



Home Office

**UK Border  
Agency**

## **GUIDE MN1**

### **REGISTRATION AS A BRITISH CITIZEN**

### **- A GUIDE ABOUT THE REGISTRATION OF CHILDREN UNDER 18**

**April 2010**



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## CHAPTER 1: INTRODUCTION TO THE GUIDE

### Who is included in this guide and who is not included.

This guide assists children who have not yet reached the age of majority (age 18) to become British citizens under the following sections of the British Nationality Act 1981. Once a child reaches age 18 they will have to apply to naturalise using form and guide AN.

- section 1 (3) birth in the UK to parents who are now settled in the UK or have become British citizens.
- section 1 (3A) birth in the UK to parents who have joined the armed forces.
- section 3 (1) child whose parents are applying for British citizenship.
- section 3 (2) birth abroad to parents who are British by descent and have lived in the UK or a British overseas territory.
- section 3 (5) birth abroad to parents who are British by descent but are now living in the UK or a British overseas territory.
- section 3 (1) children adopted abroad by British citizen parents.
- section 3 (1) children whose parents had renounced and subsequently resumed British citizenship.
- section 3 (1) any other case not listed below where it is considered to be in the child's best interests to be granted British citizenship.
- section 4D birth abroad to parents serving in the armed forces.

It does not cover

- British overseas territories citizenship – see guide MN2
- British overseas citizenship – see guide MN3
- British subjects – see guide MN4
- Children born outside the UK who are, and always have been stateless (have no citizenship) see – guide S2
- Children born in the UK who are, and always have been stateless (have no citizenship) see – guide S3
- Children born in the UK who have lived there for at least the first 10 years of their life - British Nationality Act 1981, section 1(4) – see guide T
- Children born on or after 4 February 1997 in Hong Kong – see guide EM
- Children from Gibraltar – see guide G

### Avenues to citizenship through entitlement and discretion.

Children applying for British citizenship through their parents, guardians, carers, or on their own behalf have a number of avenues open to them.

- Some of these avenues allow them a right under British nationality law to apply and be registered as British citizens. These are *entitlements* (see page 8).
- Other avenues are open to children only as the Home Secretary thinks fit. In these cases applications must demonstrate to the Home Secretary where the child meets existing criteria, where the Home Secretary has already said that he will allow children to be registered as British. Or, failing this, they should demonstrate that it would be right for the Home Secretary exceptionally to allow a child to be registered as a British citizen because of the compelling nature of the child's circumstances. These are at the Home Secretary's discretion (see page 10).

The words "*entitlement*" and "*discretion*" will be used throughout this guide to describe the different avenues.

A parent applying for British citizenship at the same time as his or her child should consider the possibility that the child may be found to be eligible for registration but that his or her own application falls for refusal. Section 7 of the application form invites the parent to confirm that, in this event, the child should still be registered as a British citizen. If the relevant box is not ticked, the child's application will be treated as having been withdrawn at the point when the parent's application is refused. No refund will be given.

## **Becoming a British citizen**

The contents and the information in Chapter 2 of this guide says what section of the British Nationality Act 1981 the application might be made under. It will be helpful to us in processing the application and to you in understanding the requirements and what needs to go in the application form if you write in the box provided at the beginning of the application form which section you think applies to the child on whose behalf you are applying.

Becoming a British citizen is a significant life event. Apart from allowing a child to apply for a British citizen passport, British citizenship gives them the opportunity to participate more fully in the life of their local community as they grow up.

For the application to succeed, you will need to show that the child satisfies any requirements that are set out in British nationality law. Or, if the application is at the *discretion* of the Home Secretary, you will need to show that it satisfies the criteria agreed by him which is available for viewing on the UK Border Agency website. If the child does not satisfy legal requirements and agreed policy you will need to demonstrate why it would be right for the Home Secretary to grant the child British citizenship. This guide aims to help you to make a successful application. It tells you what information to put into each section of the application form and which documents you need to supply.

Chapter 2 of this guide summarises the legal requirements for applying for registration. There may be some discretion to disregard the extent to which a child is unable to fully satisfy certain requirements. The way that the Home Secretary exercises his discretion is described in the nationality staff instructions which may be accessed on the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

It is important that you take care in completing the form and ensure that there is sufficient evidence to support the application. You also need to make sure that you have paid the correct fee, (see the fees leaflet supplied separately). If you pay by cheque you should ensure that you have sufficient funds available. Please do not send cash or postal orders. You may use Transcash. We will also accept credit/debit card payment. **If you do not pay the correct fee your application will not be accepted.**

## **What happens to the child's present citizenship?**

Before continuing with your application, you should be aware that under the nationality laws of some countries a person will automatically lose their nationality if they become a citizen of another country. If you have any questions about this, you should ask the authorities of the country of which the child is a citizen through the Embassy or High Commission before making your application. If the country of which the child is currently a citizen continues to recognise them as one of its citizens they may continue to be subject to the duties of citizens of that country when they are in its territory. This may include obligations to undergo military service.

The law covering registration is contained in the British Nationality Act 1981 and the regulations made under it. This guide is intended to help you to apply. It is not a statement about the law or policy. Other information about citizenship and immigration is available on the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

## CHAPTER 2: WHO QUALIFIES FOR REGISTRATION?

Children must be under 18 years old when the application is made. Once they reach the age of 18 they must apply for British citizenship as adults, either by registration where they have an entitlement, or by naturalisation. The date of application is the date it is received by the Home Office or the receiving authority, see “WHERE TO SEND THE APPLICATION FORM on page 30 for details.

If the child is aged 10 or over they must be of good character.

### Automatic acquisition of British citizenship

Children who have automatically acquired British citizenship do not need to be registered. There are two ways a child can automatically be a British citizen without needing to register.

#### 1 British citizenship otherwise than by descent

A child born in the UK to parents one or both of whom are

- British citizens, or
- are settled in the UK at the time the child is born, or
- members of the UK armed forces

is automatically a British citizen otherwise than by descent and does not need to be registered.

A child born in a British overseas territory (see page 8) after 21 May 2002 will also be a British citizen if, at the time of the birth, either parent is a British citizen, or settled in the United Kingdom, or settled in that particular territory, or is a member of the UK armed forces.

A child who is adopted in the UK and one or both adoptive parents are British citizens will also automatically be a British citizen otherwise than by descent on adoption and does not need to be registered.

A child adopted under the 1993 Hague Convention on Intercountry Adoption may be regarded as a British citizen otherwise than by descent on production of

- the Convention adoption certificate issued on or after 1 June 2003; and
- evidence that, on the date of the adoption, the adopter or, in the case of a joint adoption, one of the adopters was a British citizen, and
- evidence that, on the date of the adoption, the adopter or, in the case of a joint adoption, both of the adopters were habitually resident in the United Kingdom or in a territory designated for this purpose.

To be settled, the parent(s) must be free from immigration conditions. Children born in the UK to the following will not automatically become British citizens.

- diplomatic staff of foreign missions who have diplomatic immunity. Or
- members of visiting forces, ie member of the armed forces of another country based in or visiting the UK. Or
- in the event of war, children of an enemy alien who is part of an occupying force.
- Parents who are/were in breach of immigration laws. This may apply to parents who are claiming asylum even if they have been given temporary admission. This applies particularly where asylum seekers entered the UK clandestinely ie illegally.

## 2 British citizenship by descent

British citizenship may descend to one generation born abroad. So a child born abroad to a parent who is British otherwise than by descent will automatically be British by descent. The exception is

- A child born before 1 July 2006 illegitimately to a British father and non-British mother. They will have to register under *section 3 (1)*.

Children born to parents who are British by descent have no automatic claim to British citizenship. Applications may be made through entitlement under *section 3 (2) or section 3 (5)* if children satisfy the requirements for registration. Or they may apply at the Home Secretary's discretion under *section 3 (1)* if there are compelling or exceptional reasons for registering a child as British.

The exception to this broad rule is where a child is born abroad to one or more parents who are in Crown service or service designated for this purpose or Community institution service. In this case, the child will be a British citizen otherwise than by descent. To qualify, the parent must have been recruited in the UK and have been sent to serve abroad. Designated service is agreed by Parliament. A list of designated service is available by contacting the Liverpool Contact Centre whose details are given on page 31, or on our website:

[www.ukba.homeoffice.gov.uk/sitecontent/documents/nationality/instructions/nichapter4](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/nationality/instructions/nichapter4)

It is important to know that someone who is a British citizen by descent cannot "upgrade" their citizenship by applying to be registered or naturalised as a British citizen otherwise than by descent.

### **Children of EEA nationals**

Some children born in the United Kingdom to EEA and Swiss nationals will be British citizens automatically. However, changes in the law mean that different rules apply depending on when a child was born.

- A child born in the United Kingdom before 2/10/2000 to an EEA national parent will be a British citizen if the parent was exercising EC Treaty rights at the time of birth.
- A child born in the United Kingdom between 2/10/2000 and 30 April 2006 to an EEA national parent will only be a British citizen if the parent had indefinite leave to remain in the UK at the time of the birth. (This does not apply to EEA nationals with an unconditional right of residence, such as retired people or someone who is unable to work because of incapacity).
- A child born in the United Kingdom to an EEA national after 30 April 2006 will be a British citizen if their parent had been in the United Kingdom exercising EC Treaty rights in accordance with the Immigration (European Economic Area) Regulations 2006 for more than 5 years or has indefinite leave to remain

The child of an EEA national who did not become a British citizen at birth may now have an entitlement to be registered as a British citizen under section 1(3), if the parent has since become "settled" here. The parent will have become "settled" if:

- He or she has been granted indefinite leave in the United Kingdom, or
- He or she has been exercising EEA free movement rights in the United Kingdom for a continuous period of five years ending on or after 30 April 2006.

## **A8 National Workers**

On 1 May 2004 the Accession Treaty gave nationals from the following States the right to travel freely across the European Union:

Czech Republic	Estonia	Hungary	Latvia
Lithuania	Poland	Slovakia	Slovenia

However, the nationals of these eight member states (A8 nationals) are required to have been registered under the Worker Registration Scheme (WRS) for 12 months if exercising Treaty rights in the UK as a worker.

Only when an A8 national has completed the necessary 12 months employment under the WRS will they be considered to be in the UK and exercising their treaty rights. However, time spent as a registered worker on the Workers Registration Scheme will count towards the five year qualifying period for permanent residence.

A8 nationals who are here in another capacity, e.g. Student / self-sufficient / self-employed, have a right of residence here without registering under the Scheme.

For further information about EEA nationals and EEA free movement rights can be found on our website:

**[www.ukba.homeoffice.gov.uk/eucitizens/applyingundereuropeanlaw](http://www.ukba.homeoffice.gov.uk/eucitizens/applyingundereuropeanlaw)**

## Entitlement to registration as a British citizen

### Children born in the UK - Section 1 (3) and 1 (3A) application

#### Section 1 (3)

A child born in the UK whose parents are not British citizens and were not settled in the UK (see page 6) will have an *entitlement* to register when their parents become settled in the UK or become British citizens.

#### Section 1 (3A)

A child born in the UK on or after 13 January 2010 whose parents are not born British citizens and were not settled in the UK will have an *entitlement* to register if either parent becomes a member of the UK armed forces.

N.B. If a child lives in the United Kingdom for the first 10 years of his or her life, an application can be made under section 1(4), even if the parents are not settled. A form T should be used for this purpose.

A child born in the United Kingdom who is and has always been stateless may also qualify on the basis of a period of five years residence. Form S3 should be used for this purpose. Alternatively, a child born in the UK whose parents are not settled in the UK and are not applying for settlement of British citizenship may be registered at the discretion of the Home Secretary (see page 10).

### Children born abroad to British parents - Section 3 (2) or section 3 (5) application.

This category applies to children who

- Were born outside the United Kingdom. Or
- If born after 21 May 2002, were born outside any of the British overseas territories (listed below) and
- In either case, were born to parents who are British citizens by descent (see "*Automatic acquisition of British citizenship*" on page 6).

**The United Kingdom means England, Wales, Scotland, Northern Ireland, the Channel Island and the Isle of Man.**

**For the purposes of this guide, and form MN1, the British overseas territories are: Anguilla; Bermuda; British Antarctic Territory; British Indian Ocean Territory; Cayman Islands; Falkland Islands; Gibraltar; Montserrat; Pitcairn, Henderson, Ducie & Oeno Islands; St Helena, Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands (except from 3 October 1985 until 4 December 2001); Turks and Caicos Islands; Virgin Islands.**

Children coming under this category have an *entitlement* to register provided they can satisfy the requirements under either section 3 (2) or section 3 (5)

#### Section 3(2)

To qualify under this section, the parent who is British by descent must have been born to a parent who was a British citizen otherwise than by descent (or if that person died, then they would have been a British citizen otherwise than by descent but for their death).

The British citizen by descent parent must have lived in the UK (or, if the child was born on or after 21 May 2002, in a British overseas territory) for a continuous period of 3 years

at any time before the child's birth. During that period they should not have absences exceeding 270 days. The application must be made whilst the child is under 18 years of age.

**The 3 year residence requirement for the parent does not need to be met if the child is stateless.**

An example of a child who qualifies under section 3(2) is as follows:

- The child's maternal grandfather was born in the United Kingdom in 1949.
- The child's mother was born in France in 1970 (and is a British citizen *by descent*). She lived in the United Kingdom from September 1989 to September 1992 (and was not outside the United Kingdom for more than 270 days during that time).
- The child, born in France in 2009, is not a British citizen but can be registered under section 3 (2)

It is important to note that a child registered under this section will be a British citizen by descent and unable to pass British citizenship automatically by descent to any of their children born abroad. A child registered under section 3(5) (see below) will be a British citizen otherwise than by descent: any of their children born abroad will be British by descent. If the family are living abroad, parents will need to decide whether to apply under this section. Or, if there is a possibility that they may return to live in the UK or a British overseas territory before the child reaches age 15, whether to wait and apply under section 3 (5). You should indicate that you are aware of this by ticking section 3.16 of the Form MN1.

Section 3 (5).

To qualify under this section the child and their mother and father should have lived in the UK (or British overseas territory (see page 8) if born after 21 May 2002) for a three year period ending with the date the application is received. And the child and their parents should be physically present in the UK or a British overseas territory at the start of that period.

The child and their parents should not have been absent from the UK (or the British overseas territories if appropriate) for more than 270 days during the 3 year residential period. There is no discretion to disregard absences greater than 270 days.

If the parents' marriage or civil partnership has ended or they are legally separated then only the child and one parent has to satisfy the residence requirement.

Both parents must consent to the child being registered as a British citizen. If one of the parents has died then only the consent of the surviving parent is required.

A child registered under this section will be a British citizen otherwise than by descent.

## **Children born abroad to a parent serving as a member of the UK armed forces - Section 4D application**

A child will come within this category if:

- The child was born on or after 13 January 2010, and
- The child was born outside the UK and the territories listed on page 8 of this guide, and
- Both parents consent to the child being registered as a British citizen. (If one of the parents has died, then only the consent of the surviving parent is required)

For the purpose of this guide, and application form MN1, “member of the armed forces” means:

- a member of the regular forces within the meaning of the Armed Forces Act 2006, or
- a member of the reserve forces within the meaning of the 2006 Act subject to service law by virtue of section 367(2)(a)-(c) of that Act.

However, a person is not regarded as being a “member of the armed forces” if, for example, he or she is:

- a member of the forces raised in a British overseas territory who is serving, or undergoing training, with the UK armed forces, or
- a member of another country’s armed forces who is attached to the UK armed forces (e.g. as part of a coalition force)

## **Registration at the Home Secretary’s discretion - Section 3(1) application**

### **Illegitimate children**

Children born illegitimately before 1 July 2006 could only derive British citizenship through their mothers. They could not benefit from their father’s British citizenship unless their parents married and the birth was legitimated.

Children born illegitimately to a British citizen father on or after 1 July 2006 may derive citizenship from him (as well as from the mother if she is also a British citizen) and will be a British citizen from birth automatically provided there is satisfactory evidence of paternity.

From 6 April 2009 the definition of a “father” for nationality purposes was extended to include female second parents under sections 42 or 43 of the Human Fertilisation and Embryology Act 2008.

We may normally register the illegitimate minor child, born before 1 July 2006, of a British citizen father under section 3 (1) if the criteria at a-c. (and, if appropriate, d.) below are all satisfied:

- a. We are satisfied about the paternity of the child; and
- b. We have the consent of all those with parental responsibility; and
- c. If the child had been born to the father legitimately:
  - i. the child would have had an automatic claim to British citizenship; or
  - ii. the child would have had an entitlement to registration under either section 1 (3), section 3 (2) or sections 3 (5); or
  - iii. we would normally have registered under section 3 (1). And, if appropriate
- d. There is no reason to refuse on character grounds

**NOTE:**

Where a child's mother is married at the time of the birth, her husband (and no other man) is regarded as the father of any child born to her on or after 1 July 2006. However, cases may arise where there is compelling evidence that someone other than the husband is the child's natural father. In such cases, where the child would have had a claim to citizenship or entitlement to registration if the mother had been married to the natural father, we will normally register the child under section 3 (1) if the above criteria are met.

**Paternity**

Where the mother was not married at the time of a child's birth and no provision is made through surrogacy arrangements or the female second parent provisions of the HFE Act 2008 as to the identity of the father, the "father" will be any person who is shown to be such by either:

- a. a birth certificate, issued within 1 year of the birth, naming the child's father, Or
- b. any other evidence, such as DNA test reports and court orders, the Home Secretary considers to be relevant to the issue of paternity and to constitute sufficient proof.

However, we may normally accept a man as the father of an illegitimate child if:

- paternity has been acknowledged in some other official context, for example, if the child was born abroad and the relationship has been accepted for UK immigration purposes, where there is no documentary evidence available
- he has stated that he is the father and we have confirmation of that from the mother (provided there is no evidence to suggest that their evidence is false – e.g. made in the hope of gaining an immigration advantage)

**Children born abroad to parents who are applying for British citizenship**

Where one or both parents are applying for British citizenship they may apply for one or more children who are not automatically British at birth (see "Automatic acquisition of British citizenship" above) to be registered as British citizens as part of a "family application".

Children in this category will be considered at the Home Secretary's *discretion* and will usually be registered only if both the parents are granted or already hold British citizenship, or if one parent holds British citizenship and the other is settled in the UK.

**Children whose parent or grandfather is/was in designated or Community institution service.**

There are some instances where a child's parent or grandfather is or was in service which became Community institution or designated service after the child's birth. This means that the child did not acquire citizenship automatically, whereas any children born after the designation or admission of the service would. In view of this, we would normally register if:

- The child was born before the date of designation/admission and
- The child's parent became (or would but for their death have become) a British citizen otherwise than by descent on the date of designation as a result of the grandfather's service or
- The child's parent is a British citizen by descent and was in designated service on the date of application, and in the same service at the time of the birth and
- The normal section 3(1) criteria relating to consent and good character are met.

## **Children adopted abroad by British citizen parents.**

Applications for registration of children adopted either under the terms of the Hague Convention on Intercountry Adoptions or adopted in territories designated under the Adoption (Designation of Overseas Adoptions) Order 1973 will be considered at the Home Secretary's discretion if:

- at least one of the adoptive parents is a British citizen otherwise than by descent (see page 6); **and**
- if necessary, both adoptive parents have signified their consent to the registration; and
- there is no reason to refuse on character grounds (see pages 21-24); **and**
- we are satisfied that all relevant adoption laws have been adhered to. This includes the laws of the country in which the adoption has taken place, the country of origin of the child and the country in which the adoptive parents are habitually resident; **and**
- we are satisfied the adoption is not one of convenience arranged to facilitate the child's admission to the United Kingdom.

If some or all of the criteria set out above are not met, the application will be considered on its merits and the child registered if registration is demonstrably in the child's best interest. Even where the criteria above are met, there may be reasons why the child should not be registered, such as the existence of serious doubts about an adoptive parent's character or suitability to adopt a child, or irregularities in the adoption procedure.

The evidence listed on pages 28 - 29 must be supplied.

## **Territories designated under the Adoption (Designation of Overseas Adoptions) Order 1973**

### Commonwealth countries and British overseas territories

Anguilla	Malta
Australia	Mauritius
Bahamas	Montserrat
Barbados	Namibia
Belize	New Zealand
Bermuda	Nigeria
Botswana	Pitcairn
British Virgin Islands	St Christopher and Nevis
Canada	St Vincent
Cayman Islands	Seychelles
The Republic of Cyprus	Singapore
Dominica	South Africa
Ghana	Sri Lanka
Gibraltar	Swaziland
Guyana	Tanzania
Jamaica	Tonga
Kenya	Trinidad and Tobago
Lesotho	Uganda
Malawi	Zambia
Malaysia	Zimbabwe

## Other countries and territories

Austria	Italy
Belgium	Luxembourg
China (subject to the date of adoption)	The Netherlands (including the Antilles)
Denmark (including Greenland and the Faroes)	Norway
Fiji	Portugal (including the Azores and Madeira)
Finland	Spain (including the Balearics and the Canary Islands)
France (including Reunion, Martinique, Guadeloupe and French Guiana)	Surinam
Germany (subject to the date of adoption)	Sweden
Greece	Switzerland
Hong Kong	Turkey
Iceland	The United States of America
Ireland, Republic of	Yugoslavia (but not the new countries which made up the former Yugoslavia)
Israel	

Applications for registration of children who were adopted abroad in other circumstances will normally be refused. However, all applications will be considered on their merits and the child registered as a British citizen if it is demonstrably in the child's best interest. In such cases we would expect confirmation that nothing adverse is known about the child or the parents.

### **Children born to a parent who had renounced and subsequently resumed British citizenship.**

A child will come within this category if

- The mother or father has renounced and subsequently resumed British citizenship, **and**
- That parent became a British citizen otherwise than by descent on resumption (see page 6), **and**
- The child was born before the date of resumption, **and**
- Both parents give their consent to registration (unless good reasons are provided).

### **Any other child born to British or non-British parents.**

It is not possible to cover all circumstances under which the Home Secretary might exercise discretion in circumstances not already described in this guide. However, in considering any application not specifically covered above consideration will be given to

- The child's connections with the UK - we would expect the child to be free of any restrictions on his or her stay in the UK
- Where the child's future is likely to lie
- The parents' views
- The parents' nationality and immigration status - we expect either both parents to be British citizens or one parent a British citizen and the other parent settled in the UK.
- Whether the child is of good character
- The length of time the child has lived in the UK - we expect at least 2 years residence (particularly if the child is over the age of 13)
- Any compelling circumstances such as a job offer or other opportunity which requires British citizenship.

The way that *discretion* may be exercised is described in the Nationality Staff Instructions available for viewing on the UK Border Agency website. Please note that these are for the guidance of trained nationality caseworkers and do not constitute a definitive set of criteria for registration. They must be taken as a whole. The fact that children may satisfy certain criteria does not mean they will be registered if there are other criteria that they do not satisfy.

## CHAPTER 3: HOW TO FILL IN THE APPLICATION FORM

You must ensure that the child's name, date of birth, and the place and country where they were born are clearly written in BLOCK LETTERS, in black or blue black ink. These details will be shown on their certificate. Any mistake you make is likely to end up on their certificate and may cause difficulties and delay in obtaining a British passport.

Make sure that all the information is correct before you submit an application. It is a criminal offence to give false information knowingly or recklessly.

You may, if you wish, receive help completing the application form. You may use the services of an agent such as a solicitor or other competent adviser. For more information about competent advisers, see the box headed "OISC and Immigration Advice" on page 17.

You may also apply via the Nationality Checking Service. This is a partnership with local authorities, which has been introduced by a number of local authorities in the United Kingdom. The Nationality Checking Service enables people wanting to apply for British citizenship to make their application in person at their local Register Office. In return for a small fee, local authority officers will help applicants to complete their application forms and check that the correct fee has been paid. They will also copy valuable documents and certify them as true copies, before returning the originals to you in person.

Local authorities provide the Nationality Checking Service at the point of application only, and will not act as agents while the application is being considered. Local authorities are, like other competent advisers, registered with the Office of the Immigration Services Commissioner.

To check whether the Nationality Checking Service is available near you refer to the UKBA website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk), or call the Liverpool Contact Centre on 0845 010 5200. Please note that you may use any local authority offering Nationality Checking Service not just the one where you live. The service is being expanded over time to cover more local authorities.

However, applying for registration is a straightforward process which does not require the use of specialist agencies. You should be capable of applying successfully by following the guidance provided in this guide and ensuring that the child is able to satisfy the requirements. First hand advice is available from the Liverpool Contact Centre on 0845 010 5200 (lines are open from 9.00 am to 9.00 pm)

Guides and application forms are issued free of charge.

Information you give will be treated in confidence, but may be disclosed to other bodies, for example, other Government Departments, the Security Service and other agencies, local authorities and the police, where it is necessary for immigration or nationality purposes or to enable these bodies to carry out their functions. We may also consult some of these organisations with the information when we carry out enquiries concerning your application.

Now turn to Section 1 of the application form.

## SECTION 1: PERSONAL INFORMATION

Please refer to Chapter 2 of the Guide and indicate which section of the British Nationality Act 1981 applies.

- 1.2 Enter the father or mother's Immigration and Nationality Directorate or Border and Immigration Agency or UK Border Agency reference if they have one. Or the child's reference if they have one. This usually consists of a letter followed by up to seven numbers eg S1003752. It can be found on any previous correspondence you may have had with the Immigration and Nationality Directorate or Border and Immigration Agency or UK Border Agency.
- 1.3 Enter the date the child was given indefinite leave to enter/remain in the UK. If the parent is an EEA or Swiss national or a family member of an EEA or Swiss national please ensure that they qualify for settled status.
- 1.4 Tick the box appropriate to the child's title or write in their title if it is different. Please note that royal titles should not be used.
- 1.5 Enter the child's surname or family name as you want it to appear on their certificate.
- 1.6 Enter their other names as you want them to appear on their certificate.

For example if the child's name is Taher Mohamed Hashim Al Hassan, and they are known as Master Al Hassan then put Al Hassan in section 1.5 and Taher Mohamed Hashim in section 1.6.

If the names shown in section 1.5 and 1.6 are different from the names shown in the child's passport or they are spelt differently then please explain why on page 13 of the application form.

N.B. We are unable to print certificates containing accents/special characters

- 1.7 and 1.8 If the child is or has been known by any other names apart from those given in sections 1.5 and 1.6, say what the other names are/were, when the child was known or started to be known by these names and why.

The child's name at birth must be given on the application form, for identity purposes, but may be omitted from the certificate of registration if there is a special reason for requesting this - for example children who were adopted or who are no longer living in the gender they were considered to have at the time of their birth.

**PLEASE NOTE THAT THE NAME, PLACE AND DATE OF BIRTH SHOULD BE THE SAME AS THOSE GIVEN IN PASSPORTS OR BIRTH CERTIFICATES. THEY WILL APPEAR ON THE CERTIFICATE OF REGISTRATION AND CAN BE CHANGED ONLY IN THE MOST EXCEPTIONAL CIRCUMSTANCES**

- 1.9 Enter the child's present nationality. If an application is being made on the basis that the child is stateless (i.e. he or she does not have the nationality of any country), an application should be made on form S2 or S3.
- 1.10 Enter the child's National Insurance number if they have one.

1.11 – 1.13 Enter the child’s date of birth, the village, town or city where they were born, and the country where they were born. Please take care over these entries as they will appear on the certificate of registration. If they are different from the details shown in their passport/birth certificate you should explain why on page 13 of the application form.

N.B.Place and country of birth names shown on the certificate will be names in current acceptable use (and will be in English where an English version exists).

1.14 Indicate the child’s sex by ticking the appropriate box.

1.15 Indicate marital/civil partnership status by ticking the appropriate box.

1.16 Enter the child’s present address and ensure that you give the postcode. We need this to arrange a citizenship ceremony if the child attains the age of 18 before the application has been decided. **If the postcode is not given it may cause delay.**

1.17 - 1.19 If someone is acting on your behalf such as a solicitor or you are making the application through a consulate, you should provide their details so that we can contact them. Unless you are being represented by a private individual, it is the agent’s business name, telephone number etc which should be put here.

#### OISC and Immigration Advice

Immigration or nationality advisers acting in the course of business (whether paid or unpaid) are regulated by the Office of the Immigration Services Commissioner (OISC), an independent body. The provision of such advice is prohibited unless a person works for an organisation registered with, or exempted by, the OISC or is authorised to practise (like solicitors and barristers) by a designated professional body.

Certain categories (e.g. public health bodies) are exempted from the regulatory scheme by Ministerial Order. It is a criminal offence to provide advice or services in contravention of the regulatory scheme.

Further information about the regulatory scheme can be obtained from:

Office of the Immigration Services Commissioner  
5th Floor  
Counting House  
Tooley Street  
LONDON SE1 2QN  
Tel: 020 7211 1500  
Fax: 020 7211 1553

A full list of OISC regulated advisers is available on its website at [www.oisc.gov.uk](http://www.oisc.gov.uk)

1.20 If the application is approved, and the child has reached the age of 18 and needs to take part in a citizenship ceremony, the venue will normally be within a local authority area near where the child lives. If you want the ceremony in another area you should enter the name and address of that local authority office including the postcode.

- 1.21 – 1.39 The child might already be a British citizen without you realising it. To decide whether they already have British citizenship by descent we need details about their parents. This information is also needed for certain types of application.
- 1.40 – 1.47 If the child is married or in civil partnership, or lives with someone as if they were a husband, wife or civil partner, we need the details of that person to help us make some enquiries. If the child's partner is not a British citizen and would like to apply, they will need to make their own application on a separate form.

## SECTION 2: RESIDENCE

Please provide details of the child's residence in the UK or the British overseas territories (see page 8).

- 2.1 For an application in respect of a child who was born abroad and who is now living in the UK or a British overseas territory, please say when they first arrived.
- 2.2 Provide all the child's home addresses in the UK or the British overseas territory for the last 5 years. If the child has lived in the UK for less than 5 years, please provide all addresses since entry.
- 2.3 Fill in this table showing the periods the child has been abroad during the 3 years residence in the UK or British overseas territory if appropriate **ignoring the day they left and arrived back in the United Kingdom/territory**. If there is not enough room for all the absences then continue on page 13. Add up the total and write it in the space indicated.

**NB** If the application is made under section 3 (5), you should also check that the child was physically present in the United Kingdom or a qualifying territory (see list on page 8) 3 years before the date that the application will be received by the UK Border Agency or other receiving authority (see page 30 "Where to send the application form"). **If this requirement is not met then an application under section 3 (5) is unlikely to be successful.**

To satisfy the residence requirement under section 3 (5) the child should not have been absent for more than 270 days in the three year period

- 2.4 Please say where the child will live if they are registered as a British citizen

### **Section 3: PARENTS' RESIDENCE IN THE UNITED KINGDOM OR THE BRITISH OVERSEAS TERRITORIES, WHERE APPLICABLE.**

If the application is in respect of a child born abroad to parents who are British citizens by descent under section 3 (2) or 3 (5) you should complete this section. Otherwise go straight to Section 4: Good Character.

3.1 – 3.2 You need identify only one parent with British citizenship by descent on which to base an application under section 3 (2) or 3 (5). For a section 3 (2) application this parent's mother or father must have held British citizenship otherwise than by descent (see page 8 of the guide), or if he or she is dead would have held British citizenship otherwise than by descent but for his death.

3.3 Fill in this table showing the periods the parent was away from the United Kingdom or British overseas territory during the three year residence period **ignoring the day they left and the day they arrived back in the United Kingdom/territory**. If there is not enough room for all the absences then continue on page 13. Add up the total and write it in the space indicated.

3.4 – 3.5 For applications under section 3(5), we also need information about the child's other parent's residence in the United Kingdom. However, we may not need that information if:

- the child was born illegitimate before 1 July 2006 (in which case we only need details of the child's mother); or
- one of the parents died before the child was born; or
- the parents were divorced or legally separated before the child was born

3.6 – 3.12 For a section 3 (2) application we require information about the child's grandparent who is a British citizen otherwise than by descent.

3.13 – 3.14 If the child was born in the United Kingdom and one of the parents was an EEA national or Swiss national, this information is needed to establish whether the child may be a British citizen already or has a right to registration under section 1(3)

If the child is aged 10 or over turn to section 4 regarding the character requirement. Otherwise go straight to section 5: for details about referees and identity.

## SECTION 4: GOOD CHARACTER

To be of good character a person should show respect for the rights and freedoms of the United Kingdom, observe its laws and fulfil their rights and duties as a resident of the United Kingdom. Checks will be made on children aged 10 years and over to ensure that this requirement is met.

If you are not honest about the information you provide and the child is registered on the basis of incorrect or fraudulent information they are liable to have British citizenship taken away (deprivation) and you may be prosecuted. It is a criminal offence to make a false declaration knowing that it is untrue.

Among the duties and obligations is payment of income tax and National Insurance contributions, where a child is liable for such payments. We may ask the H.M. Revenue & Customs for confirmation that tax and National Insurance affairs are in order if applicable. When you sign the application form you will be giving consent for us to approach them.

4.1 – 4.4. If a child is liable for income tax but does not pay through PAYE you must demonstrate that their obligations towards the H.M. Revenue & Customs have been discharged by attaching a Self Assessment Statement of Account.

4.5 You must give details of all civil judgments which have resulted in a court order being made against the child.

You do not need to give details of family law proceedings such as divorce decrees, dissolved civil partnerships, guardianship orders, parental responsibility orders etc.

4.6 You must give details of all criminal convictions either within or outside the United Kingdom. These include road traffic offences. Fixed penalty notices must also be declared along with drink driving offences.

You do not have to give details of any offences which are “*spent*” under the Rehabilitation of Offenders Act 1974. Under that Act certain convictions may be regarded as “*spent*” in the United Kingdom after certain periods of time from the date of conviction if the child has not been convicted of other offences during that time. “*Spent*” means that it will be ignored. A leaflet about this called “*Wiping the Slate Clean*” is available from the Home Office, Direct Communications Unit, 2 Marsham Street, LONDON SW1P 4DF

Criminal record checks will be carried out in all cases on minors 10 and over. If the child has a conviction which is not yet “*spent*” under the Rehabilitation of Offenders Act 1974, an application for citizenship made now is unlikely to be successful. We would therefore advise you to wait until the end of the rehabilitation period before making an application. We will normally disregard a single conviction for a minor offence resulting in a bind over, conditional discharge or relatively small fine or compensation order, if a person is suitable for citizenship in all other respects. If the child has received more than one fixed penalty notice in the last 12 months the application is unlikely to be successful. By “*minor offences*” we mean speeding or other “*regulatory*” offences. Offences involving dishonesty (e.g. theft), violence or sexual offences are not classed as minor offences. Drink-driving offences, driving while uninsured or disqualified are not minor offences either.”

The following table gives examples of sentences and rehabilitation periods. In calculating the spent period it is the prison sentence that counts, not the time served, and a suspended sentence counts as if it were a prison sentence.

If the child has a conviction which is not spent they are unlikely to be registered, as the Home Secretary would not be satisfied that they are of good character. An application would fail and the fee would not be returned. Similarly if they have been charged with a criminal offence and are awaiting trial or sentencing, you are advised not to make any application for registration until the outcome is known. If the child is convicted, you should then consult the table of sentences and rehabilitation periods below.

4.7 You must say if the child’s details have been recorded by the police as a result of certain sexual offences, or if he or she subject to one of the following orders: notification order, sexual offences prevention order, foreign travel order, risk of sexual harm order (or any equivalent order made in a British overseas territory or elsewhere). If his or her details are recorded on the “*sex offenders register*”, even if any conviction is spent, the Home Secretary is unlikely be satisfied that the good character requirement is met, and so an application for citizenship is unlikely to be successful.

Sentence	Rehabilitation Period
A sentence of imprisonment or corrective training for a term exceeding 30 months or preventive detention or detention during Her Majesty's pleasure or imprisonment or detention for public protection.	This will not become “ <i>spent</i> ”
Imprisonment or youth custody for 6 months to 30 months.	10 years*
Imprisonment or youth custody up to 6 months.	7 years*
Fine†, Community order	5 years*
Bind over, conditional discharge	One year, or when the order ceases to have effect, whichever is the later.
Absolute discharge	6 months
Driving disqualification	Once the disqualification has ceased

\* all halved if the person is under 18 when convicted

† includes a fixed penalty notice/Scottish fiscal fine which has been registered with a court due to non-payment or upheld by a court on appeal

**Note:**

The Home Secretary has some discretion to ignore a single conviction for a minor offence resulting in a bind over, conditional discharge or relatively small fine where the clear period has not yet expired, but the applicant is suitable in all other respects. Typically, “minor offences” includes low-level speeding or other “*regulatory*” offences. Offences involving dishonesty (e.g. theft), violence or sexual offences are not minor offences. Drink-driving offences, driving while uninsured or disqualified are not minor offences either.

## **WHAT IF THERE IS NO CONVICTION BUT THE CHILD'S CHARACTER MAY BE IN DOUBT?**

4.7 You must say if there is any offence for which the child may go to court or which is awaiting hearing in court. This includes having been arrested for an offence and waiting to hear if the child will be formally charged. If they have been arrested and not told that charges have been dropped, or that they will not have to appear in court, you may wish to confirm the position with the police. For applicants from Scotland any recent civil penalties must also be declared. You must tell us if the child is arrested or charged with an offence after you make the application and while the application is under consideration. You risk prosecution under section 46 of the British Nationality Act 1981 if you do not do so.

4.8 - 4.10. You must say here whether the child has had any involvement in terrorism. If you do not regard something as an act of terrorism but you know that others do or might, you should mention it. You must also say whether the child has been involved in any crimes in the course of armed conflict, including crimes against humanity, war crimes or genocide. If you are in any doubt as to whether something should be mentioned, you should mention it.

For the purpose of answering questions 4.8 to 4.10 the following information provides guidance on actions which may constitute genocide, crimes against humanity and war crimes.

This guidance is not exhaustive. Before you answer these questions you should consider the full definitions of war crimes, crimes against humanity and genocide which can be found in Schedule 8 of the International Criminal Court Act 2001 at the following web-site: <http://www.hms0.gov.uk/acts/acts2001/20010017.htm> Alternatively, copies can be purchased from The Stationery Office, telephone 0870 600 5522.

It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately.

### **Genocide**

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

### **Crimes against humanity**

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

### **War Crimes**

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The type of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

## **Terrorist Activities**

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purpose of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

## **Organisations involved in terrorism**

An organisation is concerned in terrorism if it:

- a. commits or participates in acts of terrorism,
- b. prepares for terrorism,
- c. promotes or encourages terrorism (including the unlawful glorification of terrorism), or
- d. is otherwise concerned in terrorism.

4.11 You must say whether the child has been involved in anything which might indicate that they are not of good character. You must give information about any of these activities no matter how long ago this was. Checks will be made in all cases and the application may fail and the fee will not be refunded if you make an untruthful declaration. If you are in any doubt about whether the child has done something or it has been alleged that they have done something which might lead us to think that they are not of good character you should say so.

You must also tell us if the child has ever practised deception in his or her dealings with the Home Office or other Government Departments (e.g. by providing false information or fraudulent documents). This will be taken into account in considering whether the child meets the good character requirement. If the application is refused, and there is clear evidence of the deception, any future applications made within 10 years is unlikely to be successful.

Go to Section 5: Referees and Identity

## **SECTION 5: REFEREES AND IDENTITY**

The application must be supported by two referees and a recent passport size photograph stapled or clipped into the space provided.

The photograph must show the whole of the front of the child's face in reasonable light. It should not show the face wholly or partly concealed by hair (beards, sideburns and moustaches excepted) or by a scarf or traditional dress. It should not show the child wearing dark glasses or a hat, hood, cap or scarf.

One referee should be a professional who has engaged with the child in a professional capacity, such as a teacher, health visitor, social worker or minister of religion.

The other referee must normally be the holder of a British citizen passport and either a professional person or over the age of 25.

Each referee should know the child personally and should be:

- not related to the child
- not related to the other referee
- not acting as a solicitor or agent in connection with this application
- not employed by the Home Office

We will not accept a referee who has been convicted of an imprisonable offence during the last 10 years and the sentence has not become spent under the Rehabilitation of Offenders Act 1974 - see page 22.

If the child is living abroad and does not know a British citizen who is qualified to act as a referee, a Commonwealth citizen or citizen of the country in which he or she is residing may complete and sign the form, provided he/she has a similar standing in that country, and the Consul considers his or her signature to be acceptable.

Checks may be carried out to ensure that the referees do not have unspent convictions (see page 22) and are qualified to act and that their signatures are genuine. It is a criminal offence to provide false information knowingly or recklessly, punishable with up to 3 months imprisonment or by a fine not exceeding £5,000 or both, under section 46(1) of the British Nationality Act 1981.

Once you have two referees and they have completed section 5.2 – 5.8 you should recheck the information you have provided and go to Section 6.

## **SECTION 6: CONSENT TO THE APPLICATION**

For section 3(5) it is a legal requirement that both parents consent to the application. (In the case of widowed, divorced or separated parents, this only applies to one parent. If the child is illegitimate, only the mother needs to consent.)

The consent of both parents to the application is also a legal requirement for section 4D. Where one parent has died only the consent of the surviving parent is needed. The Home Secretary may also waive this requirement in exceptional cases.

For other types of application we require the consent of all those with parental responsibility for the child. If only one parent has consented, please explain why at section 6.3. If it is not convenient for one of the parents to sign the form, consent can be provided in a separate letter. If the father of an illegitimate child is making the application, we would expect the mother to have consented.

Section 6.4 is to be completed if the application is being made by a guardian. Section 6.5 is to be completed by a child if he or she is making his or her own application.

If the application is being made by a guardian, we will expect to see evidence that that person has parental responsibility for the child, such as a deed, will or court order. If the child's parents are living we would normally expect them to be British citizens and settled in the United Kingdom

## SECTION 7: DECLARATION

Read this section carefully before inserting your name clearly in box 7.1 and ticking each box at 7.2 – 7.7 to confirm the points raised.

This should normally be the parent/guardian's name, NOT the minor's name. (Although an older minor, e.g aged 16 or over, who is making his or her own application can complete the declaration.)

If the requirements described in this Guide are met sign and date the form in box 7.6

If the requirements are not met and there is *discretion* the Home Secretary can exercise in the child's favour you should provide the special circumstances in their case. If the special circumstances are not accepted the application will be refused and the fee retained.

Applications that fail generally do so because

- applicants do not tell us about offences and convictions, or
- the residence requirements have not been satisfied

**If the declaration in section 7 of the form is not completed, the application will be invalid.**

## CHAPTER 4: WHAT YOU WILL NEED TO SEND WITH THE FORM

**PLEASE NOTE: It is our policy to return valuable documents by secure delivery. If you wish the documents to be returned by other postal service or courier you will need to supply a pre-paid delivery envelope ensuring that the full postage stamps or fees are included.**

### ALL APPLICATIONS FOR REGISTRATION OF A CHILD AS A BRITISH CITIZEN

#### The Fee

The fee must be sent with the application form. Details of the current fee are available on our website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk) or by calling the Liverpool Contact Centre on 0845 010 5200. **NB. If you do not send the correct fee, the application will be invalid.**

#### Evidence of identity

- Child's passport or travel document OR
- Child's birth certificate OR
- Driving licence OR
- Bank, building society or credit card statement issued to them in the last 6 months

See page 15 for information about the Nationality Checking Service.

#### Child born abroad to British citizen parents

- Child's birth certificate showing the parents' names
- Parents' marriage certificate (if the father is a British citizen)
- British parent's birth certificate or passport
- British grandparent's birth certificate, registration or naturalisation certificate or passport
- Grandparents' marriage certificate
- Evidence of residence

#### Child adopted abroad by British parents.

- The child's birth certificate, or where the child has been abandoned, a certificate of abandonment from the authorities previously responsible for the child ; **and**
- Evidence of the relevant adoptive parent's claim to British citizenship otherwise than by descent; **and**
- The consent of the adoptive parent(s) to the registration; **and**
- The Adoption Order; **and**
- A contemporary report from the overseas equivalent of the Social Services Department which details:
  - a) the child's parentage and history; **and**
  - b) the degree of contact with the original parent(s); **and**
  - c) the reasons for adoption; **and**
  - d) the date, reasons and arrangements for the child's entry into an institution or foster placement; **and**
  - e) when, how and why the child came to be offered to the adoptive parent(s)

- Evidence of the parents' country of habitual residence.; **and**
- Where the parents are habitually resident in the UK, confirmation from the DfES (for those in England and Wales), from the Scottish Executive (for those parents in Scotland) or from the Department of Health Social Security and Public Safety - Northern Ireland (for those resident in Northern Ireland) that they have been assessed and approved as eligible to become an adoptive parent. If there are any doubts about the validity of the documentation provided, the DfES can be contacted for confirmation that the parents have had the relevant approval (DfES hold details on all approvals not just those in England and Wales); **or**
- Where the parents are not habitually resident in the UK, confirmation from the equivalent of the Social Services Department in their country of residence that all relevant adoption laws have been complied with.

## **FOR CHILDREN LIVING IN THE UK**

- Child's full birth certificate AND
- Child's passport of entry to the United Kingdom, and any subsequent passports AND
- Parents' marriage certificate or civil partnership certificate  
Please note - only include children who are not already British
- If one of the parents does not agree to registration a letter explaining their reasons.
- If the application is being made by a guardian, evidence of their right to do so, such as a deed, will or court order.

## CHAPTER 5: WHERE TO SEND THE APPLICATION FORM

Once you have completed and signed the application form and enclosed the documents, you must arrange to pay the correct fee. If you are paying by debit/credit card you should complete the payment slip attached to the fee leaflet. If you are paying by cheque you should ensure that funds are available in your account, or you should arrange to pay by Transcash. Cash or postal orders are not accepted.

If your application is refused, or if you decide to withdraw the application, only the ceremony part of the fee will be returned to you. (See the fees leaflet for details.)

If the fee is paid through an account which belongs to someone else, please give their details in the space provided on the payment slip attached to the fee leaflet in case it is necessary to refund all or part of the fee.

If the child is in England, Wales, Scotland or Northern Ireland send the form with the fee and supporting documents to

**UK Border Agency**  
**PO Box 306**  
**LIVERPOOL**  
**L2 0QN**

If they are in the Channel Islands or the Isle of Man, you should send them to the Lieutenant-Governor.

If they are in a British overseas territory, you should send them to the Governor.

If they are elsewhere, you should send them to the nearest British Consulate, Embassy or High Commission.

You **must** submit the application as explained above. You should not send an application direct to the Home Office from outside the United Kingdom even if the child normally lives there. The date of application will be the date it is **received** by the Home Office or the local British government representative as shown above. It is not the date on which it is sent. Therefore, it is **not** advisable to send in the application if the child is about to leave the country as it might not be received until after their departure and it will be invalid.

## CHAPTER 6: WHAT HAPPENS NEXT?

### WHAT YOU CAN EXPECT FROM US

Once we have received the application form we will create a computer file to track and process the application. The application will be acknowledged. During busy times this may take up to 2-4 weeks.

The Liverpool Contact Centre will deal with any enquiries about the application once it has been made.

**Email:** [ukbanationalityenquiries@ukba.gsi.gov.uk](mailto:ukbanationalityenquiries@ukba.gsi.gov.uk)

**Telephone** 0845 010 5200

Opening times are published on our website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk)

The information you have provided will be treated in confidence, but may be submitted for checking against the records held by other Government agencies where it is necessary for immigration and nationality purposes or to enable these bodies to carry out their functions.

We will check the application against the documents you have sent in and make a number of enquiries. The documents may be checked to ensure their authenticity. If you provide forged or fraudulently obtained documents you will be investigated under section 46 of the British Nationality Act 1981. We will press for prosecution which may include up to 3 months imprisonment or a fine not exceeding £5,000 or both.

If we need more documents we will write and ask you for them. We will give you three weeks to respond. If you do not respond within the time we allow you, then we will decide the application on the information we already have, but there is a risk that your application will not succeed. We will try to complete our enquiries quickly, usually within six months, but sometimes it takes longer.

We undertake to process applications quickly and in accordance with the law and agreed policy and procedures. We will deal with any enquiries courteously and promptly. **You must keep us informed of any changing circumstances including change of address or agent.**

The child may be asked to attend an interview conducted on behalf of the UK Border Agency by the police or other representative. If so, arrangements will be made with you about the interview, which may be at the child's home.

If the application is unsuccessful we will write and tell you why. Although there is no automatic right of appeal or review we will consider representations if you consider that a decision to refuse the application was not soundly based on nationality law or prevailing policy and procedure.

This guide is intended to help you to apply. It is not a statement about law or policy. Other information about citizenship and immigration is available on the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk). Representations must explain why you think we have not applied the law and policy in your case. We will respond either by confirming that law and policy had been correctly applied or by answering particular points you raise concerning the way that law and policy were applied.

We strive to provide a first rate service, but occasionally difficulties arise that prevent us from dealing with applications to our usual high standards. In the unlikely event that you wish to complain, details of how to make a complaint are given on page 34.

## **WAITING TIMES**

While we try to deal with cases quickly this cannot be guaranteed and we cannot register until we are satisfied that all the requirements have been met.

Information on waiting times can be found on the website at **[www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk)** or by telephoning

Telephone 0845 010 5200

For applications made outside England, Wales, Scotland and Northern Ireland you should contact the office where they were made or telephone 44 151 672 5626

The length of time you will have to wait for the application to be decided will not affect any existing rights in the UK.

## DEPRIVATION OF CITIZENSHIP

The child may be deprived of British citizenship if it is found to have been obtained by fraud, false representation or the concealment of any material fact. The Home Secretary may also deprive the child of British citizenship if, in his opinion, it would be in the public interest for him to do so and the child would not thereby be made stateless.

Ministers suggested during the passage of the Immigration, Asylum and Nationality Act 2006 that deprivation may be appropriate where the person-

- has encouraged or assisted others to commit acts of terrorism;
- has committed war crimes, public order offences or other serious crime; **or**
- has carried out acts seriously prejudicial to vital national interests, including espionage and acts of terrorism directed at the United Kingdom or an allied power.

A certificate of registration may, as a matter of law, be ineffective from the outset if it was obtained by means of impersonation.

## WHAT WE EXPECT FROM YOU

Applications are considered quickly – usually within six months of receipt. We expect you to make appropriate arrangements to ensure that you can respond to our enquiries or requests for documents within the period we allow.

While the application is under consideration we expect you to tell us about anything which alters the information you have given us. This will include changes of marital or civil partnership status or home address or agents acting on your child's behalf. It also includes police investigation or anything that may result in charges or indictment.

We also expect to be treated politely and with respect by you and any agent acting on your behalf. If the application is successful and the child has reached the age of majority (18 years of age) and is living in the UK, they will be invited to attend a citizenship ceremony. You will receive an invitation letter from the Home Office and this will confirm the local authority you should contact to arrange a ceremony. We expect a ceremony to be arranged within 3 months of receiving the invitation otherwise it will expire and the child will have to apply for naturalisation and pay a further processing fee. Success will then depend on the child's ability to satisfy the requirements for naturalisation.

## **CHAPTER 7: CITIZENSHIP CEREMONIES**

### **What the child will have to do**

Children who attend ceremonies will be asked to swear or affirm an oath of allegiance to Her Majesty the Queen and to pledge their loyalty to the United Kingdom. Following this they will be presented with their certificate of naturalisation as a British citizen.

Taking the Oath and Pledge is a legal requirement for successful applicants over 18 years of age, and the point at which they become British citizens. Anyone required to attend who has special needs or concerns about saying the Oath and Pledge in English, should bring these to the attention of the local authority once they have their invitation letter.

When you make contact with the local authority you will be asked a number of questions to establish the child's identity, and checks may be made. If the child does not speak English you will need to explain to the registrar that the child was registered as a British citizen.

### **Will the child understand the ceremony?**

If the child cannot speak enough English to understand what will be said they will be expected to take someone with them to interpret. During the ceremony they will be asked to repeat the words of the oath and pledge in English, and are advised to practise saying these words before they attend.

Ceremonies are arranged locally and reflect the particular community to which the child now belongs. They will meet a local dignitary or celebrity and be told something about the area and what can be expected of them as a British citizen.

## **AND FINALLY**

We hope that this guide has helped you to prepare and successfully apply for British citizenship for your child. If you have found it useful and our staff helpful, or if you have found our service unsatisfactory or do not understand the outcome, why not tell us? You should email us in the first instance to **[ukbanationalityenquiries@ukba.gsi.gov.uk](mailto:ukbanationalityenquiries@ukba.gsi.gov.uk)**

If you remain unhappy with the service provided by Nationality Group, you may wish to complain by writing to:

UK Border Agency  
North West Customer Services Unit  
PO Box 99  
Manchester Airport  
M90 3WW