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STATUTORY INSTRUMENTS

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**2003 No. 548**

**The British Nationality (General) Regulations 2003**

**PART II**

**REGISTRATION AND NATURALISATION**

**Applications**

**3.** Any application for registration as a British citizen, British Overseas citizen or British subject or for a certificate of naturalisation as a British citizen shall—

- (a) be made to the appropriate authority specified in regulation 4; and
- (b) satisfy the requirements of Part I and, if made on behalf of a person not of full age or capacity, Part II of Schedule 1 and such further requirements, if any, as are specified in relation thereto in Schedule 2.

**Authority to whom application is to be made**

**4.—(1)** Except as provided by paragraphs (2) and (3), the authority to whom an application is to be made is as follows:

- (a) if the applicant is in Great Britain or Northern Ireland, to the Secretary of State at the Home Office;
- (b) if the applicant is in any of the Islands, to the Lieutenant-Governor;
- (c) if the applicant is in a British overseas territory, to the Governor;
- (d) if the applicant is in a country mentioned in Schedule 3 to the Act, to the High Commissioner or, if there is no High Commissioner, to the Secretary of State at the Home Office;
- (e) if the applicant is elsewhere, to any consular officer, any established officer in the Diplomatic Service of Her Majesty's Government in the United Kingdom or any person authorised by the Secretary of State in that behalf.

(2) The authority to whom an application under section 4(5) of the Act (acquisition by registration: British overseas territories citizens, etc), on grounds of Crown Service under the government of a British overseas territory or service as a member of a body established by law in a British overseas territory, is to be made is in all cases the Governor of that territory.

(3) The authority to whom an application under section 5 of the Act (acquisition by registration: nationals for purposes of the Community Treaties)(1) is to be made is in all cases the Governor of Gibraltar.

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(1) Section 5 is amended by section 1(2) of the British Overseas Territories Act 2002 (c. 8).

### **Persons not of full age or capacity**

5. An application may be made on behalf of someone not of full age or capacity by his father or mother or any person who has assumed responsibility for his welfare.

### **Oaths of allegiance**

6.—(1) Where an oath of allegiance is required by section 42 of the Act<sup>(2)</sup> to be taken by an applicant for registration or for a certificate of naturalisation, it shall be administered in accordance with the requirements of Schedule 3.

(2) If, on an application for registration or for a certificate of naturalisation by an applicant who is required to take an oath of allegiance, the Secretary of State decides that the registration should be effected or the certificate should be granted he shall cause notice in writing of the decision to be given to the applicant; and the oath of allegiance shall be taken within three months of the giving of the notice or such longer time as the Secretary of State may allow.

(3) Any notice required by paragraph (2) to be given to an applicant may be given—

- (a) in any case where the applicant's whereabouts are known, by causing the notice to be delivered to him personally or by sending it to him by post;
- (b) in a case where the applicant's whereabouts are not known, by sending it by post in a letter addressed to him at his last known address.

### **Certificates of naturalisation**

7. A certificate of naturalisation shall be in the form set out in Schedule 4.

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(2) Section 42 is amended by the Hong Kong (British Nationality) Order 1986 (S.I.1986/948), article 7(6) and the Hong Kong (British Nationality) (Amendment) Order 1993 (S.I. 1993/1795), article 3.