

*Status: Point in time view as at 05/12/2005.*

*Changes to legislation: British Nationality Act 1981, Cross Heading: Acquisition after commencement: special cases is up to date with all changes known to be in force on or before 23 July 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)*



# British Nationality Act 1981

## 1981 CHAPTER 61

### PART I

#### BRITISH CITIZENSHIP

##### *Acquisition after commencement: special cases*

#### **7 Right to registration by virtue of residence in U.K. or relevant employment.**

**F1** .....

##### **Textual Amendments**

**F1** S. 7 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(a\)](#), [Sch. 9](#) (with s. 159, Sch. 2 para. 2)

#### **8 Registration by virtue of marriage.**

**F2** .....

##### **Textual Amendments**

**F2** S. 8 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(b\)](#), [Sch. 9](#) (with s. 159, Sch. 2 para. 2)

#### **9 Right to registration by virtue of father's citizenship etc.**

**F3** .....

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#### Textual Amendments

- F3** S. 9 ceased to have effect (7.11.2002) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 15, 161, 162, [Sch. 2 para. 1\(c\)](#), [Sch. 9](#) (with s. 159, [Sch. 2 para. 2](#))

## 10 Registration following renunciation of citizenship of U.K. and Colonies.

- (1) Subject to subsection (3), a person shall be entitled, on an application for his registration as a British citizen, to be registered as such a citizen if immediately before commencement he would (had he applied for it) have been entitled under section 1(1) of the <sup>M1</sup>British Nationality Act 1964 (resumption of citizenship) to be registered as a citizen of the United Kingdom and Colonies by virtue of having an appropriate qualifying connection with the United Kingdom or <sup>F4</sup>. . . by virtue of having been married before commencement to a person who has, or would if living have, such a connection.
- (2) On an application for his registration as a British citizen made by a person of full capacity who had before commencement ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation, the Secretary of State may, if he thinks fit, cause that person to be registered as a British citizen if that person—
- has an appropriate qualifying connection with the United Kingdom; or
  - <sup>F4</sup>. . . has been married to [<sup>F5</sup>, or has been the civil partner of,] a person who has, or would if living have, such a connection.
- (3) A person shall not be entitled to registration under subsection (1) on more than one occasion.
- (4) For the purposes of this section a person shall be taken to have an appropriate qualifying connection with the United Kingdom if he, his father or his father's father—
- was born in the United Kingdom; or
  - is or was a person naturalised in the United Kingdom; or
  - was registered as a citizen of the United Kingdom and Colonies in the United Kingdom or in a country which at the time was mentioned in section 1(3) of the 1948 Act.

#### Textual Amendments

- F4** Words in s. 10(1)(2) repealed (1.4.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. 5(a), 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](#)))
- F5** Words in s. 10(2)(b) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 73](#); S.I. 2005/3175, [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))

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

- C1** S. 10(1)(2) 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\(2\)](#))

#### Marginal Citations

- M1** 1964 c. 22.

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