



British Nationality Act 1948

1948 CHAPTER 56 11 and 12 Geo 6

PART I

BRITISH NATIONALITY

^{F1}1, 2.

Textual Amendments

F1 Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with [Sch. 2 para. 1](#)))

3 Limitation of criminal liability of citizens of countries mentioned in s. 1(3) and Eire. Status of citizens of Eire and British protected persons.

- (1) A British subject or citizen of Eire who is not a citizen of the United Kingdom and Colonies shall not be guilty of an offence against the laws of any part of the United Kingdom and Colonies or of any protectorate or United Kingdom trust territory by reason of anything done or omitted in any country mentioned in subsection (3) of section one of this Act or in Eire or in any foreign country, unless—
- (a) the act or omission would be an offence if he were an alien; and
 - (b) in the case of an act or omission in any country mentioned in subsection (3) of section one of this Act or in Eire, it would be an offence if the country in which the act is done or the omission made were a foreign country:

Provided that nothing in this subsection shall apply to the contravention of any provision of the [^{F2}Merchant Shipping Act 1995].

Changes to legislation: There are currently no known outstanding effects for the British Nationality Act 1948, Part I. (See end of Document for details)

- (2) Subject to the provisions of this section, any law in force in any part of the United Kingdom and Colonies or in any protectorate or United Kingdom trust territory at the date of the commencement of this Act, whether by virtue of a rule of law or of an Act of Parliament or any other enactment or instrument whatsoever, and any law which by virtue of any Act of Parliament passed before that date comes into force in any such place as aforesaid on or after that date, shall, until provision to the contrary is made by the authority having power to alter that law, continue to have effect in relation to citizens of Eire who are not British subjects in like manner as it has effect in relation to British subjects.
- (3) In the ^{M1}Aliens Restriction Acts, 1914 ^{M2} and 1919, and in any order made thereunder the expression “alien” shall not include a British protected person.
- [^{F3}(4) In this section “foreign country” and “British protected person” have the same meaning as in the British Nationality Act 1981.]

Textual Amendments

- F2** Words in s. 3(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para.22** (with s. 312(1))
- F3** S. 3(4) inserted by British Nationality Act 1981 (c. 61, SIF 87), s. 52(6)(7), Sch. 7, **Sch. 8 para. 1(2)**

Modifications etc. (not altering text)

- C1** S. 3(1) saved by Civil Aviation Act 1949 (c. 67), **s. 59(1)**; excluded by Antarctic Treaty Act 1967 (c. 65), **s. 10(8)**
- C2** S. 3(2) amended by Ireland Act 1949 (c. 41), **s. 4**
- C3** S. 3 excluded (N.I.) by Criminal Jurisdiction Act 1975 (c. 59, SIF 39:2), **s. 1(4)**

Marginal Citations

- M1** 1914 c. 12.
- M2** 1919 c. 92.

Changes to legislation:

There are currently no known outstanding effects for the British Nationality Act 1948, Part I.