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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force provisions of the Nationality and Borders Act 2022 (c. 36) (“the 2022 Act”). They are the sixth commencement regulations to be made under the 2022 Act.

Regulation 2 of these Regulations brings section 10 (notice of decision to deprive a person of citizenship) of the 2022 Act, so far as not already in force, and Schedule 2 (deprivation of citizenship without notice: judicial oversight) to the 2022 Act, into force on 10th May 2023.

Section 10 amends section 40 of the British Nationality Act 1981 (c. 61) (“the 1981 Act”) to allow an order depriving a person of British citizenship to be made under section 40 of that Act without first giving the person notice of the decision under section 40(5) of that Act. Section 10 also revokes regulation 10(4) of the British Nationality (General) Regulations 2003 (S.I. 2003/548). Regulation 10(4) provides for a notice under section 40(5) of the 1981 Act to be deemed given, in certain circumstances, if a copy of the notice is placed on a person’s file.

Section 10(4) of, and Schedule 2 to, the 2022 Act insert a new Schedule 4A into the 1981 Act to provide for a process of judicial oversight by the Special Immigration Appeals Commission in cases where a decision to deprive a person of British citizenship under section 40(2) of the 1981 Act has been made without giving notice under section 40(5) of that Act.