



BN13 - INFORMATION ABOUT REGISTRATION AS A BRITISH CITIZEN BY CERTAIN PEOPLE BORN BEFORE 1983 TO BRITISH MOTHERS

www.ukba.homeoffice.gov.uk

1. Section 4C of the British Nationality Act 1981 allows certain people born to British mothers to be registered as British citizens if they can meet the requirements explained in paragraph 2 below.

NB. A person who is registered under section 4C will become a British citizen by descent and will not normally be able to pass on British citizenship to any children born outside the United Kingdom or the British overseas territories.

REQUIREMENTS

2. You will be entitled to registration if:

- you were born on or after 7 February 1961 but before 1 January 1983; **and**
- your mother was a citizen of the United Kingdom and Colonies when you were born; **and**
- you *would* have been a citizen of the United Kingdom and Colonies *by descent* under section 5 of the British Nationality Act 1948 (see Note 1) if women had been able to pass on their citizenship to their children in the same way as men could; **and**
- if you had been a citizen of the United Kingdom and Colonies under section 5 of the 1948 Act, you would have had the right of abode in the United Kingdom (see Note 2) and would have become a British citizen on 1 January 1983; **and**
- you are of good character (see Note 3)

ADDRESS FOR APPLICATION FORMS

3. If you want to apply to be registered as a British citizen, you should apply on Form UKM. A guide on how to apply is supplied with each form. If you are in England, Scotland, Wales or Northern Ireland, you can get a form and guide by telephoning 0117 344 1462.

If you are in the Channel Islands or the Isle of Man, please contact the Lieutenant-Governor. If you are in a foreign country or Ireland, please contact your nearest British Embassy or Consulate. If you are in a Commonwealth country, please contact the British High Commission. If you are in a British overseas territory, please contact the Governor.

FEES

4. You have to pay a fee when you apply and must send it with the application. Information about the current fees is on our website and you will be sent fees information with the application form if you ask for one. **NB. Your application will be invalid if you do not send the correct fee.**

DUAL NATIONALITY

5. British nationality law allows a person to hold another citizenship in addition to British citizenship. However, some countries do not allow dual nationality, and people who are registered as British citizens may, as a result, lose or risk losing their existing nationality or citizenship. If you are not sure whether your existing nationality will be affected if you register as a British citizen, you should contact the authorities of the country concerned **before** you apply. Further information about dual nationality is in leaflet BN18, which is available on our website.

NOTES

1. Children born outside the United Kingdom before 1983 were normally citizens of the United Kingdom and Colonies under section 5 of the 1948 Act if their father was a citizen of the United Kingdom and Colonies when they were born and either:

- the father was born, legally adopted (see Note 4), naturalised or registered in the United Kingdom, **or**
- the child or the father was born in a British protectorate, protected state, mandated territory or trust territory, or any country where British subjects came under extraterritorial jurisdiction, **or**
- the child was born in a foreign country and the birth was registered (within 12 months) at a United Kingdom consulate, **or**
- the child's father was in United Kingdom Crown service, **or**
- the child was born in a Commonwealth country where a citizenship law had taken effect, but did not become a citizen of that country at birth.

2. Generally speaking, citizens of the United Kingdom and Colonies had the right of abode in the United Kingdom if:

- they were born, legally adopted (see Note 4), naturalised or registered in the United Kingdom*
- they were born to, or legally adopted by, a parent† who, at the time of the birth or adoption, was a citizen of the United Kingdom and Colonies born, adopted, naturalised or registered in the United Kingdom*
- they were born to, or legally adopted by, a parent† who, at the time of the birth, was a citizen of the United Kingdom and Colonies and whose own parent† was a citizen of the United Kingdom and Colonies by birth, adoption, naturalisation or registration in the United Kingdom*
- they had, before 1 January 1983, been ordinarily resident in the United Kingdom for 5 years or more without being restricted by the immigration laws to how long he or she could stay
- (in the case of women) they were, or had been, the wife of a man with the right of abode

* "Registered in the United Kingdom" includes registration at the High Commission in an independent Commonwealth country. However, it does not include:

- registration under section 6(2) of the British Nationality Act 1948 (registration on the grounds of marriage to a citizen of the United Kingdom and Colonies) if the marriage took place after 28 October 1971; or
- registration under section 7 of the British Nationality Act 1948 (registration of minors) at a High Commission after 28 October 1971; or
- registration under section 12(6) of the British Nationality Act 1948 at a High Commission

† For the purposes of right of abode in the United Kingdom, "parent" does not include the father of an illegitimate child.

3. Criminal record checks are carried out in all cases. If a person has a conviction which is not yet "spent" under the Rehabilitation of Offenders Act 1974, an application is unlikely to be successful.

We will normally disregard a single conviction for a minor offence (e.g. speeding or other "regulatory" offences) which result in a bind over, conditional discharge or relatively small fine or compensation order, if a person is suitable for citizenship in all other respects. 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.

Further information about the “good character” requirement is contained in the Guide UKM which accompanies the application form.

4. “Legally adopted” means adopted by order of a court in the United Kingdom and Islands (i.e. the Channel Islands or the Isle of Man), or in any country specified by the Secretary of State under section 72(2) of the Adoption Act 1976. These countries were:

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|------------------------|----------------------------|------------------------|--------------------------|
| Anguilla | France | Malaysia | St Vincent |
| Australia | Germany (Federal Republic) | Malta | Surinam |
| Austria | Ghana | Mauritius | Swaziland |
| Bahamas | Gibraltar | Montserrat | Sweden |
| Barbados | Greece | Namibia | Switzerland |
| Belgium | Greenland | Netherlands | Tanzania |
| Belize | Guyana | New Zealand | Tonga |
| Bermuda | Hong Kong | Nigeria | Trinidad & Tobago |
| Botswana | Iceland | Norway | Turkey |
| British Virgin Islands | Ireland | Pitcairn | Uganda |
| Canada | Israel | Portugal | United States of America |
| Cayman Islands | Italy | Seychelles | Yugoslavia |
| Cyprus (Rep) | Jamaica | Singapore | Zambia |
| Denmark | Kenya | South Africa | Zimbabwe |
| Dominica | Lesotho | Spain | |
| Fiji | Luxembourg | Sri Lanka | |
| Finland | Malawi | St Christopher & Nevis | |

A child of any nationality who was **adopted** in the United Kingdom on or after 1 January 1950, or in the Channel Islands or Isle of Man after 1 April 1959, automatically became a citizen of the United Kingdom and Colonies on his adoption if the adoptive father (or adoptive mother, if she was the sole adopter), was a citizen of the United Kingdom and Colonies at the time of the adoption.

The law covering registration is in the British Nationality Act 1981 and the Regulations made under it, and in the Immigration, Asylum and Nationality Act 2006. The law covering the right of abode in the United Kingdom is in the Immigration Act 1971 (as amended by the British Nationality Act 1981). The information given here is only a brief guide to the law and to the Home Secretary’s policy. It is not a complete statement of either the law or policy.