3 Sch. para. 8

Commencement Orders yet to be applied to the Hong Kong (War Wives and Widows) Act 1996:
Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2006/2838 art. 3 4 commences (2006 c. 13)
- S.I. 2009/2731 art. 2-4 commences (2009 c. 11)