

CITIZENSHIP FOR LIFE BILL

A BILL TO Make provision about citizenship.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

NATIONALITY

Repeal of provisions enabling the Secretary of State to deprive a person of British citizenship

1 Deprivation of citizenship

In section 40 of the British Nationality Act 1981 (deprivation of citizenship);

- (a) omit subsection (2),
- (b) omit subsection (4), and
- (c) omit subsection 4A.

2 Citation, commencement and extent.

- (1) This Act may be cited as the Citizenship for Life Act 2022.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed; and references to the commencement of this Act shall be construed as references to the beginning of that day.
- (3) This Act extends to Northern Ireland, the Islands and all British overseas territories.

KEELING SCHEDULE

Section 40 of the British Nationality Act 1981 as amended by the Citizenship for Life Bill
“40 Deprivation of citizenship.

(1) In this section a reference to a person’s “ citizenship status ” is a reference to his status as—

- (a) a British citizen,
- (b) a British overseas territories citizen,
- (c) a British Overseas citizen,
- (d) a British National (Overseas),
- (e) a British protected person, or
- (f) a British subject.

~~(2) The Secretary of State may by order deprive a person of a citizenship status if the Secretary of State is satisfied that deprivation is conducive to the public good.~~

(3) The Secretary of State may by order deprive a person of a citizenship status which results from his registration or naturalisation if the Secretary of State is satisfied that the registration or naturalisation was obtained by means of—

- (a) fraud,
- (b) false representation, or
- (c) concealment of a material fact.

~~(4) The Secretary of State may not make an order under subsection (2) if he is satisfied that the order would make a person stateless.~~

~~(4A) But that does not prevent the Secretary of State from making an order under subsection (2) to deprive a person of a citizenship status if—~~

~~(a) the citizenship status results from the person's naturalisation,~~

~~(b) the Secretary of State is satisfied that the deprivation is conducive to the public good because the person, while having that citizenship status, has conducted him or herself in a manner which is seriously prejudicial to the vital interests of the United Kingdom, any of the Islands, or any British overseas territory, and~~

~~(c) the Secretary of State has reasonable grounds for believing that the person is able, under the law of a country or territory outside the United Kingdom, to become a national of such a country or territory.~~

(5) Before making an order under this section in respect of a person the Secretary of State must give the person written notice specifying—

(a) that the Secretary of State has decided to make an order,

(b) the reasons for the order, and

(c) the person's right of appeal under section 40A(1) or under section 2B of the Special Immigration Appeals Commission Act 1997 (c. 68).

(6) Where a person acquired a citizenship status by the operation of a law which applied to him because of his registration or naturalisation under an enactment having effect before commencement, the Secretary of State may by order deprive the person of the citizenship status if the Secretary of State is satisfied that the registration or naturalisation was obtained by means of—

(a) fraud,

(b) false representation, or

(c) concealment of a material fact.”