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## SCHEDULES

### <sup>X1</sup>SCHEDULE 7

Section 52(6).

#### CONSEQUENTIAL AMENDMENTS

##### Editorial Information

- X1** The text of Sch. 7 is in the form in which it was originally enacted: it was not wholly reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

##### *ACT OF SETTLEMENT (12 & 13 Will. 3. c. 2.)*

In section 3, the words from “That after the said limitation shall take effect” to “in trust for him” (which impose certain disqualifications) shall not apply to Commonwealth citizens or citizens of the Republic of Ireland.

##### *LEGITIMACY DECLARATION ACT 1858 (c. 93)*

In section 9 (declaration that person is a subject of Her Majesty in Scottish action of declarator) for “subject of Her Majesty” substitute “ Commonwealth citizen ”.

##### *SUBMARINE TELEGRAPH ACT 1885 (c. 49)*

In section 3(5) (offence for a subject of Her Majesty to abet breaking or injuring of submarine cable outside dominions), for “a subject of Her Majesty” substitute “ a Commonwealth citizen ”.

##### *BRITISH NATIONALITY ACT 1948 (c. 56)*

In section 3 (limitation of criminal liability of citizens of certain countries), after subsection (3) insert—

- “(4) In this section “foreign country” and “British protected person” have the same meaning as in the British Nationality Act 1981.”.

##### *IRELAND ACT 1949 (c. 41)*

- 1 In section 3(1)(a) (certain provisions not affected by fact that Republic of Ireland is not part of Her Majesty’s dominions), for sub-paragraph (i) (which lists the British Nationality Act 1948) substitute—

“(i) section 3 of the British Nationality Act 1948 ;”

- 2 For section 7(2) (interpretation of references to protectorates etc. by reference to the 1948 Act) substitute—

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“(2) In this Act “the United Kingdom” includes the Channel Islands and the Isle of Man.”

*DEFAMATION ACT 1952 (c. 66)*

In Part III of the Schedule (interpretation), in paragraph 14, for “subsection (3) of section one of that Act” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

*DEFAMATION ACT (NORTHERN IRELAND) 1955 (c. 11) (N.I.)*

In Part III of the Schedule (interpretation), in paragraph 14, for “subsection (3) of section one of that Act” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

*CYPRUS ACT 1960 (c. 52)*

In section 6(1) (power to remove Republic of Cyprus from section 1(3) of 1948 Act), for the words from “specified” onwards substitute “ mentioned in Schedule 3 to the British Nationality Act 1981, Her Majesty may by Order in Council remove the Republic of Cyprus from that Schedule. ”.

*EMERGENCY LAWS (RE-ENACTMENTS AND REPEALS) ACT 1964 (c. 60)*

In section 9 (territorial extent of Part I), in subsection (2)—

- (a) in the definition of “British protected person”, for “section 1(3) of the British Nationality Acts 1948 to 1964” substitute “ the British Nationality Act 1981 ”; and
- (b) in the definition of “excepted ship or aircraft”, for “section 1(3) of the British Nationality Act 1948” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

*DIPLOMATIC PRIVILEGES ACT 1964 (c. 81)*

For section 3(2) (disregard, in connection with citizenship of children of certain persons possessing diplomatic immunity, of Orders in Council withdrawing diplomatic privileges and immunities) substitute—

“(2) An Order in Council under this section shall be disregarded for the purposes of section 50(4) of the British Nationality Act 1981 (circumstances in which certain persons entitled to exemption under section 8(3) of the Immigration Act 1971 are to be regarded for the purposes of section 1(1) of the said Act of 1981 as settled in the United Kingdom).”.

*COMMONWEALTH SECRETARIAT ACT 1966 (c. 10)*

In Part II of the Schedule (staff of the Secretariat), in paragraphs 5(1) and 7, for “section 1(3) of the <sup>M1</sup>British Nationality Act 1948” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

**Marginal Citations**

**M1** 1948 c. 56.

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*WEST INDIES ACT 1967 (c. 4)*

- 1 In section 13(3) (power to make changes in nationality or citizenship law in certain events), for “citizens of the United Kingdom and Colonies” substitute “ British Dependent Territories citizens or British Overseas citizens ”.
- 2 In Schedule 3 (modifications of British Nationality Acts)—
- (a) for paragraph 4(3) substitute—
- “(3) This paragraph applies to those functions of the Secretary of State under the British Nationality Act 1981 in the case of which he has power under section 43 of the Act to make arrangements for them to be exercised in a dependent territory which is for the time being a colony by the Governor ; and subsection (4) of that section (approval of the Secretary of State) shall apply in relation to a direction under this paragraph as it applies in relation to arrangements under that section.” ; and
- (b) in paragraph 6, for the words from “Section 26” to “1965)” substitute “ Section 44 of the British Nationality Act 1981 ”.

*MARINE BROADCASTING (OFFENCES) ACT 1967 (c. 41)*

In section 3(3) (persons prohibited from broadcasting whilst on or over high seas), for paragraphs (a) to (e) substitute—

- “(a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen ; or
- (b) a person who under the British Nationality Act 1981 is a British subject ; or
- (c) a British protected person (within the meaning of that Act).”.

*ANTARCTIC TREATY ACT 1967 (c. 65)*

In section 1(3) (person prohibited from harming Antarctic flora and fauna)—

- (a) for paragraphs (a) to (e) substitute—
- “(a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen ; or
- (b) a person who under the British Nationality Act 1981 is a British subject ; or
- (c) a British protected person (within the meaning of that Act),” ; and
- (b) for “(a) to (e)” substitute “ (a) to (c) ”.

*FUGITIVE OFFENDERS ACT 1967 (c. 68)*

F1

**Textual Amendments**

F1 Entry repealed by [Extradition Act 1989 \(c. 33, SIF 48\)](#), s. 37, [Sch. 2](#)

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#### Textual Amendments

**F1** Entry repealed by [Extradition Act 1989 \(c. 33, SIF 48\)](#), s. 37, **Sch. 2**

#### *CONSULAR RELATIONS ACT 1968 (c. 18)*

In section 1(2) (meaning of certain terms in Schedule 1), in the definition of “national of the receiving state”, for the words from “as” onwards substitute “as meaning—

- (a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen ; or
- (b) a person who under the British Nationality Act 1981 is a British subject ; or
- (c) a British protected person (within the meaning of that Act).”

#### *TANZANIA ACT 1969 (c. 29)*

In section 4(3) (enactments excluded from power to apply statutory provisions to Tanzania), for “the British Nationality Acts” substitute “ the British Nationality Act 1981 ”.

#### *INCOME AND CORPORATION TAXES ACT 1970 (c. 10)*

... **F2** .

#### Textual Amendments

**F2** Entry repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), ss. 843, 844, **Sch. 31**

#### Textual Amendments

**F2** Entry repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), ss. 843, 844, **Sch. 31**

#### *MERCHANT SHIPPING ACT 1970 (c. 36)*

- 1 In section 70(3) (meaning of “British seamen” in section 70), for “the British Nationality Act 1948” substitute “ the British Nationality Act 1981 ”.
- 2 In section 93(3) (meaning of “independent Commonwealth country” in section 93), for “section 1(3) of the British Nationality Act 1948” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

... **F3** .

#### Textual Amendments

**F3** Entry repealed by [Aviation Security Act 1982 \(c. 36, SIF 9\)](#), s. 40, **Sch. 3**

... **F4** .

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#### Textual Amendments

**F4** Entry repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

F5

#### Textual Amendments

**F5** Entry repealed by [Aviation Security Act 1982 \(c. 36, SIF 9\)](#), s. 40, [Sch. 3](#)

### *CHILDREN ACT 1975 (c. 72)*

- 1 In Part II of Schedule 1 (adoption orders)—
  - (a) in paragraph 7(2)(a), for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
  - (b) in paragraph 7(2)(d), for “citizenship of the United Kingdom and Colonies” substitute “ British citizenship, British Dependent Territories citizenship or British Overseas citizenship. ”.
- 2 In Schedule 2 (status conferred in Scotland by adoption)—
  - (a) in paragraph 1(4)(a), for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
  - (b) in paragraph 1(4)(d), for “citizenship of the United Kingdom and Colonies” substitute “ British citizenship, British Dependent Territories citizenship or British Overseas citizenship. ”.

### *ADOPTION ACT 1976 (c. 36)*

In section 47(2) (nationality enactments)—

- (a) in paragraph (a), for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
- (b) in paragraph (d), for “citizenship of the United Kingdom and Colonies” substitute “ British citizenship, British Dependent Territories citizenship or British Overseas citizenship. ”.

### *NATIONAL HEALTH SERVICE ACT 1977 (c. 49)*

In paragraph 3 of Schedule 11 (territorial extent)—

- (a) in the definition of “British protected person”, for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
- (b) in the definition of “excepted ship or aircraft”, for “section 1(3) of the British Nationality Act 1948” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

### *SOLOMON ISLANDS ACT 1978 (c. 15)*

In section 6 (construction of nationality provisions)—

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- (a) in subsection (1), for “section 1(3) of the 1948 Act” substitute “ Schedule 3 to the British Nationality Act 1981 ” ;
- (b) for subsection (2) substitute—
  - “(2) The following provisions of the British Nationality Act 1981, namely sections 45 (evidence), 46 (offences and proceedings), 48 (posthumous children) and 50 (interpretation) shall have effect for the purposes of sections 2 to 6 of this Act as if those sections of this Act were included in that Act.” ; and
- (c) in subsection (3), for “section 23(2) of the 1948 Act” substitute “ section 47(2) of the British Nationality Act 1981 ”.

*ADOPTION (SCOTLAND) ACT 1978 (c. 28)*

In section 41(2) (nationality enactments)—

- (a) in paragraph (a), for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
- (b) in paragraph (d), for “citizenship of the United Kingdom and Colonies” substitute “ British citizenship, British Dependent Territories citizenship or British Overseas citizenship. ”.

*NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978 (c. 29)*

In paragraph 3 of Schedule 10 (territorial extent)—

- (a) in the definition of “British protected person”, for “the British Nationality Acts 1948 to 1965” substitute “ the British Nationality Act 1981 ” ; and
- (b) in the definition of “excepted ship or aircraft”, for “section 1(3) of the <sup>M2</sup>British Nationality Act 1948” substitute “ Schedule 3 to the British Nationality Act 1981 ”.

**Marginal Citations**

**M2** 1948 c. 56.

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**M2** 1948 c. 56.

*STATE IMMUNITY ACT 1978 (c. 33)*

In section 4(5) (definition of “national of the United Kingdom”), for the words from “means” onwards substitute “means—

- (a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen ; or
- (b) a person who under the British Nationality Act 1981 is a British subject ; or
- (c) a British protected person (within the meaning of that Act)”.

*DEEP SEA MINING (TEMPORARY PROVISIONS) ACT 1981 (c. 53)*

1 In section 1 (prohibition of unlicensed deep sea mining)—

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- (a) in subsection (4), for “citizen of the United Kingdom and Colonies” substitute “ United Kingdom national ” ;
- (b) in subsection (5)(a), for “citizens of the United Kingdom and Colonies” and “such citizens” substitute respectively “ United Kingdom nationals ” and “ such nationals ” ; and
- (c) in subsection (6), for the words from “and references” onwards substitute—
  - ““United Kingdom national” means—
  - (a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen ;
  - (b) a person who under the British Nationality Act 1981 is a British subject ; or
  - (c) a British protected person (within the meaning of that Act).”

- 2 In section 14(3) (persons who may be guilty of offences under regulations), for “a citizen of the United Kingdom and Colonies” substitute “ a British citizen, a British Dependent Territories citizen or a British Overseas citizen ”.

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