



British Nationality Act 1981

1981 CHAPTER 61

PART III

BRITISH OVERSEAS CITIZENSHIP

26 Citizens of U.K. and Colonies who are to become British Overseas citizens at commencement.

Any person who was a citizen of the United Kingdom and Colonies immediately before commencement and who does not at commencement become either a British citizen or a [^{F1}British overseas territories citizen] shall at commencement become a British Overseas citizen.

Textual Amendments

F1 Words in s. 26 substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\), s.2\(2\)\(b\)](#)

27 Registration of minors.

(1) [^{F2}Subject to sections 31, 34 and 36 of the [Illegal Migration Act 2023](#) (restriction of eligibility for citizenship etc),] if while a person is a minor an application is made for his registration as a British Overseas citizen, the Secretary of State may, if he thinks fit, cause him to be registered as such a citizen.

(2) ^{F3}

Textual Amendments

F2 Words in s. 27(1) inserted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\), ss. 37\(13\), 68\(3\)\(a\)](#) (with s. 55(9))

F3 [S. 27\(2\)](#) ceased to have effect (7.11.2002) and repealed (prosp.)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\(g\), Sch. 9](#) (with s. 159, Sch. 2 para. 2)

Changes to legislation: British Nationality Act 1981, Part III is up to date with all changes known to be in force on or before 27 February 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

Modifications etc. (not altering text)

- C1 S. 27(1) 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. 27(1) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 34, 68\(3\)\(a\)](#) (with [s. 55\(9\)](#))

28 Registration by virtue of marriage.

F4

Textual Amendments

- F4 S. 28 ceased to have effect (7.11.2002) and repealed (prosp.)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\(h\)](#), [Sch. 9](#) (with [s. 159](#), [Sch. 2 para. 2](#))

29 Renunciation.

The provisions of section 12 shall apply in relation to British Overseas citizens and British Overseas citizenship as they apply in relation to British citizens and British citizenship.

Changes to legislation:

British Nationality Act 1981, Part III is up to date with all changes known to be in force on or before 27 February 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.

[View outstanding changes](#)

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