

Automatic loss

53.1 Introduction

53.1.1 This chapter deals with the automatic loss of British National (Overseas) status.

53.1.2 Chapter 52 deals with the voluntary loss of British National (Overseas) status by renunciation.

53.2 The Law

53.2.1 Article 4(3) of the Hong Kong (British Nationality) Order 1986 explains that a British National (Overseas) ceased to be a British National (Overseas) if, before 1 July 1997, he or she ceased to be a British Dependent Territories citizen.

53.2.2 This means that a British National (Overseas) automatically lost that status if, before 1 July 1997, he or she ceased to be a British Dependent Territories citizen by renunciation or deprivation.

53.2.3 It is, therefore, necessary to take care when considering:

- an application for registration as a British citizen under s.4 of the British Nationality Act 1981 (see Chapter 12)
- a declaration of renunciation under s.12 of the British Nationality Act 1981 (see Chapter 52)

as the person concerned may not be a British National (Overseas) and, therefore, may not be eligible for such registration or to renounce that status.