

2006 No. 1390

BRITISH NATIONALITY

The British Citizenship (Designated Service) Order 2006

Made - - - - - *23rd May 2006*

Laid before Parliament *25th May 2006*

Coming into force - - - *16th June 2006*

The Secretary of State, in exercise of the powers conferred by section 2(3) of the British Nationality Act 1981(a), makes the following Order:

1. This Order may be cited as the British Citizenship (Designated Service) Order 2006 and shall come into force on 16th June 2006.

2. The Orders listed in Schedule 1 are revoked.

3. The descriptions of service specified in Schedule 2, which the Secretary of State considers to be closely associated with the activities outside the United Kingdom and the qualifying territories of Her Majesty's government in the United Kingdom or in a qualifying territory, are designated for the purposes of section 2 of the British Nationality Act 1981 (acquisition of British citizenship by persons born outside the United Kingdom).

Home Office
23rd May 2006

Liam Byrne
Minister of State

(a) 1981 c. 61; section 2(3) was amended by the British Overseas Territories Act 2002.

SCHEDULE 1

Article 2

REVOCATION SCHEDULE

<i>Order revoked</i>	<i>Reference</i>
The British Citizenship (Designated Service) Order 1982	S.I. 1982/1004
The British Citizenship (Designated Service) (Amendment) Order 1982	S.I. 1982/1709
The British Citizenship (Designated Service) (Amendment) Order 1984	S.I. 1984/1766
The British Citizenship (Designated Service) (Amendment) Order 1987	S.I. 1987/611
The British Citizenship (Designated Service) (Amendment) Order 1990	S.I. 1990/28
The British Citizenship (Designated Service) (Amendment) Order 1994	S.I. 1994/556
The British Citizenship (Designated Service) (Amendment) Order 1995	S.I. 1995/552

DESCRIPTIONS OF SERVICE

1. Service as—

- (a) an officer administering the government of a territory for whose external relations the United Kingdom is responsible; or
- (b) an official in the government of such a territory; or
- (c) a judge or magistrate of such a territory.

2.—(1) Service in pursuance of an appointment outside the United Kingdom in respect of which the person concerned is on secondment from Crown service under the government of the United Kingdom or of a qualifying territory.

(2) For this purpose, a person is on secondment from Crown service under the government of the United Kingdom or of a qualifying territory if, having been serving in such Crown service, he is for the time being in temporary service under arrangements whereby he is to return to such Crown service when that temporary service ends.

3. Service in respect of which the person concerned—

- (a) is, under section 209(2) of the Army Act 1955, subject to Part II of that Act by virtue of paragraph 2, 3 or 4 of Schedule 5 to that Act (civilians outside the United Kingdom subject to Part II when not on active service); or
- (b) is, under section 209(2) of the Air Force Act 1955, subject to Part II of that Act by virtue of paragraph 2, 3 or 4 of Schedule 5 to that Act (civilians outside the United Kingdom subject to Part II when not on active service); or
- (c) is, under section 118(2) of the Naval Discipline Act 1957, subject to that Act by virtue of paragraph 2, 3 or 4 of Schedule 3 to that Act (civilians subject to the Act outside Her Majesty's dominions).

4. Service under an international organisation of which the United Kingdom or Her Majesty's government in the United Kingdom is a member.

5. Service under the Commonwealth War Graves Commission.

6. Service under the British Council for which the remuneration is paid wholly by that Council.

7. Service under the British Tourist Authority.

8. Service under the Medical Research Council.

9. Service under the Natural Environment Research Council.

10. Service under the Biotechnology and Biological Sciences Research Council.

11. Service under the Engineering and Physical Sciences Research Council.

12. Service under the Particle Physics and Astronomy Research Council.

13. Service under the Council for the Central Laboratory of the Research Councils.

14.—(1) Service in pursuance of an appointment outside the United Kingdom in respect of which the person concerned is on secondment from service under any of the organisations specified in paragraphs 8 to 13.

(2) For this purpose, a person is on secondment from service under such an organisation if, having been serving under such an organisation, he is for the time being in temporary service

under arrangements by which he is to return to service under that organisation when that temporary service ends.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 2 of the British Nationality Act 1981 provides that a person born outside the United Kingdom and the qualifying territories after commencement of that Act will be a British citizen in certain circumstances, including where at the time of the birth his father or mother is a British citizen and is serving outside the United Kingdom and the qualifying territories in service designated by the Secretary of State, recruitment for that service having taken place in the United Kingdom or a qualifying territory. The Secretary of State may only designate for this purpose service which he considers to be closely associated with the activities outside the United Kingdom and the qualifying territories of Her Majesty's government in the United Kingdom or in a qualifying territory.

This Order revokes, replaces and consolidates the British Citizenship (Designated Service) Order 1982 (as amended). This Order makes the following changes of substance:

- (a) service in respect of which the person concerned is on secondment from Crown service under the government of a qualifying territory is now designated for this purpose;
- (b) service under an international organisation of which the United Kingdom or Her Majesty's government in the United Kingdom is a member is now designated for this purpose; and
- (c) descriptions of service which were previously designated individually which fall within the new category referred to in (b) are no longer specifically designated.

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