



British Nationality Act 1981

1981 CHAPTER 61

PART II

BRITISH DEPENDENT TERRITORIES CITIZENSHIP

Acquisition after commencement: special cases

19 Right to registration by virtue of residence in dependent territory

- (1) A person shall be entitled, on an application for his registration as a British Dependent Territories citizen made within five years after commencement, to be registered as such a citizen if, had paragraphs 2 to 5 of Schedule 1 to the Immigration Act 1971 remained in force, he would (had he applied for it) have been, on the date of the application under this subsection, entitled under the said paragraph 2 to be registered in a dependent territory as a citizen of the United Kingdom and Colonies.
- (2) In the case of any person who is a minor at commencement, the reference to five years after commencement in subsection (1) shall be treated as a reference to five years from the date on which he attains full age.
- (3) If in the special circumstances of any particular case the Secretary of State thinks fit, he may treat subsection (1) as if—
 - (a) the reference to five years after commencement were a reference to eight years after commencement; or
 - (b) where subsection (2) applies, as if the reference to five years from the date on which the person to whom the application relates attains full age were a reference to eight years from that date.

20 Registration by virtue of marriage

- (1) A woman who immediately before commencement was the wife of a citizen of the United Kingdom and Colonies shall be entitled, on an application for her registration as a British Dependent Territories citizen made within five years after commencement, to be registered as a British Dependent Territories citizen if—

Status: This is the original version (as it was originally enacted).

- (a) immediately before commencement she would (if she had applied for it) have been entitled under section 6(2) of the 1948 Act to be registered as a citizen of the United Kingdom and Colonies by virtue of her marriage to the man who was then her husband; and
 - (b) that man became a British Dependent Territories citizen at commencement and did not at any time in the period from commencement to the date of the application under this subsection cease to be such a citizen as a result of a declaration of renunciation; and
 - (c) she remained married to him throughout that period.
- (2) On such an application for her registration as a British Dependent Territories citizen made within five years after commencement the Secretary of State may, if he thinks fit, cause a woman to be registered as such a citizen if—
- (a) immediately before commencement she would (if she had applied for it) have been entitled under section 6(2) of the 1948 Act to be registered as a citizen of the United Kingdom and Colonies by virtue of having been married to a man to whom she is no longer married on the date of the application under this subsection; and
 - (b) that man became a British Dependent Territories citizen at commencement or would have done so but for his death.
- (3) On an application for her registration as a British Dependent Territories citizen made within five years after commencement by a woman who at the time of the application is married, the Secretary of State shall, if he thinks fit, cause her to be registered as such a citizen if—
- (a) immediately before commencement she would (if she had applied for it) have been entitled under section 6(2) of the 1948 Act to be registered as a citizen of the United Kingdom and Colonies by virtue of her being or having been married to the man who is her husband on the date of the application under this subsection ; and
 - (b) that man either—
 - (i) became a British Dependent Territories citizen at commencement but has ceased to be such a citizen as a result of a declaration of renunciation ; or
 - (ii) would have become a British Dependent Territories citizen at commencement but for his having ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation.

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

—A person born in a foreign country within five years after commencement shall be entitled, on an application for his registration as a British Dependent Territories citizen made within the period of twelve months from the date of the birth, to be registered as such a citizen if—

- (a) the requirements referred to in subsection (1)(a) of section 9 are fulfilled in the case of that person's father, subsection (2)(b) of that section being for the purposes of this paragraph read as if any reference to becoming or remaining a British citizen were a reference to becoming or, as the case may be, remaining a British Dependent Territories citizen; and
- (b) had that person been born before commencement and become a citizen of the United Kingdom and Colonies as mentioned in subsection (1)(b) of

that section, he would at commencement have become a British Dependent Territories citizen by virtue of section 23(1)(b).

22 Right to registration replacing right to resume 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 Dependent Territories 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 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 a dependent territory or, if a woman, 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 Dependent Territories 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 Dependent Territories citizen if that person—
 - (a) has an appropriate qualifying connection with a dependent territory; or
 - (b) if a woman, has been married to 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 a dependent territory if he, his father or his father's father—
 - (a) was born in that territory ; or
 - (b) is or was a person naturalised in that territory; or
 - (c) was registered as a citizen of the United Kingdom and Colonies in that territory; or
 - (d) became a British subject by reason of the annexation of any territory included in that territory.