

LAWS OF PITCAIRN, HENDERSON, DUCIE
AND OENO ISLANDS

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CHAPTER XLIII

RIGHT OF ABODE ORDINANCE

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RIGHT OF ABODE ORDINANCE 2010

DATE MADE:

Ordinances:
No. 1 of 2010
No. 2 of 2010

An Ordinance to define the category of persons who have the right of abode on Pitcairn

Title and
commencement

1. This Ordinance may be cited as the Right of Abode Ordinance 2010 and shall come into force on the day after it is published.

Right of abode
defined

2. A person has the right of abode in Pitcairn if that person is—

- (1) a person who was born in Pitcairn, who was a citizen at birth and whose father or mother was permanently resident in Pitcairn at the time of the person's birth; or
- (2) a person who was born outside Pitcairn, who was a citizen at birth and whose father or mother was permanently resident in Pitcairn at the time of the person's birth; or
- (3) a citizen who was born outside Pitcairn whose father or mother was born in Pitcairn and had the right of abode in Pitcairn at the time of the person's birth; or
- (4) a person who has attained the status of permanent residence in accordance with ss 12 and 13 of [the Immigration Control Ordinance 2006] or any previous law in force in Pitcairn and who has received from the Governor a certificate of registration or naturalisation as a citizen; or
- (5) a citizen who has attained the status of permanent residence in accordance with ss 12 and 13 of [the Immigration Control Ordinance 2006] or any previous law in force in Pitcairn and who satisfies the requirements for naturalisation as a British overseas territories citizen on the basis of Pitcairn being the relevant territory; or
- (6) a person under the age of eighteen years who is the child, stepchild, or child adopted in a manner recognised by law of a person who has the right of abode in Pitcairn.

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(Amended by Ordinance No. 2 of 2010)

"Citizen" defined

3. For the purposes of this Ordinance, "citizen" means a person who is a British citizen, a British overseas territories citizen or a British overseas citizen; or who was, at the material time, a citizen of the United Kingdom and Colonies, a British dependent territories citizen or a British subject.

4. A person who is entitled to the right of abode pursuant to this Ordinance shall be entitled, upon application made to the Governor, to a certificate of entitlement of his or her right of abode on Pitcairn.

Certificate of
entitlement to right
of abode

5. The Governor may prescribe rules governing applications for certificates of entitlement to the right of abode on Pitcairn.

Governor may
prescribe rules

6. The Immigration Control Ordinance 2006 is hereby amended by deleting subparagraph (a) of section 15(1) and replacing it with the following:

Amendment to
Immigration Control
Ordinance 2006

“(a) Persons who have the right of abode in Pitcairn under the Right of Abode Ordinance 2010.”