
STATUTORY INSTRUMENTS

1993 No. 1795

BRITISH NATIONALITY

The Hong Kong (British Nationality) (Amendment) Order 1993

Made - - - - - *20th July 1993*

Coming into force - - - - - *21st July 1993*

At the Court at Buckingham Palace, the 20th day of July 1993

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament and has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in pursuance of paragraph 2 of the Schedule to the Hong Kong Act 1985(1) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Hong Kong (British Nationality) (Amendment) Order 1993 and shall come into force on the day after the day on which it is made.

(2) This Order extends to Northern Ireland.

(3) This Order extends to the Channel Islands and the Isle of Man and to all dependent territories.

(4) Section 50 of the British Nationality Act 1981(2) (interpretation) shall apply to the interpretation of this Order as it applies to the interpretation of that Act.

2. The Hong Kong (British Nationality) Order 1986(3) shall be amended as follows—

(a) in article 4(2) after the words “would not be such a citizen,” shall be inserted the words “and who applies on or before the relevant date”; and

(b) after article 4(3) there shall be added—

“(4) An application for registration under paragraph (2) above made after the relevant date may be accepted if the applicant shows that there are special circumstances which justify his being so registered.

(1) 1985 c. 15.

(2) 1981 c. 61; section 50 was amended by the Hong Kong (British Nationality) Order 1986, article 7(8) (S.I.1986/948).

(3) S.I. 1986/948.

(5) Where any person is registered (or naturalised) as a British Dependent Territories citizen by virtue (wholly or partly) of his having a connection with Hong Kong, after, or less than three months before, the relevant date, the Secretary of State shall register him as a British National (Overseas) if he applies within three months after the date of his registration (or naturalisation) as a British Dependent Territories citizen.

(6) In this article “the relevant date” in relation to a person whose year of birth falls within one of the entries in column 1 of the Second Schedule to this Order, means the date shown in the corresponding entry in column 2.”.

3. Section 42 of the British Nationality Act 1981 shall be amended so as to add, after subsection (5)–

“(6) A person who applies for registration or naturalisation as a British Dependent Territories citizen under any provision of this Act by virtue (wholly or partly) of his having a connection with Hong Kong, may not be naturalised or registered, as the case may be, unless he makes his application on or before 31st March 1996.”.

4.—(1) The Schedule to the Hong Kong (British Nationality) Order 1986 shall become the first Schedule to that Order and, as a consequence, in article 8 for the words “the Schedule” there shall be substituted the words “the first Schedule”.

(2) After the first Schedule to that Order there shall be added the Schedule set out in the Schedule to this Order.

N. H. Nicholls
Clerk of the Privy Council

SCHEDULE

Article 4

SECOND SCHEDULE

Timetable for the receipt of applications for the registration of British Dependent Territories citizens as British Nationals (Overseas).

Column 1 Year of birth of British Dependent Territories citizen	Column 2 Final date for receipt of applications
1967 to 1971	30th October 1993
1962 to 1966	31st March 1994
1957 to 1961	31st August 1994
1947 to 1956	28th February 1995
Prior to 1947	30th June 1995
1972 to 1976	31st October 1995
1977 to 1981	30th March 1996
1982 to 1986	29th June 1996
1987 to 1991	30th September 1996
1992 to 1995	31st December 1996
1996	31st March 1997
1997	30th September 1997

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision with regard to the British nationality status of persons who are British Dependent Territories citizens by virtue of a connection with Hong Kong and with regard to persons who wish to be registered as such citizens. This Order amends the Hong Kong (British Nationality) Order 1986 and the British Nationality Act 1981.

Article 2 amends article 4 of the 1986 Order and makes provision for the operation of a series of dates, up until 30th September 1997, before which British Dependent Territories citizens seeking the status of British National (Overseas) must apply for it. The relevant date for each applicant depends on the year of his birth and is listed in the Schedule, which becomes the Second Schedule to the 1986 Order.

Article 3 amends section 42 of the 1981 Act so as to provide that a person seeking registration or naturalisation as a British Dependent Territories citizen by virtue of his having a connection with Hong Kong, must make his application on or before 31st March 1996.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.