

*Status:* This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* British Nationality Act 1981, Cross Heading: Naturalisation as a British citizen under section 6(1) is up to date with all changes known to be in force on or before 05 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

## SCHEDULES

### SCHEDULE 1

#### REQUIREMENTS FOR NATURALISATION

##### Modifications etc. (not altering text)

- C1 Sch. 1 modified (7.11.2002, partly retrospective) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\), s. 11](#)

##### *Naturalisation as a British citizen under section 6(1)*

- 1 (1) Subject to paragraph 2, the requirements for naturalisation as a British citizen under section 6(1) are, in the case of any person who applies for it—
- (a) the requirements specified in sub-paragraph (2) of this paragraph, or the alternative requirement specified in sub-paragraph (3) of this paragraph; and
  - (b) that he is of good character; and
  - (c) that he has a sufficient knowledge of the English, Welsh or Scottish Gaelic language; and
  - [<sup>F1</sup>(ca) that he has sufficient knowledge about life in the United Kingdom; and]
  - (d) that either—
    - (i) his intentions are such that, in the event of a certificate of naturalisation as a British citizen being granted to him, his home or (if he has more than one) his principal home will be in the United Kingdom; or
    - (ii) he intends, in the event of such a certificate being granted to him, to enter into, or continue in, Crown service under the government of the United Kingdom, or service under an international organisation of which the United Kingdom or Her Majesty's government therein is a member, or service in the employment of a company or association established in the United Kingdom.
- (2) The requirements referred to in sub-paragraph (1)(a) of this paragraph are—
- (a) that the applicant was in the United Kingdom at the beginning of the period of five years ending with the date of the application, and that the number of days on which he was absent from the United Kingdom in that period does not exceed 450; and
  - (b) that the number of days on which he was absent from the United Kingdom in the period of twelve months so ending does not exceed 90; and
  - (c) that he was not at any time in the period of twelve months so ending subject under the immigration laws to any restriction on the period for which he might remain in the United Kingdom; and
  - (d) that he was not at any time in the period of five years so ending in the United Kingdom in breach of the immigration laws.

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- (3) The alternative requirement referred to in sub-paragraph (1)(a) of this paragraph is that on the date of the application he is serving outside the United Kingdom in Crown service under the government of the United Kingdom.

**Textual Amendments**

**F1** Sch. 1 para. 1(1)(ca) inserted (1.11.2005) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. [1\(1\)](#), [162\(1\)](#) (with s. 159); S.I. 2005/2782, [art. 3\(1\)](#) (subject to [art. 3\(2\)](#))

- 2 <sup>F2</sup>(1) If in the special circumstances of any particular case the Secretary of State thinks fit, he may for the purposes of paragraph 1 do all or any of the following things, namely—

- <sup>F3</sup>(za) treat the applicant as fulfilling the first requirement specified in paragraph 1(2)(a) although the applicant was not in the United Kingdom at the beginning of the period there mentioned;]
- (a) treat the applicant as fulfilling the [<sup>F4</sup>second requirement specified in paragraph 1(2)(a) or the requirement specified in] paragraph 1(2)(b), or both, although the number of days on which he was absent from the United Kingdom in the period there mentioned exceeds the number there mentioned;
- (b) treat the applicant as having been in the United Kingdom for the whole or any part of any period during which he would otherwise fall to be treated under paragraph 9(1) as having been absent;
- (c) disregard any such restriction as is mentioned in paragraph 1(2)(c), not being a restriction to which the applicant was subject on the date of the application;
- (d) treat the applicant as fulfilling the requirement specified in paragraph 1(2) (d) although he was in the United Kingdom in breach of the immigration laws in the period there mentioned;
- (e) waive the need to fulfil [<sup>F5</sup>either or both of the requirements specified in paragraph 1(1)(c) and (ca)] if he considers that because of the applicant’s age or physical or mental condition it would be unreasonable to [<sup>F6</sup>expect him to fulfil that requirement or those requirements].

<sup>F7</sup>(1A) Sub-paragraph (1B) applies where the applicant has indefinite leave to enter or remain in the United Kingdom.

(1B) The Secretary of State may for the purposes of paragraph 1 treat the applicant as fulfilling the requirement specified in paragraph 1(2)(d), without enquiring into whether or not the applicant was in the United Kingdom in breach of the immigration laws in the period there mentioned.

(1C) The reference in sub-paragraph (1A) to having indefinite leave to enter or remain is to be construed in accordance with the Immigration Act 1971.]

<sup>F8</sup>(2) .....

<sup>F9</sup>(3) .....

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### Textual Amendments

- F2** Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) (13.5.2014) by virtue of [Citizenship \(Armed Forces\) Act 2014 \(c. 8\)](#), [ss. 1\(2\)](#), [2\(2\)](#)
- F3** Sch. 1 para. 2(1)(za) inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(a\)](#); S.I. 2022/590, [regs. 1\(2\)](#), [2](#), [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F4** Words in Sch. 1 para. 2(1)(a) substituted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(b\)](#); S.I. 2022/590, [regs. 1\(2\)](#), [2](#), [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F5** Words in Sch. 1 para. 2(e) substituted (1.11.2005) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 1\(2\)](#), [162\(1\)](#) (with s. 159); S.I. 2005/2782, [art. 3\(1\)](#) (subject to [art. 3\(2\)](#))
- F6** Words in Sch. 1 para. 2(e) substituted (1.11.2005) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 1\(2\)](#), [162\(1\)](#) (with s. 159); S.I. 2005/2782, [art. 3\(1\)](#) (subject to [art. 3\(2\)](#))
- F7** Sch. 1 para. 2(1A)-(1C) inserted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(c\)](#); S.I. 2022/590, [regs. 1\(2\)](#), [2](#), [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F8** Sch. 1 para. 2(2) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(d\)](#); S.I. 2022/590, [regs. 1\(2\)](#), [2](#), [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F9** Sch. 1 para. 2(3) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(2\)\(d\)](#); S.I. 2022/590, [regs. 1\(2\)](#), [2](#), [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))

### PROSPECTIVE

- [<sup>F10</sup>2A (1) A person has a qualifying immigration status for the purposes of paragraph 1(2) if the person has—
- (a) qualifying temporary residence leave;
  - (b) probationary citizenship leave;
  - (c) permanent residence leave;
  - (d) a qualifying CTA entitlement;
  - (e) a Commonwealth right of abode; or
  - (f) a temporary or permanent EEA entitlement.
- (2) A person who is required for those purposes to have a qualifying immigration status for the whole of the qualifying period need not have the same qualifying immigration status for the whole of that period.]

### Textual Amendments

- F10** Sch. 1 para. 2(A) inserted (prosp.) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), [ss. 39\(11\)](#), [58](#)

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