British Nationality Act 1981

1981 CHAPTER 61

PART V

MISCELLANEOUS AND SUPPLEMENTARY

38 British protected persons.

(1) Her Majesty may by Order in Council made in relation to any territory which was at any time before commencement—

(a) a protectorate or protected state for the purposes of the 1948 Act; or

(b) a United Kingdom trust territory within the meaning of that Act,

declare to be British protected persons for the purposes of this Act any class of persons who are connected with that territory and are not citizens of any country mentioned in Schedule 3 which consists of or includes that territory.

(2) Any Order in Council made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Changes to legislation:
British Nationality Act 1981, Section 38 is up to date with all changes known to be in force on or before 26 June 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. 4AA inserted by 2024 c. 19 s. 1(2)
- s. 6(3)(4) inserted by 2009 c. 11 s. 40(2) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- s. 41(1)(bc)-(be) inserted by 2009 c. 11 s. 41(2) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- s. 41(1B)(1C) inserted by 2009 c. 11 s. 41(3) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- s. 50A(1)(aa) inserted by 2024 c. 19 s. 1(4)(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- Sch. 1 para. 2(1)(ba)(bb) inserted by 2009 c. 11 s. 39(5) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(ca) inserted by 2009 c. 11 s. 39(7) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(5) inserted by 2009 c. 11 s. 39(10) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))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- Sch. 1 para. 2(1)(c) repealed by 2009 c. 11 s. 39(6)Sch. Pt. 2 (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(a) substituted by 2009 c. 11 s. 39(4) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))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))