



# British Nationality Act 1981

## 1981 CHAPTER 61

### PART I

#### BRITISH CITIZENSHIP

##### *Renunciation and resumption*

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**Modifications etc. (not altering text)**

C1 S. 12 extended by [S.I. 1986/948](#), [art. 7\(10\)](#)

## 12 Renunciation.

- (1) If any British citizen of full age and capacity makes in the prescribed manner a declaration of renunciation of British citizenship, then, subject to subsections (3) and (4), the Secretary of State shall cause the declaration to be registered.
- (2) On the registration of a declaration made in pursuance of this section the person who made it shall cease to be a British citizen.
- (3) A declaration made by a person in pursuance of this section shall not be registered unless the Secretary of State is satisfied that the person who made it will after the registration have or acquire some citizenship or nationality other than British citizenship; and if that person does not have any such citizenship or nationality on the date of registration and does not acquire some such citizenship or nationality within six months from that date, he shall be, and be deemed to have remained, a British citizen notwithstanding the registration.
- (4) The Secretary of State may withhold registration of any declaration made in pursuance of this section if it is made during any war in which Her Majesty may be engaged in right of Her Majesty's government in the United Kingdom.
- (5) For the purposes of this section any person who has been married [<sup>F1</sup>, or has formed a civil partnership,] shall be deemed to be of full age.

*Changes to legislation: British Nationality Act 1981, Cross Heading: Renunciation and resumption is up to date with all changes known to be in force on or before 11 February 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*

#### Textual Amendments

**F1** Words in s. 12(5) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 74](#); [S.I. 2005/3175](#), [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))

#### Modifications etc. (not altering text)

**C2** S. 12 extended by [S.I. 1986/948](#), [art. 7\(10\)](#)

### 13 Resumption.

- (1) Subject to subsection (2), a person who has ceased to be a British citizen as a result of a declaration of renunciation shall be entitled, on an application for his registration as a British citizen, to be registered as such a citizen if—
- (a) he is of full capacity; and
  - (b) his renunciation of British citizenship was necessary to enable him to retain or acquire some other citizenship or nationality.
- (2) A person shall not be entitled to registration under subsection (1) on more than one occasion.
- (3) If a person of full capacity who has ceased to be a British citizen as a result of a declaration of renunciation (for whatever reason made) makes an application for his registration as such a citizen, the Secretary of State may, if he thinks fit, cause him to be registered as such a citizen.

[<sup>F2</sup>(4) This section is subject to sections 31, 32 and 36 of the Illegal Migration Act 2023 (restriction of eligibility for citizenship etc).]

#### Textual Amendments

**F2** S. 13(4) inserted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 37\(8\)](#), 68(3)(a) (with s. 55(9))

#### Modifications etc. (not altering text)

- C3** S. 13(1)(3) restricted (4.12.2006) by [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#), [ss. 58](#), 62; [S.I. 2006/2838](#), [art. 4\(1\)](#) (subject to [art. 4\(2\)](#))
- C4** S. 13(1) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 33\(1\)\(c\)](#), 68(3)(a) (with s. 55(9))
- C5** S. 13(1) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 32\(1\)\(e\)](#), 68(3)(a) (with s. 55(9))
- C6** S. 13(3) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 32\(2\)\(a\)\(iv\)](#), 68(3)(a) (with s. 55(9))
- C7** S. 13(3) restricted (20.7.2023) by [Illegal Migration Act 2023 \(c. 37\)](#), [ss. 33\(2\)\(a\)\(iii\)](#), 68(3)(a) (with s. 55(9))

**Changes to legislation:**

British Nationality Act 1981, Cross Heading: Renunciation and resumption is up to date with all changes known to be in force on or before 11 February 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.

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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. 6(3)(4) inserted by [2009 c. 11 s. 40\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- s. 41(1)(bc)-(be) inserted by [2009 c. 11 s. 41\(2\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- s. 41(1B)(1C) inserted by [2009 c. 11 s. 41\(3\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(ba)(bb) inserted by [2009 c. 11 s. 39\(5\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(ca) inserted by [2009 c. 11 s. 39\(7\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(5) inserted by [2009 c. 11 s. 39\(10\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 6(2)-(4) inserted by [2022 c. 36 Sch. 1 para. 3\(4\)\(d\)](#)
- Sch. 1 para. 2(1)(c) repealed by [2009 c. 11 s. 39\(6\)](#)[Sch. Pt. 2](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(a) substituted by [2009 c. 11 s. 39\(4\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(2)-(4) substituted for Sch. 1 para. 2(2)(3) by [2009 c. 11 s. 39\(9\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(d) word substituted by [2009 c. 11 s. 39\(8\)\(a\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))
- Sch. 1 para. 2(1)(d) words substituted by [2009 c. 11 s. 39\(8\)\(b\)](#) (Amending provision prospectively repealed by [2022 c. 36, s. 9\(3\)\(a\)](#))