

Changes to legislation: British Nationality Act 1981, SCHEDULE 4 is up to date with all changes known to be in force on or before 29 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

SCHEDULES

^{X1}SCHEDULE 4

Section 39(6).

AMENDMENTS OF IMMIGRATION ACT 1971

Editorial Information

- X1** The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

1 In this Schedule “the 1971 Act” means the ^{M1}Immigration Act 1971.

Modifications etc. (not altering text)

- C1** Sch. 4 para. 1 extended (Isle of Man) (13.3.2008 for specified purposes and otherwise 1.5.2008) by [The Immigration \(Isle of Man\) Order 2008 \(S.I. 2008/680\)](#), arts. 1(2), 5, **8(2)(c)(i)**

Marginal Citations

- M1** 1971 c. 77.

- 2 For “patrial”—
- (a) where it occurs in the provisions of the 1971 Act listed in the first column of the following table, and where it first occurs in section 6(2) of that Act, substitute “ a British citizen ” ;
 - (b) where it occurs in the provisions listed in that Act in the second column of that table, and where it last occurs in section 6(2) of that Act, substitute “ British citizens ”.

TABLE

(1) “ <i>a British citizen</i> ”	(2) “ <i>British citizens</i> ”
Section 3(1), (5), (6), (8) ;	Section 3(7) (twice)
Section 5(2) ;	Section 4(4) ;
Section 9(4) ;	Section 8(2), (3), (4) ;
Section 14(2) ;	Section 9(2) ;
Section 24(1) ;	^{F1} ... ;
In section 33(1), the definitions of “entry clearance” and “work permit” ;	In Schedule 2, paragraph 26(1).

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In Schedule 2, paragraphs 2(1)(a),
3(1), 6(1), 12(2) and 13(2).

In Schedule 4, paragraphs 1(1) and
(2), 3(1) and 4.

Textual Amendments

- F1** Words in table in Sch. 4 para. 2 repealed (1.4.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 161, 162, [Sch. 9](#) (with s. 159); S.I. 2003/754, [art. 2\(1\)](#), Sch. 1 (with arts. 3, 4, Sch. 2 (as amended by S.I. 2003/1040, [art. 2](#) and S.I. 2003/1339, [art. 4](#)))

Modifications etc. (not altering text)

- C2** [Sch. 4 para. 2](#) extended in part (Isle of Man) (13.3.2008 for specified purposes and otherwise 1.5.2008) by [The Immigration \(Isle of Man\) Order 2008 \(S.I. 2008/680\)](#), arts. 1(2), 5, [8\(2\)\(c\)\(ii\)](#)

- 3 (1) For “certificate of patriality”, wherever (except in section 33(1)) it occurs in the 1971 Act (that is, in sections 13(2), 22(4)(a) and (5)(a), 26(1)(d) (twice) and paragraph 19(2) of Schedule 2 (twice)) substitute “ certificate of entitlement ”.
- (2) In the entry in section 33(1) which defines “certificate of patriality”, for “patriality” substitute “ entitlement ”.

Modifications etc. (not altering text)

- C3** [Sch. 4 para. 3](#) extended in part (Isle of Man) (13.3.2008 for specified purposes and otherwise 1.5.2008) by [The Immigration \(Isle of Man\) Order 2008 \(S.I. 2008/680\)](#), arts. 1(2), 5, [8\(2\)\(c\)\(iii\)](#)

- 4 In section 3(7) of the 1971 Act (powers available where restrictions or conditions are imposed on citizens of the United Kingdom and Colonies when leaving or seeking to leave other countries), for “citizens of the United Kingdom and Colonies” substitute “ British citizens, [^{F2}British overseas territories citizens] or British Overseas citizens ”.

Textual Amendments

- F2** Words in [Sch. 4 para. 4](#) substituted (26.2.2002) by [British Overseas Territories Act 2002 \(c. 8\)](#), [s. 2\(2\)\(b\)](#)

- 5 In section 8(5) of the 1971 Act, for the words from “settled” onwards (by virtue of which persons are not to be regarded for the purposes of the 1971 Act as having been settled in the United Kingdom while entitled to certain exemptions) substitute “ settled in the United Kingdom at any time when he was entitled under the former immigration laws to any exemption corresponding to any of those afforded by subsection (3) or (4)(b) or (c) above or by any order under subsection (2) above. ”.

Modifications etc. (not altering text)

- C4** [Sch. 4 para. 5](#) extended (Isle of Man) (13.3.2008 for specified purposes and otherwise 1.5.2008) by [The Immigration \(Isle of Man\) Order 2008 \(S.I. 2008/680\)](#), arts. 1(2), 5, [8\(2\)\(c\)\(iv\)](#)

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Textual Amendments

- F3** Sch. 4 para. 6 repealed (1.4.2003) by Nationality, Immigration and Asylum Act 2002 (c. 41), ss. 161, 162, Sch. 9 (with s. 159); S.I. 2003/754, art. 2(1), Sch. 1 (with arts. 3, 4, Sch. 2 (as amended by S.I. 2003/1040, art. 2 and S.I. 2003/1339, art. 4))

- 7 In section 33 of the 1971 Act (interpretation)—
- (a) in subsection (1)—
- (i) in the definition of “settled”, for the words from “with” onwards substitute “ with subsection (2A) below ; ” ; and
- (ii) after the definition of “ship” insert—
- ““United Kingdom passport” means a current passport issued by the Government of the United Kingdom, or by the Lieutenant-Governor of any of the Islands, or by the Government of any territory which is for the time being a [^{F4}British overseas territory] within the meaning of the British Nationality Act 1981 ;” ; and
- (b) after subsection (2) insert—
- “(2A) Subject to subsection 8(5) above, references to a person being settled in the United Kingdom are references to his being ordinarily resident there without being subject under the immigration laws to any restriction on the period for which he may remain.”

Textual Amendments

- F4** Words in Sch. 4 para.7(a)(ii) substituted (26.2.2002) by British Overseas Territories Act 2002 (c. 8), s. 1(1)(b)

Modifications etc. (not altering text)

- C5** Sch. 4 para. 7 extended (Isle of Man) (13.3.2008 for specified purposes and otherwise 1.5.2008) by The Immigration (Isle of Man) Order 2008 (S.I. 2008/680), arts. 1(2), 5, 8(2)(c)(v)

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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\(3\)\(a\)](#))