



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 1

NATIONALITY

British citizenship

6 Disapplication of historical registration requirements

- (1) The British Nationality Act 1981 is amended as follows.
- (2) In section 4C (acquisition by registration: certain persons born before 1983), for subsection (3D) substitute—

“(3D) In determining for the purposes of subsection (3) whether a person would have been a citizen of the United Kingdom and Colonies, the requirement that a person’s birth was registered at a United Kingdom consulate, as set out in section 5(1)(b) of the British Nationality Act 1948, is to be ignored.”
- (3) In section 4I (other person unable to become citizen at commencement), after subsection (1) insert—

“(1A) In determining for the purposes of subsection (1)(c)(i) whether a person would have been a citizen of the United Kingdom and Colonies, the requirement that a person’s birth was registered at a United Kingdom consulate, as set out in section 5(1)(b) of the British Nationality Act 1948, is to be ignored.”

Commencement Information

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| I1 | S. 6 not in force at Royal Assent, see s. 87(1) |
| I2 | S. 6 in force at 28.6.2022 by S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 5 (with Sch. 2 para. 2) |

Changes to legislation: Nationality and Borders Act 2022, Cross Heading: British citizenship is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

7 Citizenship where mother married to someone other than natural father

- (1) The British Nationality Act 1981 is amended as follows.
- (2) In section 4E (the general conditions)—
 - (a) omit paragraph (a) (requirement that applicant was born before 1 July 2006);
 - (b) in paragraph (c), after “1990” insert “or under section 35 or 36 of the Human Fertilisation and Embryology Act 2008”;
 - (c) after paragraph (c) (but before the “and”) insert—
 - “(ca) no person is treated as a parent of P under section 42 or 43 of the Human Fertilisation and Embryology Act 2008;”.
- (3) In section 4F (person unable to be registered under other provisions of this Act), in subsection (1)(b), after sub-paragraph (iii) insert—
 - “(iiia) section 4D,”.
- (4) In section 41A (registration: requirement to be of good character), in subsection (1A), for “or 3(5)” substitute “, 3(5) or 4D”.

Commencement Information

I3 S. 7 not in force at Royal Assent, see [s. 87\(1\)](#)

I4 S. 7 in force at 28.6.2022 by [S.I. 2022/590](#), regs. 1(2), 2, [Sch. 1 para. 6](#)

Changes to legislation:

Nationality and Borders Act 2022, Cross Heading: British citizenship is up to date with all changes known to be in force on or before 19 April 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)