

BRITISH OVERSEAS TERRITORIES ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 4: Acquisition of British citizenship by British overseas territories citizens by registration

16. *Section 4* inserts into the 1981 Act a new section 4A to deal with future applications to register as a British citizen a person who is a BOTC. The Secretary of State is to have discretion to register a BOTC as a British citizen, subject to the exceptions listed in the new section 4A(2).
17. These exceptions are –
 - (a) a BOTC who has that status solely by virtue of a connection with the Sovereign Base Areas in Cyprus;
 - (b) a BOTC who has formally renounced British citizenship.

A BOTC falling into either of these categories will not be able to acquire British citizenship under the new section 4A of the 1981 Act. This is without prejudice to other provisions of the 1981 Act which might avail such a person.