



# British Nationality Act 1948

1948 CHAPTER 56 11 and 12 Geo 6

F1

An Act to make provision for British nationality and for citizenship of the United Kingdom and Colonies and for purposes connected with the matters aforesaid. [30th July 1948]

## Textual Amendments

- F1** Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981](#) (c. 61, SIF 87), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022](#) (c. 36), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with [Sch. 2](#) para. 1))

## Modifications etc. (not altering text)

- C1** Act: saved by [Ireland Act 1949](#) (c. 41), [s. 3\(1\)\(a\)](#); extended by [Ireland Act 1949](#) (c. 41), [s. 3\(1\)\(b\)](#) and [Cyprus Act 1960](#) (c. 52), [s. 4\(7\)](#); and applied by [Medical Act 1950](#) (c. 29), [s. 31\(5\)](#)
- C2** Words of enactment omitted under authority of [Statute Law Revision Act 1948](#) (c. 62), [s. 3](#)
- C3** Act saved for E.W. by [Children Act 1975](#) (c. 72, SIF 49:9,10), s. 8(9), [Sch. 1](#) paras. 3, [7\(2\)\(a\)](#); and saved for S. by [Children Act 1975](#) (c. 72, SIF 49:9,10), s. 8(10), [Sch. 2 para. 1\(1\)\(4\)\(a\)](#) (which saving Act is repealed (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(2)(7), [Sch. 15](#)); and saved for E.W. by [Adoption Act 1976](#) (c. 36, SIF 49:11), [s. 47\(2\)\(a\)](#)

## PART I

### BRITISH NATIONALITY

F1 1, 2. ....

*Status: Point in time view as at 01/01/1996.*

*Changes to legislation: There are currently no known outstanding effects for the British Nationality Act 1948. (See end of Document for details)*

#### Textual Amendments

- F1** Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

### 3 Limitation of criminal liability of citizens of countries mentioned in s. 1(3) and Eire. Status of citizens of Eire and British protected persons.

- (1) A British subject or citizen of Eire who is not a citizen of the United Kingdom and Colonies shall not be guilty of an offence against the laws of any part of the United Kingdom and Colonies or of any protectorate or United Kingdom trust territory by reason of anything done or omitted in any country mentioned in subsection (3) of section one of this Act or in Eire or in any foreign country, unless—
- the act or omission would be an offence if he were an alien; and
  - in the case of an act or omission in any country mentioned in subsection (3) of section one of this Act or in Eire, it would be an offence if the country in which the act is done or the omission made were a foreign country:

Provided that nothing in this subsection shall apply to the contravention of any provision of the [<sup>F2</sup>Merchant Shipping Act 1995].

- (2) Subject to the provisions of this section, any law in force in any part of the United Kingdom and Colonies or in any protectorate or United Kingdom trust territory at the date of the commencement of this Act, whether by virtue of a rule of law or of an Act of Parliament or any other enactment or instrument whatsoever, and any law which by virtue of any Act of Parliament passed before that date comes into force in any such place as aforesaid on or after that date, shall, until provision to the contrary is made by the authority having power to alter that law, continue to have effect in relation to citizens of Eire who are not British subjects in like manner as it has effect in relation to British subjects.

- (3) In the <sup>M1</sup>Aliens Restriction Acts, 1914 <sup>M2</sup> and 1919, and in any order made thereunder the expression “alien” shall not include a British protected person.

- [<sup>F3</sup>(4) In this section “foreign country” and “British protected person” have the same meaning as in the British Nationality Act 1981.]

#### Textual Amendments

- F2** Words in s. 3(1) substituted (1.1.1996) by 1995 c. 21, [ss. 314\(2\), 316\(2\)](#), [Sch. 13 para.22](#) (with s. 312(1))
- F3** S. 3(4) inserted by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(6)(7), [Sch. 7](#), [Sch. 8 para. 1\(2\)](#)

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

- C4** S. 3(1) saved by [Civil Aviation Act 1949 \(c. 67\)](#), [s. 59\(1\)](#); excluded by [Antarctic Treaty Act 1967 \(c. 65\)](#), [s. 10\(8\)](#)
- C5** S. 3(2) amended by [Ireland Act 1949 \(c. 41\)](#), [s. 4](#)
- C6** S. 3 excluded (N.I.) by [Criminal Jurisdiction Act 1975 \(c. 59, SIF 39:2\)](#), [s. 1\(4\)](#)

*Status: Point in time view as at 01/01/1996.*

*Changes to legislation: There are currently no known outstanding effects for the British Nationality Act 1948. (See end of Document for details)*

### Marginal Citations

- M1 1914 c. 12.
- M2 1919 c. 92.

## PART II

### CITIZENSHIP OF THE UNITED KINGDOM AND COLONIES

<sup>F1</sup>4— .....  
22.

### Textual Amendments

- F1 Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

## PART III

### SUPPLEMENTAL

### Modifications etc. (not altering text)

- C7 Pt. III amended and applied by Acts listed in Chronological Table of the Statutes
- C8 Pt. III modified by [Solomon Islands Act 1978 \(c. 15, SIF 26:37A\)](#), [s. 6\(2\)](#); by S.I. 1978/1030, [art. 3\(5\)](#), 1978/1899, art. 3(5), 1979/917, art. 3(5), by [Belize Act 1981 \(c. 52, SIF 26:7A\)](#), [s. 5\(6\)](#) and by S.I. 1981/1105, [art. 3\(6\)](#)

<sup>F1</sup>23— .....  
31.

### Textual Amendments

- F1 Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

## 32 Interpretation.

<sup>F1</sup>(1) .....

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(3) References in this Act to any country mentioned in subsection (3) of section one of this Act shall include references to the dependencies of that country.

<sup>F1</sup>(4) .....

#### Textual Amendments

**F1** Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

### 33 Channel Islands and Isle of Man.

(1) References in this Act to colonies shall be construed as including references to the Channel Islands and the Isle of Man <sup>F1</sup> . . .

<sup>F1</sup>(2) .....

#### Textual Amendments

**F1** Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

### 34 <sup>X1</sup>† Short title, commencement and repeal.

(1) This Act may be cited as the British Nationality Act, 1948.

<sup>F1</sup>(2) .....

#### Editorial Information

**X1** A dagger appended to a marginal note means that it is no longer accurate

#### Textual Amendments

**F1** Act (except ss. 3, 32(3), 33(1) (from the beginning to the words “Isle of Man”), 34(1)) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(7)(8), [Sch. 9](#) (with transitional provisions in [Sch. 8](#)); and Act amended in so far as it still applies (28.6.2022) by 1981 c. 61, [ss. 4C\(3D\), 4I\(1A\), 17A\(4\), 17F\(2\)](#) (as inserted by [Nationality and Borders Act 2022 \(c. 36\)](#), [ss. 1\(2\), 2\(2\), 6\(2\)\(3\)](#), 87(1); S.I. 2022/590, [regs. 1\(2\), Sch. 1 paras. 1, 2, 5](#) (with Sch. 2 para. 1))

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## SCHEDULES

<sup>F1</sup>FIRST SCHEDULE

<sup>F1</sup>SECOND SCHEDULE

<sup>F1</sup>THIRD SCHEDULE

<sup>F1</sup>FOURTH SCHEDULE

**Status:**

Point in time view as at 01/01/1996.

**Changes to legislation:**

There are currently no known outstanding effects for the British Nationality Act 1948.