



British Nationality (Hong Kong) Act 1997

1997 CHAPTER 20

1 Acquisition of British citizenship.

- (1) Subject to the provisions of this section, the Secretary of State shall, on an application made for the purpose, register as a British citizen any person who—
 - (a) is ordinarily resident in Hong Kong at the time of the application; and
 - (b) satisfies the requirements of subsection (2) or (3) below.
- (2) The requirements of this subsection are that, immediately before 4th February 1997 (“the relevant date”), the person—
 - (a) was ordinarily resident in Hong Kong;
 - (b) was a British Dependent Territories citizen by virtue only of his having a connection with Hong Kong (within the meaning given by the Schedule to this Act); and
 - (c) would have been a stateless person if he had not been such a citizen, or such a citizen and a British National (Overseas).
- (3) The requirements of this subsection are that, immediately before the relevant date, the person—
 - (a) was ordinarily resident in Hong Kong;
 - (b) was a British Overseas citizen, a British subject or a British protected person; and
 - (c) would have been a stateless person if he had not been such a citizen, subject or person.
- (4) Subsections (2) and (3) above shall each have effect, in relation to a person who is or was born at any time on or after the relevant date, as if the reference to immediately before that date were a reference to that time.
- (5) Paragraphs (b) and (c) of each of those subsections shall have effect, in relation to a person who, at any time on or after the relevant date, becomes or became—
 - (a) in the case of subsection (2) above, a British Dependent Territories citizen; or
 - (b) in the case of subsection (3) above, a British Overseas citizen, a British subject or a British protected person,

Changes to legislation: There are currently no known outstanding effects for the British Nationality (Hong Kong) Act 1997, Section 1. (See end of Document for details)

as if the reference to immediately before that date were a reference to that time.

[^{F1}(5A) An adult or young person shall not be registered under subsection (1) unless the Secretary of State is satisfied that the adult or young person is of good character.

(5B) In subsection (5A), “ adult or young person ” means a person who has attained the age of 10 years at the time when the application for registration is made.]

(6) A person shall not be registered under subsection (1) above if, on or after the relevant date, he renounces or renounced, or otherwise gives or gave up of his own volition, the status of a national or citizen of a country or territory outside the United Kingdom.

(7) A person shall not be registered under subsection (1) above before 1st July 1997.

(8) In this section expressions which are also used in the ^{M1}British Nationality Act 1981 (“the principal Act”) have the same meanings as in that Act.

Textual Amendments

F1 S. 1(5A)(5B) inserted (13.1.2010) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), **ss. 47(3), 58(2)**; S.I. 2009/2731, art. 4(f)

Modifications etc. (not altering text)

C1 S. 1 restricted (4.12.2006) by [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#), **ss. 58, 62(1), 62(2)**; S.I. 2006/2838, art. 4(1) (with art. 4(2))

Marginal Citations

M1 1981 c. 61.

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