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Changes to legislation: British Nationality Act 1981, Cross Heading: Naturalisation as a British citizen under section 6(2) is up to date with all changes known to be in force on or before 24 January 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

SCHEDULES

SCHEDULE 1

REQUIREMENTS FOR NATURALISATION

Modifications etc. (not altering text)

- C1** Sch. 1 modified (7.11.2002, partly retrospective) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [s. 11](#)

Naturalisation as a British citizen under section 6(2)

- 3 Subject to paragraph 4, the requirements for naturalisation as a British citizen under section 6(2) are, in the case of any person who applies for it—
- (a) that he was in the United Kingdom at the beginning of the period of three years ending with the date of the application, and that the number of days on which he was absent from the United Kingdom in that period does not exceed 270; and
 - (b) that the number of days on which he was absent from the United Kingdom in the period of twelve months so ending does not exceed 90; and
 - (c) that on the date of the application he was not subject under the immigration laws to any restriction on the period for which he might remain in the United Kingdom; and
 - (d) that he was not at any time in the period of three years ending with the date of the application in the United Kingdom in breach of the immigration laws; and
 - (e) the ^{F1}requirements specified in paragraph 1(1)(b), (c) and (ca)] .

Textual Amendments

- F1** Words in [Sch. 1 para. 3\(e\)](#) substituted (28.7.2004) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [ss. 2\(1\)\(a\)](#), 162 (with [s. 159](#)); [S.I. 2004/1707](#), [art. 3](#)

- 4 Paragraph 2 shall apply in relation to paragraph 3 with the following modifications, namely—
- (a) ^{F2}the references] to the purposes of paragraph 1 shall be read as ^{F3}references] to the purposes of paragraph 3;
 - (b) the references to paragraphs 1(2)(a), 1(2)(b) and 1(2)(d) shall be read as references to paragraphs 3(a), 3(b) and 3(d) respectively;
 - (c) paragraph 2(c) ^{F4}. . . shall be omitted; and
 - (d) after paragraph (e) there shall be added—
 - “(f) waive the need to fulfil all or any of the requirements specified in paragraph 3(a) and (b) if on the date of the

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application the person to whom the applicant is married [^{F5}, or of whom the applicant is the civil partner,] is serving in service to which section 2(1)(b) applies, that person's recruitment for that service having taken place in the United Kingdom"

Textual Amendments

- F2** Words in Sch. 1 para. 4(a) substituted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(3\)\(a\)](#); [S.I. 2022/590](#), regs. 1(2), 2, [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F3** Word in Sch. 1 para. 4(a) substituted (28.6.2022) by [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(1), [Sch. 1 para. 3\(3\)\(b\)](#); [S.I. 2022/590](#), regs. 1(2), 2, [Sch. 1 para. 8](#) (with [Sch. 2 para. 3](#))
- F4** Words in Sch. 1 para. 4(c) omitted (28.7.2004) and repealed (prosp.) by virtue of [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. [2\(1\)\(b\)](#), 161, 162, [Sch. 9](#) (with s. 159); [S.I. 2004/1707](#), [art. 3](#)
- F5** Words in Sch. 1 para. 4(d) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 78](#); [S.I. 2005/3175](#), [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))

PROSPECTIVE

- [^{F6}4A (1) Subject to paragraph 3(5), a person has a qualifying immigration status for the purposes of paragraph 3 if the person has—
- (a) qualifying temporary residence leave based on a relevant family association;
 - (b) probationary citizenship leave based on a relevant family association;
 - (c) permanent residence leave based on a relevant family association;
 - (d) a qualifying CTA entitlement; or
 - (e) a Commonwealth right of abode.
- (2) For the purposes of paragraph 3 and this paragraph, the leave mentioned in sub-paragraph (1)(a), (b) or (c) is based on a relevant family association if it was granted on the basis of the person having a relevant family association.
- (3) A person who is required for the purposes of paragraph 3 to have, for the whole of the qualifying period, a qualifying immigration status and a relevant family association need not, for the whole of that period—
- (a) have the same qualifying immigration status; or
 - (b) (subject to paragraph 3(5)) have the same relevant family association.
- (4) Where, by virtue of sub-paragraph (3)(a), a person relies upon having more than one qualifying immigration status falling within sub-paragraph (1)(a), (b) or (c)—
- (a) subject to paragraph 3(5), it is not necessary that the leave to which each status relates is based on the same relevant family association, and
 - (b) in a case where paragraph 3(5) applies, the relationship by reference to which the persons referred to in paragraph 3(5) are partners need not be of the same description in respect of each grant of leave.]

Textual Amendments

- F6** [Sch. 1 para. 4A](#) inserted (prosp.) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), ss. [40\(5\)](#), 58

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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. 6(3)(4) inserted by [2009 c. 11 s. 40\(2\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- s. 41(1)(bc)-(be) inserted by [2009 c. 11 s. 41\(2\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- s. 41(1B)(1C) inserted by [2009 c. 11 s. 41\(3\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(ba)(bb) inserted by [2009 c. 11 s. 39\(5\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(ca) inserted by [2009 c. 11 s. 39\(7\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(5) inserted by [2009 c. 11 s. 39\(10\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 6(2)-(4) inserted by [2022 c. 36 Sch. 1 para. 3\(4\)\(d\)](#)
- Sch. 1 para. 2(1)(c) repealed by [2009 c. 11 s. 39\(6\)](#)[Sch. Pt. 2](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(a) substituted by [2009 c. 11 s. 39\(4\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(2)-(4) substituted for Sch. 1 para. 2(2)(3) by [2009 c. 11 s. 39\(9\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(d) word substituted by [2009 c. 11 s. 39\(8\)\(a\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))
- Sch. 1 para. 2(1)(d) words substituted by [2009 c. 11 s. 39\(8\)\(b\)](#) (Amending provision prospectively repealed by 2022 c. 36, s. 9(3)(a))