

Chapter 14 Annex F

Registration and naturalisation under legislation other than the British Nationality Act 1981

Persons having a connection with Hong Kong

1. (1) A person shall be taken to have a connection with Hong Kong for the purposes of section 1(2) of this Act if -

(a) subject to paragraph 2 below, he, his father or his mother was born, naturalised or registered in Hong Kong or found abandoned there as a new-born infant;

(b) he, his father or mother was adopted (whether or not in Hong Kong) and the adopter or, in the case of a joint adoption, one of the adopters was at the time of the adoption a British Dependent Territories citizen by virtue of his having a connection with Hong Kong as specified in this Schedule;

(c) he, his father or mother ("the registered person") was registered outside Hong Kong on an application based (wholly or partly) on any of the following -

(i) residence in Hong Kong;

(ii) descent from a person born in Hong Kong;

(iii) descent from a person naturalised, registered or settled in Hong Kong (whether before or after the birth of the registered person);

(iv) descent from a person adopted (whether or not in Hong Kong) in the circumstances specified in sub-paragraph (b) above;

(v) marriage to a person who is a British Dependent Territories citizen by virtue of his having a connection with Hong Kong as specified in this Schedule or would, but for his death or renunciation of citizenship, be such a citizen by virtue of his having such a connection;

(vi) Crown service under the government of Hong Kong;

(vii) where the registered person had previously renounced citizenship of the United Kingdom and Colonies, or British Dependent Territories citizenship, birth, naturalisation or registration in Hong Kong;

(d) at the time of his birth his father or mother was settled in Hong Kong;

(e) his father or mother was born to a parent who at the time of the birth was a citizen of the United Kingdom and Colonies by virtue of his having a connection with Hong Kong as specified in this Schedule; or

(f) being a woman, she was married before 1st January 1983 to a man who is a British Dependent Territories citizen by virtue of his having a connection with Hong Kong as specified in this Schedule or would, but for his death or renunciation of citizenship, be such a citizen by virtue of his having such a connection.

(2) In sub-paragraph (1) above "registered" means registered -

(a) as a British Dependent Territories citizen, or

(b) before 1st January 1983, as a citizen of the United Kingdom and Colonies;

and "registration" shall be construed accordingly.

2. A person born in Hong Kong on or after 1st January 1983 shall not be taken to have a connection with Hong Kong as specified in paragraph 1(1)(a) above by virtue of his birth there unless, at the time of his birth, one of his parents was -

(a) settled in Hong Kong; or

(b) a British Dependent Territories citizen by virtue of his having a connection with Hong Kong as specified in this Schedule.