



# Borders, Citizenship and Immigration Act 2009

## 2009 CHAPTER 11

### PART 2

#### CITIZENSHIP

##### *Acquisition of British citizenship by birth*

#### **42 Children born in UK etc. to members of the armed forces**

- (1) Section 1 of the British Nationality Act 1981 (c. 61) (acquisition of British citizenship by birth or adoption) is amended as follows.
- (2) After subsection (1) insert—

“(1A) A person born in the United Kingdom or a qualifying territory on or after the relevant day shall be a British citizen if at the time of the birth his father or mother is a member of the armed forces.”
- (3) In subsection (3), after “subsection (1)” insert “, (1A)”.
- (4) After subsection (3) insert—

“(3A) A person born in the United Kingdom on or after the relevant day who is not a British citizen by virtue of subsection (1), (1A) or (2) shall be entitled to be registered as a British citizen if, while he is a minor—

  - (a) his father or mother becomes a member of the armed forces; and
  - (b) an application is made for his registration as a British citizen”.
- (5) In subsection (4), after “subsection (1)” insert “, (1A)”.
- (6) After subsection (8) insert—

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*Status: This is the original version (as it was originally enacted).*

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“(9) The relevant day for the purposes of subsection (1A) or (3A) is the day appointed for the commencement of section 42 of the Borders, Citizenship and Immigration Act 2009 (which inserted those subsections).”