



British Nationality Act 1981

1981 CHAPTER 61

PART I

BRITISH CITIZENSHIP

Acquisition after commencement: special cases

7 Right to registration by virtue of residence in U.K. or relevant employment.

F1

Textual Amendments

F1 S. 7 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(a\)](#), [Sch. 9](#) (with s. 159, Sch. 2 para. 2)

8 Registration by virtue of marriage.

F2

Textual Amendments

F2 S. 8 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(b\)](#), [Sch. 9](#) (with s. 159, Sch. 2 para. 2)

9 Right to registration by virtue of father's citizenship etc.

F3

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Textual Amendments

- F3** S. 9 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(c\)](#), [Sch. 9](#) (with s. 159, [Sch. 2 para. 2](#))

10 Registration following renunciation of citizenship of U.K. and Colonies.

- (1) Subject to subsection (3), a person shall be entitled, on an application for his registration as a British citizen, to be registered as such a citizen if immediately before commencement he would (had he applied for it) have been entitled under section 1(1) of the ^{M1}British Nationality Act 1964 (resumption of citizenship) to be registered as a citizen of the United Kingdom and Colonies by virtue of having an appropriate qualifying connection with the United Kingdom or ^{F4} . . . by virtue of having been married before commencement to a person who has, or would if living have, such a connection.
- (2) On an application for his registration as a British citizen made by a person of full capacity who had before commencement ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation, the Secretary of State may, if he thinks fit, cause that person to be registered as a British citizen if that person—
- has an appropriate qualifying connection with the United Kingdom; or
 - ^{F4} . . . has been married to [^{F5}, or has been the civil partner of,] a person who has, or would if living have, such a connection.
- (3) A person shall not be entitled to registration under subsection (1) on more than one occasion.
- (4) For the purposes of this section a person shall be taken to have an appropriate qualifying connection with the United Kingdom if he, his father or his father's father—
- was born in the United Kingdom; or
 - is or was a person naturalised in the United Kingdom; or
 - was registered as a citizen of the United Kingdom and Colonies in the United Kingdom or in a country which at the time was mentioned in section 1(3) of the 1948 Act.
- [^{F6}(5) This section is subject to sections 31, 32 and 36 of the Illegal Migration Act 2023 (restriction of eligibility for citizenship etc).]

Textual Amendments

- F4** Words in s. 10(1)(2) repealed (1.4.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 5(a), 161, 162, [Sch. 9](#) (with s. 159); S.I. 2003/754, [art. 2\(1\)](#), [Sch. 1](#) (with arts. 3, 4, [Sch. 2](#) (as amended by S.I. 2003/1040, [art. 2](#) and S.I. 2003/1339, [art. 4](#)))
- F5** Words in s. 10(2)(b) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 73](#); S.I. 2005/3175, [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))
- F6** S. 10(5) inserted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 37\(7\)](#), 68(3)(a) (with s. 55(9))

Modifications etc. (not altering text)

- C1** S. 10(1)(2) restricted (4.12.2006) by [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#), [ss. 58, 62](#); S.I. 2006/2838, [art. 4\(1\)](#) (subject to [art. 4\(2\)](#))
- C2** S. 10(1) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 32\(1\)\(d\)](#), 68(3)(a) (with s. 55(9))

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C3 S. 10(2) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), **ss. 32(2)(a)(iii)**, 68(3)(a) (with s. 55(9))

Marginal Citations

M1 1964 c. 22.

[^{F7}10A. Acquisition in connection with immigration rules Appendix EU

- (1) This section applies to a person born in the United Kingdom on or after 1st July 2021 who is not a British citizen on the relevant date by virtue of any other provision of this Act.
- (2) A person to whom this section applies (“C”) is a British citizen as from the relevant date if conditions 1 to 3 are satisfied in the case of either C’s father or mother (“P”).
- (3) Condition 1 is that, on or after 1st July 2021, P is granted—
 - (a) UK related indefinite leave under paragraph EU2 of Appendix EU to the UK immigration rules;
 - (b) Isle of Man related indefinite leave under paragraph EU2 of Appendix EU to the Isle of Man immigration rules,and the date of grant of such leave is referred to in this section as “the relevant date”.
- (4) Condition 2 is that—
 - (a) P is granted the leave described in subsection (3)(a) or (b) pursuant to an application made before 1st July 2021, or
 - (b) immediately before 1st July 2021, P would have met the eligibility requirements for—
 - (i) UK related indefinite leave within paragraph EU11 or EU12 of Appendix EU to the UK immigration rules, or
 - (ii) Isle of Man related indefinite leave within paragraph EU11 or EU12 of Appendix EU to the Isle of Man immigration rules,if an application had been made at that time.
- (5) Condition 3 is that P is ordinarily resident in the United Kingdom on the relevant date.
- (6) In determining whether subsection (4)(b) applies, it is to be assumed that P was not entitled to any exemption under section 8 of the Immigration Act 1971 immediately before 1st July 2021.
- (7) Any subsequent change to the immigration status of P does not affect the status of C as a British citizen.
- (8) In this section—

“Isle of Man immigration rules” means the rules laid down under section 3(2) of the Immigration Act 1971 as that section extends to the Isle of Man;

“Isle of Man related indefinite leave” means indefinite leave as defined in section 33(1) of the Immigration Act 1971 as that section extends to the Isle of Man;

“the relevant date” has the meaning given in subsection (3);

“UK immigration rules” means the rules laid down under section 3(2) of the Immigration Act 1971;

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“UK related indefinite leave” means indefinite leave as defined in section 33(1) of the Immigration Act 1971.]

Textual Amendments

- F7** S. 10A inserted (1.7.2021) by [The British Nationality Act 1981 \(Immigration Rules Appendix EU\) \(Amendment\) Regulations 2021 \(S.I. 2021/743\)](#), regs. 1(1), **2(3)**

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