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**Changes to legislation:** British Nationality Act 1981, Cross Heading: Persons born stateless before commencement is up to date with all changes known to be in force on or before 28 January 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](#)

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## SCHEDULES

### SCHEDULE 2

#### PROVISIONS FOR REDUCING STATELESSNESS

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

**C1** Sch. 2 excluded by S.I. 1983/882, art. 2(3)

*Persons born stateless before commencement*

- 5 (1) A person born before commencement shall be entitled, on an application for his registration under this paragraph, to be so registered if the circumstances are such that, if—
- (a) this Act had not been passed, and the enactments repealed or amended by this Act had continued in force accordingly; and
  - (b) an application for the registration of that person under section 1 of the <sup>M1</sup>British Nationality (No. 2) Act 1964 (stateless persons) as a citizen of the United Kingdom and Colonies had been made on the date of the application under this paragraph,
- that person would have been entitled under that section to be registered as such a citizen.
- (2) A person entitled to registration under this paragraph shall be registered under it as such a citizen as he would have become at commencement if, immediately before commencement, he had been registered as a citizen of the United Kingdom and Colonies under section 1 of the <sup>M2</sup>British Nationality (No. 2) Act 1964 on whichever of the grounds mentioned in subsection (1)(a) to (c) of that section he would have been entitled to be so registered on in the circumstances described in sub-paragraph (1)(a) and (b) of this paragraph.

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**Marginal Citations**

**M1** 1964 c. 54.

**M2** 1964 c. 54.

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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- s. 6(3)(4) inserted by [2009 c. 11 s. 40\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))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\(3\)\(a\)](#))