



# Nationality and Borders Act 2022

## 2022 CHAPTER 36

### PART 1

#### NATIONALITY

##### *British citizenship*

#### **6 Disapplication of historical registration requirements**

- (1) The British Nationality Act 1981 is amended as follows.
- (2) In section 4C (acquisition by registration: certain persons born before 1983), for subsection (3D) substitute—

“(3D) In determining for the purposes of subsection (3) whether a person would have been a citizen of the United Kingdom and Colonies, the requirement that a person’s birth was registered at a United Kingdom consulate, as set out in section 5(1)(b) of the British Nationality Act 1948, is to be ignored.”

- (3) In section 4I (other person unable to become citizen at commencement), after subsection (1) insert—

“(1A) In determining for the purposes of subsection (1)(c)(i) whether a person would have been a citizen of the United Kingdom and Colonies, the requirement that a person’s birth was registered at a United Kingdom consulate, as set out in section 5(1)(b) of the British Nationality Act 1948, is to be ignored.”

#### **Commencement Information**

**I1** S. 6 not in force at Royal Assent, see [s. 87\(1\)](#)

**I2** S. 6 in force at 28.6.2022 by [S.I. 2022/590](#), [regs. 1\(2\), 2](#), [Sch. 1 para. 5](#) (with [Sch. 2 para. 2](#))

*Status: Point in time view as at 28/06/2022.*

**Changes to legislation:** *Nationality and Borders Act 2022, Cross Heading: British citizenship is up to date with all changes known to be in force on or before 23 May 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)*

## 7 Citizenship where mother married to someone other than natural father

- (1) The British Nationality Act 1981 is amended as follows.
- (2) In section 4E (the general conditions)—
  - (a) omit paragraph (a) (requirement that applicant was born before 1 July 2006);
  - (b) in paragraph (c), after “1990” insert “or under section 35 or 36 of the Human Fertilisation and Embryology Act 2008”;
  - (c) after paragraph (c) (but before the “and”) insert—
    - “(ca) no person is treated as a parent of P under section 42 or 43 of the Human Fertilisation and Embryology Act 2008;”.
- (3) In section 4F (person unable to be registered under other provisions of this Act), in subsection (1)(b), after sub-paragraph (iii) insert—
  - “(iia) section 4D,”.
- (4) In section 41A (registration: requirement to be of good character), in subsection (1A), for “or 3(5)” substitute “, 3(5) or 4D”.

### Commencement Information

**I3** S. 7 not in force at Royal Assent, see **s. 87(1)**

**I4** S. 7 in force at 28.6.2022 by **S.I. 2022/590**, regs. 1(2), 2, **Sch. 1 para. 6**

**Status:**

Point in time view as at 28/06/2022.

**Changes to legislation:**

Nationality and Borders Act 2022, Cross Heading: British citizenship is up to date with all changes known to be in force on or before 23 May 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.