



British Nationality Act 1981

1981 CHAPTER 61

PART I

BRITISH CITIZENSHIP

Acquisition after commencement: special cases

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 ^{M1}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 ^{F1} . . . 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—
 - (a) has an appropriate qualifying connection with the United Kingdom; or
 - (b) ^{F1} . . . has been married to [^{F2}, 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—
 - (a) was born in the United Kingdom; or
 - (b) is or was a person naturalised in the United Kingdom; or

Status: Point in time view as at 20/07/2023.

Changes to legislation: British Nationality Act 1981, Section 10 is up to date with all changes known to be in force on or before 09 August 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)

- (c) 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.

[^{F3}(5) This section is subject to sections 31, 32 and 36 of the Illegal Migration Act 2023 (restriction of eligibility for citizenship etc).]

Textual Amendments

- F1** 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))
- F2** 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))
- F3** S. 10(5) inserted (20.7.2023) by Illegal Migration Act 2023 (c. 37), **ss. 37(7)**, 68(3)(a) (with s. 55(9))

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))
- C2** S. 10(1) restricted (20.7.2023) by Illegal Migration Act 2023 (c. 37), **ss. 32(1)(d)**, 68(3)(a) (with s. 55(9))
- C3** S. 10(2) restricted (20.7.2023) by Illegal Migration Act 2023 (c. 37), **ss. 32(2)(a)(iii)**, 68(3)(a) (with s. 55(9))

Marginal Citations

- M1** 1964 c. 22.

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