



British Nationality Act 1948

1948 CHAPTER 56

PART III

SUPPLEMENTAL

32 Interpretation

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively ascribed to them, that is to say :—

" Alien " means a person who is not a British subject, a British protected person or a citizen of Eire;

" Australia " includes the territories of Papua and the territory of Norfolk Island ;

" British protected person " means a person who is a member of a class of persons declared by Order in Council made in relation to any protectorate, protected state, mandated territory or trust territory to be for the purposes of this Act British protected persons by virtue of their connection with that protectorate, state or territory;

" Colony " does not include any country mentioned in subsection (3) of section one of this Act;

" Crown service under His Majesty's government in the United Kingdom " means the service of the Crown under His Majesty's government in the United Kingdom, or under His Majesty's government in Northern Ireland, or under the government of any colony, protectorate, protected state, United Kingdom mandated territory or United Kingdom trust territory, whether such service is in any part of His Majesty's dominions or elsewhere ;

" Foreign country " means a country other than the United Kingdom, a colony, a country mentioned in subsection (3) of section one of this Act, Eire, a protectorate, a protected state, a mandated territory and a trust territory;

" Governor " , in relation to a colony, protectorate or United Kingdom trust territory, includes the officer for the time being administering the government of that colony, protectorate or territory, and includes the person for the time being exercising the functions of British Resident at Zanzibar;

Status: This is the original version (as it was originally enacted).

" Mandated territory " means a territory administered by the government of any part of His Majesty's dominions in accordance with a mandate from the League of Nations;

" Minor " means a person who has not attained the age of twenty-one years ;

" Naturalised person " means a person who became a British subject or citizen of Eire by virtue of a certificate of naturalisation granted to him or in which his name was included;

" Person naturalised in the United Kingdom and Colonies " means—

- (a) in relation to a person naturalised after the commencement of this Act, a person to whom a certificate of naturalisation has been granted by the Secretary of State or by the Governor of a colony, protectorate or United Kingdom trust territory ;
- (b) in relation to a person naturalised before the commencement of this Act,
 - (i) a person to whom a certificate of naturalisation was granted by the Secretary of State, or, under section eight of the British Nationality and Status of Aliens Act, 1914, by the government of any British possession other than the countries mentioned in subsection (3) of section one of this Act, or
 - (ii) a person who by virtue of subsection (2) of section twenty-seven of the British Nationality and Status of Aliens Act, 1914, is deemed to be a person to whom a certificate of naturalisation was granted, if the certificate of naturalisation in which his name was included was granted by the Secretary of State or by the government of any such British possession as aforesaid or if he was deemed to be a naturalised British subject by reason of his residence with his father or mother;

" Prescribed " means prescribed by regulations made under this Act;

" Protected state " and " protectorate " have the meaning assigned to them by section thirty of this Act;

" Trust territory " means a territory administered by the government of any part of His Majesty's dominions under the trusteeship system of the United Nations ;

" United Kingdom consulate " means the office of a consular officer of His Majesty's government in the United Kingdom where a register of births is kept, or where there is no such office, such office as may be prescribed ;

" United Kingdom mandated territory " and " United Kingdom trust territory " mean respectively a mandated territory and a trust territory administered by His Majesty's government in the United Kingdom.

- (2) Subject to the provisions of section twenty-three of this Act, any reference in this Act to a child shall be construed as a reference to a legitimate child; and the expressions " father ", " ancestor " and " descended " shall be construed accordingly.
- (3) References in this Act to any country mentioned in subsection (3) of section one of this Act shall include references to the dependencies of that country.
- (4) Any reference in this Act to India, being a reference to a state of affairs existing before the fifteenth day of August, nineteen hundred and forty-seven, shall be construed as a reference to British India as defined by section three hundred and eleven of the Government of India Act, 1935.

Status: This is the original version (as it was originally enacted).

- (5) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.
- (6) For the purposes of this Act, any person who, by the law in force immediately before the commencement of this Act in any colony or protectorate, enjoyed the privileges of naturalisation within that colony or protectorate only shall be deemed to have become immediately before the commencement of this Act a British subject and a person naturalised in the United Kingdom and Colonies.
- (7) A person shall, in relation to any country mentioned in subsection (3) of section one of this Act in which a citizenship law has not taken effect at the date of the commencement of this Act, be deemed for the purposes of this Act to be potentially a citizen of that country at that date if he, or his nearest ancestor in the male line who acquired British nationality otherwise than by reason of his parentage, acquired British nationality by any of the following means, that is to say—
- (a) by birth within the territory comprised at the date of the commencement of this Act in that country ; or
 - (b) by virtue of a certificate of naturalisation granted by the government of that country ; or
 - (c) by virtue of the annexation of any territory included at the date of the commencement of this Act in that country;
- and a woman shall, in addition, be deemed for the purposes of this Act to be at the commencement of this Act potentially a citizen of any country mentioned in subsection (3) of section one of this Act if any person to whom she has been married is, or would but for his death have been, potentially a citizen thereof at that date.
- (8) In this Act the expression " citizenship law " in relation to any country mentioned in subsection (3) of section one of this Act means an enactment of the legislature of that country declared by order of the Secretary of State made by statutory instrument at the request of the government of that country to be an enactment making provision for citizenship thereof; and a citizenship law shall be deemed for the purposes of this Act to have taken effect in a country on the date which the Secretary of State by order so made at the request of the government of that country declares to be the date on which it took effect.
- (9) A person shall for the purposes of this Act be of full age if he has attained the age of twenty-one years and of full capacity if he is not of unsound mind.
- (10) For the purposes of this Act, a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.
- (11) Any reference in this Act to any other Act shall, unless the context otherwise requires, be construed as a reference to that Act as amended by or under any other enactment.