

SCHEDULE 1

Regulation 3

General requirements for applications

PART 1

All applications

1. An application shall be made in writing and shall state the name, address and date and place of birth of the applicant.

Commencement Information

I1 Sch. 1 para. 1 in force at 3.12.2007, see [reg. 1](#)

2. An application shall contain a declaration that the particulars stated in the application are true.

Commencement Information

I2 Sch. 1 para. 2 in force at 3.12.2007, see [reg. 1](#)

PART 2

Applications made by persons not of full age or capacity

3. An application in respect of someone not of full age or capacity made by another person on his behalf shall—

- (a) state that the application is made on behalf of a person who is not of full age or capacity;
- (b) state the name and address of the person who is making the application;
- (c) indicate the nature of the connection between the person making the application and the person on whose behalf the application is made; and
- (d) where the person making the application has any responsibility, other than as a parent, for the person on whose behalf the application is made, the nature of that responsibility and the manner in which it was assumed.

Commencement Information

I3 Sch. 1 para. 3 in force at 3.12.2007, see [reg. 1](#)

SCHEDULE 2

Regulation 3

Particular requirements for applications

^[F1] Interpretation

A1. In this Schedule—

- (a) a reference to a person’s “natural father” is to be construed in accordance with section 17G(1) of the Act⁽⁶⁾;
- (b) a reference to a person automatically becoming a citizen of a certain type is to be construed in accordance with section 17G(4) of the Act.]

Textual Amendments

F1 Sch. 2 para. A1 inserted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), **3(3)(a)**

Application under section 15(3) of the Act

- 1. The application shall contain information showing—
 - (a) that the applicant’s father or mother became a British overseas territories citizen, or became settled in a British overseas territory, after the applicant’s birth; and
 - (b) where the applicant is aged 10 or over, that he is of good character.

Commencement Information

I4 Sch. 2 para. 1 in force at 3.12.2007, see **reg. 1**

Application under section 15(4) of the Act

- 2. The application shall contain information showing—
 - (a) that the applicant possesses the requisite qualifications in respect of residence; and
 - (b) that he is of good character.

Commencement Information

I5 Sch. 2 para. 2 in force at 3.12.2007, see **reg. 1**

- 3. If the applicant was absent from the British overseas territory in which he was born for more than 90 days in any one of the first 10 years of his life and it is desired that the application should nevertheless be considered under section 15(7) of the Act (acquisition of citizenship by birth or adoption)⁽¹⁾, the application shall specify the special circumstances to be taken into consideration.

Commencement Information

I6 Sch. 2 para. 3 in force at 3.12.2007, see **reg. 1**

Commencement Information

I5 Sch. 2 para. 2 in force at 3.12.2007, see **reg. 1**
I6 Sch. 2 para. 3 in force at 3.12.2007, see **reg. 1**

⁽⁶⁾ Section 22(1) of the 1981 Act has been amended by: sections 1 and 2 of the British Overseas Territories Act 2002; and sections 5 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002.

⁽¹⁾ Section 15(7) of the 1981 Act has been amended by section 1 of the British Overseas Territories Act 2002.

Application under section 17(2) of the Act

4. The application shall contain information showing—
- (a) that the applicant’s father or mother (“the parent in question”) was a British overseas territories citizen by descent at the time of the applicant’s birth;
 - (b) that the father or mother of the parent in question—
 - (i) was a British overseas territories citizen otherwise than by descent at the time of the birth of the parent in question; or
 - (ii) became a British overseas territories citizen otherwise than by descent at commencement; or
 - (iii) would have become a British overseas territories citizen otherwise than by descent at commencement but for his or her death; and
 - (c) either—
 - (i) that the parent in question possesses the requisite qualifications in respect of residence; or
 - (ii) that the applicant was born stateless.
- [^{F2}(d) where the applicant is aged 10 or over, that the applicant is of good character.]

Textual Amendments
F2 Sch. 2 para. 4(d) inserted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), **3(3)(b)**

Commencement Information
I7 Sch. 2 para. 4 in force at 3.12.2007, see **reg. 1**

^{F3}5.

Textual Amendments
F3 Sch. 2 para. 5 omitted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), **3(3)(c)**

Textual Amendments
F2 Sch. 2 para. 4(d) inserted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), **3(3)(b)**
F3 Sch. 2 para. 5 omitted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), **3(3)(c)**

Commencement Information
I7 Sch. 2 para. 4 in force at 3.12.2007, see **reg. 1**

Application under section 17(5) of the Act

6. The application shall contain information showing—
- (a) that the applicant’s father or mother was a British overseas territories citizen by descent at the time of the applicant’s birth;

- (b) that the applicant and his father and mother possess the requisite qualifications in respect of residence (as required by section 17(5)(b) and (6) of the Act (acquisition by citizenship by registration: minors)(2)) and, if only one parent possesses the requisite qualifications, the reason for that fact;
- (c) that the consent of the applicant's father and mother (as required by section 17(5)(c) and (6) of the Act (acquisition of citizenship by registration: minors)) has been signified in accordance with regulation 11 and, if the consent of one parent only has been signified, the reason for that fact; and
- (d) where the applicant is aged 10 or over, that he is of good character.

Commencement Information

I8 Sch. 2 para. 6 in force at 3.12.2007, see **reg. 1**

[^{F4}Application under section 17A of the Act

6A. The application must contain information showing—

- (a) that the applicant—
 - (i) would have become a citizen of the United Kingdom and Colonies under section 5 or 12(2), (3), (4) or (5) of, or paragraph 3 of Schedule 3 to, the British Nationality Act 1948(7) if the applicant's parents had been treated equally, by that Act or by any relevant previous provision, for the purposes of determining the applicant's nationality status, or
 - (ii) would have been a citizen of the United Kingdom and Colonies immediately before commencement if the applicant's parents had been treated equally, for the purposes of determining the applicant's nationality status, by any independence legislation that caused the applicant to lose that citizenship,
- (b) that, if the applicant had become or been a citizen of the United Kingdom and Colonies as mentioned in sub-paragraph (a), the applicant would have become a British Dependent Territories citizen at commencement under section 23(1)(b) or (c) of the Act, and
- (c) that, if the applicant had become a British Dependent Territories citizen as mentioned in sub-paragraph (b), the applicant would have become a British overseas territories citizen on the commencement of section 2 of the British Overseas Territories Act 2002.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6B. In paragraph 6A, “independence legislation” and “relevant previous provision” have the same meaning as in section 17A of the Act.

(2) Section 17(5) and (6) of the 1981 Act has been amended by: sections 1 and 2 of the British Overseas Territories Act 2002; sections 9 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002; and section 261 of, and paragraph 75 of Schedule 27 to, the Civil Partnership Act 2004 (c. 33).

(7) Section 24 of the 1981 Act has been amended by section 2 of the British Overseas Territories Act 2002.

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17C of the Act

6C. The application must contain information showing—

- (a) that the applicant would be entitled to be registered as a British overseas territories citizen under section 15(3) or 17(2) or (5) of, or paragraph 4 or 5 of Schedule 2 to, the Act if the applicant's mother had been married to the applicant's natural father at the time of the applicant's birth, and
- (b) where the applicant is aged 10 or over and the provision under which the applicant would be entitled to be registered as a British overseas territories citizen (as mentioned in section 17C(1)(b) of the Act) is section 15(3) or 17(2) or (5) of the Act, that the applicant is of good character.

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6D. If the applicant would be entitled to be registered as a British overseas territories citizen under section 17(5) of the Act as mentioned in paragraph 6C(a) but for the fact that the parental consents referred to in subsection (4) of section 17C of the Act (power to waive requirement for parental consents) have not been signified, the application must specify the special circumstances to be taken into consideration for the purposes of that subsection.

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17D of the Act

6E. The application must contain information showing—

- (a) that the applicant would, at any time in the period after commencement, have automatically become a British Dependent Territories citizen or a British overseas territories citizen at birth by the operation of section 15(1) or 16 of, or paragraph 1 of Schedule 2 to, the Act if the applicant's mother had been married to the applicant's natural father at the time of the applicant's birth,
- (b) that, in a case where the applicant would have become a British Dependent Territories citizen as mentioned in sub-paragraph (a), the applicant would then have automatically become a British overseas territories citizen by the operation of section 2 of the British Overseas Territories Act 2002, and
- (c) if the applicant is under the age of 18 (but subject to paragraph 6F) that the consent of the applicant's natural father and mother, or either of them, has been signified in accordance with section 17D(3) and (4) of the Act and regulation 11 and, if the consent of only one of those individuals has been signified, the reason for that.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6F. If the application is made without the consent of the applicant's natural father and mother having been signified, it must specify the special circumstances to be taken into consideration for the purposes of section 17D(5) of the Act (power to waive requirement for parental consents).

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17E of the Act

6G. The application must contain information showing—

- (a) that the applicant—
 - (i) was a citizen of the United Kingdom and Colonies immediately before commencement, or
 - (ii) would have become such a citizen under section 5 or 12(2), (3), (4) or (5) of, or paragraph 3 of Schedule 3 to, the British Nationality Act 1948 if the applicant's parents had been treated equally, by that Act or by any relevant previous provision, for the purposes of determining the applicant's nationality status, or

- (iii) would have been such a citizen immediately before commencement if the applicant's parents had been treated equally, for the purposes of determining the applicant's nationality status, by any independence legislation that caused the applicant to lose that citizenship,
- (b) that the applicant would then have automatically become a British Dependent Territories citizen at commencement by the operation of section 23 of the Act, if the applicant's mother had been married to the applicant's natural father at the time of the applicant's birth, and
- (c) that the applicant would then have automatically become a British overseas territories citizen by the operation of section 2 of the British Overseas Territories Act 2002.

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6H. In paragraph 6G, “independence legislation” and “relevant previous provision” have the same meaning as in section 17A of the Act.

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

- F4** Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17F of the Act

- 6I.** The application must include information showing that the applicant—
- (a) ceased to be a British subject or a citizen of the United Kingdom and Colonies by virtue of the commencement of any independence legislation, but would not have done so if the applicant's mother been married to the applicant's natural father at the time of the applicant's birth,
 - (b) was a British subject who did not automatically become a citizen of the United Kingdom and Colonies at commencement of the British Nationality Act 1948 by operation of any provision of it, but would have done so if the applicant's mother had been married to the applicant's natural father at the time of the applicant's birth, or
 - (c) would have automatically become a British subject or citizen of the United Kingdom and Colonies at birth, or by virtue of paragraph 3 of Schedule 3 to the British Nationality Act 1948, if the applicant's mother had been married to the applicant's natural father at the time of the applicant's birth.

Changes to legislation: There are currently no known outstanding effects for the The British Nationality (British Overseas Territories) Regulations 2007. (See end of Document for details)

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6J. In paragraph 6I, “British subject” and “independence legislation” have the same meaning as in section 17F of the Act.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17H of the Act

6K. The application must contain information showing that the applicant is a direct descendant of a person (“P”) who was a citizen of the United Kingdom and Colonies by virtue of P’s birth in the British Indian Ocean Territory or, prior to 8th November 1965, in those Islands designated as the British Indian Ocean Territory on that date.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 17I of the Act

6L. The application must specify the information to be considered by the Secretary of State in forming an opinion under section 17I of the Act about whether the applicant would have been, or would have been able to become, a British overseas territories citizen but for—

- (a) historical legislative unfairness,
- (b) an act or omission of a public authority, or
- (c) exceptional circumstances relating to the applicant.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6M. The application must contain information showing that the applicant is of full capacity.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6N. Where paragraph 6O applies, the application must also—

- (a) contain information showing that the applicant is of good character, or
- (b) specify why the Secretary of State should not take into account whether the applicant is of good character in considering whether to grant the application.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6O. This paragraph applies where—

- (a) the application is made on the basis that the applicant would have been able to become a British overseas territories citizen but for a matter mentioned in sub-paragraph (a), (b) or (c) of paragraph 6L, and
- (b) the process by which the applicant would have been able to become a British overseas territories citizen would have involved the Secretary of State being required, under section 41A of the Act, to be satisfied that the applicant was of good character.

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

6P. In paragraph 6L, “historical legislative unfairness” and “public authority” have the same meaning as in section 17I of the Act.]

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Textual Amendments

F4 Sch. 2 paras. 6A-6P inserted (28.6.2022 except for the insertion of Sch. 2 para. 6K, 23.11.2022 in so far as not already in force) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2)(3)(a), **3(3)(d)**; S.I. 2022/1056, **reg. 2(a)**

Application under section 18(1) of the Act

7. The application shall contain information showing that the applicant—
- (a) possesses the requisite qualifications in respect of—
 - (i) residence or Crown service;
 - (ii) freedom from immigration restrictions;
 - (iii) compliance with the immigration laws;
 - (iv) good character; and
 - (v) knowledge of language;
 - (b) has the requisite intention with respect to residence or occupation in the event of a certificate of naturalisation being granted to him; and
 - (c) is of full capacity.

Commencement Information

I9 Sch. 2 para. 7 in force at 3.12.2007, see [reg. 1](#)

8. If the applicant does not possess the requisite qualifications in respect of residence, freedom from immigration restrictions, compliance with the immigration laws or knowledge of language and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(1)), the application shall specify the special circumstances to be taken into consideration.

Commencement Information

I10 Sch. 2 para. 8 in force at 3.12.2007, see [reg. 1](#)

9. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity)⁽³⁾, the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Commencement Information

I11 Sch. 2 para. 9 in force at 3.12.2007, see [reg. 1](#)

Commencement Information

I9 Sch. 2 para. 7 in force at 3.12.2007, see [reg. 1](#)

I10 Sch. 2 para. 8 in force at 3.12.2007, see [reg. 1](#)

I11 Sch. 2 para. 9 in force at 3.12.2007, see [reg. 1](#)

Application under section 18(2) of the Act

10. The application shall contain information showing that the applicant—
- (a) is married to, or is the civil partner of, a British overseas territories citizen;

⁽³⁾ Section 44A of the 1981 Act was inserted by section 49 of the Immigration, Asylum and Nationality Act 2006.

- (b) possesses the requisite qualifications in respect of—
 - (i) residence;
 - (ii) freedom from immigration restrictions;
 - (iii) compliance with the immigration laws;
 - (iv) good character; and
 - (v) knowledge of language; and
- (c) is of full capacity.

.....
Commencement Information

I12 Sch. 2 para. 10 in force at 3.12.2007, see [reg. 1](#)

11. If the applicant does not possess the requisite qualifications in respect of residence, compliance with the immigration laws or knowledge of language and it is desired that the application should nevertheless be considered under paragraph 8 of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(2))(4), the application shall specify the special circumstances to be taken into consideration.

.....
Commencement Information

I13 Sch. 2 para. 11 in force at 3.12.2007, see [reg. 1](#)

12. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 8(d) of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(2)) on the grounds of marriage to, or civil partnership with, a person who is serving in Crown service under the government of a British overseas territory or other designated service, the application shall specify the nature of the service and contain information showing that recruitment for that service took place in a British overseas territory.

.....
Commencement Information

I14 Sch. 2 para. 12 in force at 3.12.2007, see [reg. 1](#)

13. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

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Commencement Information

I15 Sch. 2 para. 13 in force at 3.12.2007, see [reg. 1](#)

(4) Paragraph 8 of Schedule 1 to the 1981 Act has been amended by: section 1 of the British Overseas Territories Act 2002; sections 2 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002; and section 261 of, and paragraph 78 of Schedule 27 to, the Civil Partnership Act 2004.

Commencement Information

- I12** Sch. 2 para. 10 in force at 3.12.2007, see [reg. 1](#)
I13 Sch. 2 para. 11 in force at 3.12.2007, see [reg. 1](#)
I14 Sch. 2 para. 12 in force at 3.12.2007, see [reg. 1](#)
I15 Sch. 2 para. 13 in force at 3.12.2007, see [reg. 1](#)

Application under section 22(1) of the Act

14. The application shall contain information showing—

- (a) that the applicant has renounced citizenship of the United Kingdom and Colonies before commencement;
- (b) that at the time when he renounced it, the applicant was, or was about to become, a citizen of a country mentioned immediately before commencement in section 1(3) of the British Nationality Act 1948⁽⁵⁾;
- (c) that the applicant could not have remained or become such a citizen but for renouncing it or had reasonable cause to believe that he would be deprived of his citizenship of that country unless he renounced it;
- (d) that the applicant possessed the requisite qualifying connection with a British overseas territory immediately before commencement or was married before commencement to a person who possessed the requisite qualifying connection with a British overseas territory immediately before commencement or who would if living have possessed such a connection;
- (e) that the applicant has not previously been registered under section 22(1) of the Act (right to registration replacing right to resume citizenship of UK and Colonies)⁽⁶⁾; and
- (f) where the applicant is aged 10 or over, that he is of good character.

Commencement Information

- I16** Sch. 2 para. 14 in force at 3.12.2007, see [reg. 1](#)

Application under section 22(2) of the Act

15. The application shall contain information showing—

- (a) that the applicant has renounced citizenship of the United Kingdom and Colonies before commencement and his reason for doing so;
- (b) that the applicant possesses the requisite qualifying connection with a British overseas territory or has been married to, or has been the civil partner of, a person who has, or would if living have, such a connection;
- (c) where the applicant is aged 10 or over, that he is of good character; and
- (d) that the applicant is of full capacity.

⁽⁵⁾ 1948 c. 56. Section 1 of the British Nationality Act 1948 was repealed by section 52(8) of, and Schedule 9 to, the 1981 Act.

⁽⁶⁾ Section 22(1) of the 1981 Act has been amended by: sections 1 and 2 of the British Overseas Territories Act 2002; and sections 5 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002.

Commencement Information

I17 Sch. 2 para. 15 in force at 3.12.2007, see [reg. 1](#)

16. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Commencement Information

I18 Sch. 2 para. 16 in force at 3.12.2007, see [reg. 1](#)

Commencement Information

I17 Sch. 2 para. 15 in force at 3.12.2007, see [reg. 1](#)

I18 Sch. 2 para. 16 in force at 3.12.2007, see [reg. 1](#)

Application under section 13(1) of the Act as applied by section 24 of that Act

17. The application shall contain information showing—

- (a) that the applicant has renounced British overseas territories citizenship;
- (b) that, at the time when he renounced it, the applicant had or was about to acquire some other citizenship or nationality;
- (c) that the renunciation of British overseas territories citizenship was necessary to enable him to retain or acquire that other citizenship or nationality;
- (d) that the applicant had not previously been registered under section 13(1) of the Act (resumption of citizenship) as applied by section 24 of that Act (renunciation and resumption of British overseas territories citizenship)(7);
- (e) where the applicant is aged 10 or over, that he is of good character; and
- (f) that the applicant is of full capacity.

Commencement Information

I19 Sch. 2 para. 17 in force at 3.12.2007, see [reg. 1](#)

18. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Commencement Information

I20 Sch. 2 para. 18 in force at 3.12.2007, see [reg. 1](#)

(7) Section 24 of the 1981 Act has been amended by section 2 of the British Overseas Territories Act 2002.

Commencement Information

I19 Sch. 2 para. 17 in force at 3.12.2007, see [reg. 1](#)

I20 Sch. 2 para. 18 in force at 3.12.2007, see [reg. 1](#)

Application under section 13(3) of the Act as applied by section 24 of that Act

19. The application shall contain information showing—

- (a) that the applicant has renounced British overseas territories citizenship and his reason for so doing;
- (b) where the applicant is aged 10 or over, that he is of good character; and
- (c) that the applicant is of full capacity.

Commencement Information

I21 Sch. 2 para. 19 in force at 3.12.2007, see [reg. 1](#)

20. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Commencement Information

I22 Sch. 2 para. 20 in force at 3.12.2007, see [reg. 1](#)

Commencement Information

I21 Sch. 2 para. 19 in force at 3.12.2007, see [reg. 1](#)

I22 Sch. 2 para. 20 in force at 3.12.2007, see [reg. 1](#)

Application under paragraph 3 of Schedule 2 to the Act

21. The application shall contain information showing—

- (a) that the applicant is and always has been stateless;
- (b) that the applicant seeks British overseas territories citizenship and possesses the requisite qualifications in respect of residence.

Commencement Information

I23 Sch. 2 para. 21 in force at 3.12.2007, see [reg. 1](#)

22. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 2 to the Act, the application shall specify the special circumstances to be taken into consideration.

Commencement Information

I24 Sch. 2 para. 22 in force at 3.12.2007, see [reg. 1](#)

Commencement Information

I23 Sch. 2 para. 21 in force at 3.12.2007, see [reg. 1](#)

I24 Sch. 2 para. 22 in force at 3.12.2007, see [reg. 1](#)

[^{F5} **Application under paragraph 3A of Schedule 2 to the Act**

22A. The application must contain information showing—

- (a) that the applicant is and always has been stateless,
- (b) that the applicant seeks British overseas territories citizenship and possesses the requisite qualifications in respect of residence, and
- (c) that the applicant is unable to acquire another nationality in accordance with paragraph 22B.

Textual Amendments

F5 Sch. 2 paras. 22A-22D and cross-heading inserted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **3(3)(e)**

22B. A person is able to acquire a nationality in accordance with this paragraph if—

- (a) the nationality is the same as that of one of the person's parents,
- (b) the person has been entitled to acquire the nationality since birth, and
- (c) in all the circumstances, it is reasonable to expect the person (or someone acting on the person's behalf) to take the steps which would enable the person to acquire the nationality in question.

Textual Amendments

F5 Sch. 2 paras. 22A-22D and cross-heading inserted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **3(3)(e)**

22C. For the purposes of paragraph 22B(b), a person is not entitled to acquire a nationality if its acquisition is conditional on the exercise of a discretion on the part of the country or territory in question.

Textual Amendments

F5 Sch. 2 paras. 22A-22D and cross-heading inserted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **3(3)(e)**

22D. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 2 to the Act, it must specify the special considerations to be taken into consideration.]

Textual Amendments

F5 Sch. 2 paras. 22A-22D and cross-heading inserted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), 3(3)(e)

Textual Amendments

F5 Sch. 2 paras. 22A-22D and cross-heading inserted (28.6.2022) by The British Nationality (General, British Overseas Territories and Fees) (Amendment) Regulations 2022 (S.I. 2022/602), regs. 1(2), 3(3)(e)

Application under paragraph 4 of Schedule 2 to the Act

23. The application shall contain information showing—
- (a) that the applicant is and always has been stateless;
 - (b) that the father or mother of the applicant was a British overseas territories citizen at the time of the applicant’s birth; and
 - (c) that the applicant seeks British overseas territories citizenship and possesses the requisite qualifications in respect of residence.

Commencement Information

I25 Sch. 2 para. 23 in force at 3.12.2007, see **reg. 1**

24. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 2 to the Act, the application shall specify the special circumstances to be taken into consideration.

Commencement Information

I26 Sch. 2 para. 24 in force at 3.12.2007, see **reg. 1**

Commencement Information

I25 Sch. 2 para. 23 in force at 3.12.2007, see **reg. 1**
I26 Sch. 2 para. 24 in force at 3.12.2007, see **reg. 1**

Application under paragraph 5 of Schedule 2 to the Act

25. The application shall contain information showing—
- (a) that the applicant is and always has been stateless;
 - (b) if he was not born at a place which is, at the date of the application, within the United Kingdom and British overseas territories—
 - (i) that the applicant’s mother was a citizen of the United Kingdom and Colonies at the time of his birth; or
 - (ii) that he possesses the requisite qualifications in respect of parentage or residence and parentage; and

- (c) that the applicant seeks British overseas territories citizenship and that that citizenship is available to the applicant in accordance with paragraph 5(2) of Schedule 2 to the Act.

Commencement Information

I27 Sch. 2 para. 25 in force at 3.12.2007, see **reg. 1**

SCHEDULE 3

Regulation 6(2)

Administration of citizenship oath or pledge

1. Subject to paragraph 2, a citizenship oath or pledge shall be administered by one of the following persons—

- (a) in England and Wales [^{F6}, a registrar], any justice of the peace, commissioner for oaths or notary public;
- (b) in Scotland, [^{F7}a registrar,] any sheriff principal, sheriff, justice of the peace or notary public;
- [^{F8}(ba) in Northern Ireland, any justice of the peace, commissioner for oaths, notary public, or a person authorised by the Secretary of State;]
- (c) in the Channel Islands, the Isle of Man or any British overseas territory—
 - (i) any judge of any court of civil or criminal jurisdiction;
 - (ii) any justice of the peace or magistrate; or
 - (iii) any person for the time being authorised, by the law of the place where the applicant, declarant or deponent is, to administer an oath for any judicial or other legal purpose;
- (d) in any country mentioned in Schedule 3 to the Act of which Her Majesty is Queen, or in any territory administered by the government of any such country—
 - (i) any person for the time being authorised, by the law of the place where the deponent is, to administer an oath for any judicial or other legal purpose;
 - (ii) any consular officer; or
 - (iii) any established officer of the Diplomatic Service of Her Majesty's Government in the United Kingdom;
- (e) elsewhere—
 - (i) any consular officer;
 - (ii) any established officer of the Diplomatic Service of Her Majesty's Government in the United Kingdom; or
 - (iii) any person authorised by the Secretary of State for that purpose.

Textual Amendments

- F6** Words in Sch. 3 para. 1(a) substituted (8.11.2023) by The British Nationality (British Overseas Territories) (Amendment) Regulations 2023 (S.I. 2023/1104), regs. 1(3), **2(2)**
- F7** Words in Sch. 3 para. 1(b) inserted (8.11.2023) by The British Nationality (British Overseas Territories) (Amendment) Regulations 2023 (S.I. 2023/1104), regs. 1(3), **2(3)**
- F8** Sch. 3 para. 1(ba) inserted (8.11.2023) by The British Nationality (British Overseas Territories) (Amendment) Regulations 2023 (S.I. 2023/1104), regs. 1(3), **2(4)**

Commencement Information**I28** Sch. 3 para. 1 in force at 3.12.2007, see [reg. 1](#)

2. If the deponent is serving in Her Majesty's naval, military or air forces, the oath or pledge may be administered by any officer holding a commission in any of those forces, whether the oath or pledge is made in the United Kingdom or elsewhere.

Commencement Information**I29** Sch. 3 para. 2 in force at 3.12.2007, see [reg. 1](#)

[^{F9}3. In this Schedule, a "registrar" means a registrar within the meaning of section 41(3B) of the Act.]

Textual Amendments**F9** Sch. 3 para. 3 inserted (8.11.2023) by [The British Nationality \(British Overseas Territories\) \(Amendment\) Regulations 2023 \(S.I. 2023/1104\)](#), regs. 1(3), 2(5)

SCHEDULE 4

Regulation 8

Requirements for declaration of renunciation

1. A declaration shall be made in writing and shall state the name, address, date and place of birth of the declarant.

Commencement Information**I30** Sch. 4 para. 1 in force at 3.12.2007, see [reg. 1](#)

2. A declaration shall contain information showing that the declarant—
- (a) is a British overseas territories citizen;
 - (b) is of full age or, if not, has been married or has been a civil partner;
 - (c) is of full capacity; and
 - (d) will, after the registration of the declaration, have or acquire some citizenship or nationality other than British overseas territories citizenship.

Commencement Information**I31** Sch. 4 para. 2 in force at 3.12.2007, see [reg. 1](#)

3. If the declarant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the declaration shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Commencement Information

I32 Sch. 4 para. 3 in force at 3.12.2007, see **reg. 1**

4. A declaration shall contain a declaration that the particulars stated are true.

Commencement Information

I33 Sch. 4 para. 4 in force at 3.12.2007, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The British Nationality (British Overseas Territories) Regulations 2007.