



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 1

NATIONALITY

British overseas territories citizenship

4 Sections 1 to 3: related British citizenship

- (1) Part 1 of the British Nationality Act 1981 (British citizenship) is amended as follows.
- (2) After section 4J, insert—

“4K Acquisition by registration: certain British overseas territories citizens

- (1) A person is entitled to be registered as a British citizen on an application made under this section if—
 - (a) they are entitled to be registered as a British overseas territories citizen under section 17A, 17C, 17D, 17E, 17F or 17H, or
 - (b) they would be entitled to be registered as a British overseas territories citizen under any of those sections but for the fact that they have already become a British overseas territories citizen under a different provision.
- (2) Subsection (1) does not apply in the case of a person—
 - (a) who is or would be entitled to be registered as a British overseas territories citizen by virtue only of a connection with the Sovereign Base Areas of Akrotiri and Dhekelia, or
 - (b) who has previously been a British citizen.
- (3) The Secretary of State may not register a person as a British citizen on an application under subsection (1)(a) unless the person is also registered as a British overseas territories citizen.”

Changes to legislation: Nationality and Borders Act 2022, Section 4 is up to date with all changes known to be in force on or before 17 August 2023. 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 section 14 (meaning of British citizen “by descent”), in subsection (1), after paragraph (da) insert—

“(db) the person is a British citizen by virtue of registration under section 4K and is—

(i) a British overseas territories citizen by virtue of registration under section 17A, or

(ii) a British overseas territories citizen by descent by virtue of section 17C(3), 17D(2), 17E(2) or 17F(5); or”.

(4) In Part 5 of that Act (miscellaneous and supplementary), in section 41A (registration: requirement to be of good character), after subsection (2A) (inserted by section 2) insert—

“(2B) Subsection (2C) applies to an application for registration of an adult or young person as a British citizen under section 4K who is, or would have been, entitled to be registered as a British overseas territories citizen under section 17C, so far as the relevant registration provision (as defined in section 17C(2)) is section 15(3), 17(2) or 17(5).

(2C) The application must not be granted unless the Secretary of State is satisfied that the adult or young person is of good character.”

Commencement Information

I1 S. 4 not in force at Royal Assent, see [s. 87\(1\)](#)

I2 [S. 4\(1\)\(3\)\(4\)](#) in force at 28.6.2022 by [S.I. 2022/590](#), [regs. 1\(2\), 2](#), [Sch. 1 para. 3](#)

I3 [S. 4\(2\)](#) in force at 28.6.2022 for specified purposes by [S.I. 2022/590](#), [regs. 1\(2\), 2](#), [Sch. 1 para. 3](#)

I4 [S. 4\(2\)](#) in force at 23.11.2022 in so far as not already in force by [S.I. 2022/1056](#), [reg. 2\(b\)](#)

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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. 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\(12\)](#)