
Changes to legislation: There are currently no known outstanding effects for the British Overseas Territories Act 2002, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 1

BRITISH CITIZENSHIP AND THE BRITISH OVERSEAS TERRITORIES

Interpretation

- 5 (1) Section 50 of that Act (interpretation) is amended as follows.
- (2) In subsection (1) (list of defined terms), insert at the appropriate places—
- ““appointed day” means the day appointed by the Secretary of State under section 8 of the British Overseas Territories Act 2002 for the commencement of Schedule 1 to that Act;”,
- and
- ““qualifying territory” means a British overseas territory other than the Sovereign Base Areas of Akrotiri and Dhekelia;”.
- (3) In subsection (7) (birth aboard ships and aircraft) for the words from “The preceding provisions” to the end substitute—
- “(7A) For the purposes of this Act a person born outside a qualifying territory aboard a ship or aircraft—
- (a) shall be deemed to have been born in that territory if—
- (i) at the time of the birth his father or mother was a British citizen or a British overseas territories citizen; or
- (ii) he would, but for this subsection, have been born stateless, and (in either case) at the time of the birth the ship or aircraft was registered in that territory or was an unregistered ship or aircraft of the government of that territory; but
- (b) subject to paragraph (a), is to be regarded as born outside that territory, whoever was the owner of the ship or aircraft at the time, and irrespective of whether or where it was then registered.
- (7B) For the purposes of this Act a person born outside a British overseas territory, other than a qualifying territory, aboard a ship or aircraft—
- (a) shall be deemed to have been born in that territory if—
- (i) at the time of the birth his father or mother was a British overseas territories citizen; or
- (ii) he would, but for this subsection, have been born stateless, and (in either case) at the time of the birth the ship or aircraft was registered in that territory or was an unregistered ship or aircraft of the government of that territory; but

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- (b) subject to paragraph (a), is to be regarded as born outside that territory, whoever was the owner of the ship or aircraft at the time, and irrespective of whether or where it was then registered.”

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