



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 1

NATIONALITY

British overseas territories citizenship

3 Provision for Chagos Islanders to acquire British Nationality

In Part 2 of the British Nationality Act 1981 (British overseas territories citizenship), after section 17G (as inserted by section 2), insert—

“17H Acquisition by registration: descendants of those born in British Indian Ocean Territory

- (1) A person is entitled to be registered as a British overseas territories citizen on an application made under this section if—
 - (a) they are a direct descendant of a person (“P”) who was a citizen of the United Kingdom and Colonies by virtue of P’s birth in the British Indian Ocean Territory or, prior to 8 November 1965, in those islands designated as the British Indian Ocean Territory on that date, and
 - (b) they have never been a British overseas territories citizen or a British Dependent Territories citizen.
- (2) An application under this section must be made—
 - (a) in the case of a person aged 18 years or over on the commencement date, before the end of the period of five years beginning with the commencement date;
 - (b) in the case of a person aged under 18 on the commencement date, or a person who is born before the end of the period of five years beginning with the commencement date, before they reach the age of 23 years.

Changes to legislation: Nationality and Borders Act 2022, Section 3 is up to date with all changes known to be in force on or before 21 April 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](#)

(3) In subsection (2), “the commencement date” means the date on which this section comes into force.”

Commencement Information

- I1** S. 3 not in force at Royal Assent, see **s. 87(1)**
I2 S. 3 in force at 23.11.2022 by **S.I. 2022/1056, reg. 2(a)**

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[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. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)