

2003 No. 3159

BRITISH NATIONALITY

**The British Nationality (British Overseas Territories)
(Amendment) (No. 2) Regulations 2003**

Made - - - - - *8th December 2003*

Laid before Parliament *9th December 2003*

Coming into force - - *1st January 2004*

The Secretary of State, in exercise of the powers conferred on him by section 41(1), (3) and (3A) of the British Nationality Act 1981(a), hereby makes the following Regulations:

1. These Regulations may be cited as the British Nationality (British Overseas Territories) (Amendment) (No. 2) Regulations 2003 and shall come into force on 1st January 2004.

2. The British Nationality (Dependent Territories) Regulations 1982(b) shall be amended as follows.

3. For paragraphs (1) and (2) of regulation 6 (Oaths of allegiance) there is substituted—

“Citizenship oaths and pledges

6.—(1) Where a citizenship oath or pledge is required by section 42 of the Act(c) to be made by an applicant for registration or for a certificate of naturalisation, it shall be administered in accordance with the requirements of Schedule 3.

(2) If, on an application for registration or for a certificate of naturalisation by an applicant who is required to make a citizenship oath or pledge, the Secretary of State decides that the registration should be effected or the certificate should be granted, he shall cause notice in writing of the decision to be given to the applicant; and the oath or pledge shall be made within three months of the giving of the notice or such longer time as the Secretary of State may allow.”

4. In Schedule 3—

(a) in the heading, for “OATH OF ALLEGIANCE” there is substituted “CITIZENSHIP OATH OR PLEDGE”;

(b) in the first paragraph, for “An oath of allegiance” there is substituted “A citizenship oath or pledge”; and

(c) in the second paragraph, after each reference to “the oath” there is inserted “or pledge”, and the words “or taken” are omitted.

Home Office
8th December 2003

Beverley Hughes
Minister of State

(a) 1981 c. 61. Section 41(1) and (3) is amended, and section 41(3A) is inserted, by paragraphs 3, 4, 6 and 7 of Schedule 1 to the Nationality, Immigration and Asylum Act 2002 (c. 41).
(b) S.I. 1982/987, to which there has been an amendment not relevant to the subject matter of these Regulations. Section 1(2) of the British Overseas Territories Act 2002 (c. 8) provides that any reference in an earlier enactment (including secondary legislation) to a dependent territory within the meaning of the British Nationality Act 1981 shall be read as a reference to a British overseas territory.
(c) Section 42 is substituted by paragraph 1 of Schedule 1 to the Nationality, Immigration and Asylum Act 2002 (c. 41).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the British Nationality (Dependent Territories) Regulations 1982 with effect from 1st January 2004 to reflect amendments made to the British Nationality Act 1981 by section 3 of, and Schedule 1 to, the Nationality, Immigration and Asylum Act 2002. In particular, references to the oath of allegiance in the 1982 Regulations are replaced by references to the citizenship oath or pledge.

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