

## SCHEDULE 1

Regulation 3

### GENERAL REQUIREMENTS AS RESPECTS APPLICATIONS

#### PART I

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

#### PART II

##### Applications 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 state that that is the case and the name and address of that person.
4. An application made by a person on behalf of someone not of full age or capacity shall indicate the nature of that person's connection with him and, if that person has any responsibility for him otherwise than as a parent, the nature of that responsibility and the manner in which it was assumed.

#### [<sup>F1</sup>PART III

##### Applications for a waiver on the basis of physical or mental condition

###### Textual Amendments

- F1** Sch. 1 Pt. 3 inserted (9.8.2018) by [The British Nationality \(General\) \(Amendment\) Regulations 2018 \(S.I. 2018/851\)](#), regs. 1(1), **4(2)**

- 5.—(1) This paragraph applies where the applicant seeks a waiver under paragraph 2(1)(e) of Schedule 1 to the British Nationality Act 1981 on the basis of their physical or mental condition.
- (2) A request made under paragraph (1) must be accompanied by—
  - (a) a statement that the waiver applies and how it applies; and
  - (b) written confirmation of the matters stated in the statement.
- (3) The written confirmation required under sub-paragraph (2)(b) must be—
  - (a) provided by a registered medical practitioner, who must confirm that the practitioner's knowledge of the applicant's age or physical or mental condition derives from having met the applicant in person, and provide the date of their last meeting with the applicant, and
  - (b) made using the form which appears at Schedule 6 to these Regulations.]

## SCHEDULE 2

Regulation 3

## PARTICULAR REQUIREMENTS AS RESPECTS APPLICATIONS

*[<sup>F2</sup>Interpretation***Textual Amendments**

- F2** Sch. 2 para. A1 and cross-heading inserted (6.4.2015) by [The British Nationality \(General\) \(Amendment No. 2\) Regulations 2015 \(S.I. 2015/681\)](#), regs. 1, **4(2)**

**A1.** In this Schedule—

- (a) a reference to a person’s “natural father” is to be construed in accordance with section 4J(1) of the Act;
- (b) a reference to a person automatically becoming a British citizen, or a citizen of the United Kingdom and Colonies, is to be construed in accordance with section 4J(4) of the Act.]

*Application under section 1(3) of the Act***1.** An application under section 1(3) of the Act shall contain information showing:

- [<sup>F3</sup>(a)] that the applicant’s father or mother became a British citizen, or became settled in the United Kingdom, after the applicant’s birth[<sup>F4</sup>; and
- (b) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

- F3** Words in Sch. 2 para. 1 renumbered as Sch. 2 para. 1(a) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(a)**
- F4** Sch. 2 para. 1(b) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(b)**

*[<sup>F5</sup>Application under section 1(3A) of the Act***Textual Amendments**

- F5** Sch. 2 para. 1A and-cross-heading inserted (13.1.2010) by [The British Nationality \(General\) \(Amendment\) Regulations 2009 \(S.I. 2009/3363\)](#), regs. 1, **4(1)**

**1A.** An application under section 1(3A) shall contain information showing—

- (a) that the applicant’s father or mother became a member of the armed forces after the applicant’s birth; and
- (b) where the applicant is aged 10 or over, that he is of good character.]

*Application under section 1(4) of the Act*

**Application under section 1(4) of the Act**

2. An application under section 1(4) of the Act shall contain information showing:
- [<sup>F6</sup>(a)] that the applicant possesses the requisite qualifications in respect of residence[<sup>F7</sup>; and
  - (b) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

- F6** Words in Sch. 2 para. 2 renumbered as Sch. 2 para. 2(a) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(a)**
- F7** Sch. 2 para. 2(b) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(b)**

3. If the applicant was absent from the United Kingdom on more than 90 days in all in any one of the first 10 years of his life and it is desired that the application should nevertheless be considered under section 1(7) of the Act, it shall specify the special circumstances to be taken into consideration.

*Application under section 3(2) of the Act*

**Application under section 3(2) of the Act**

4. An application under section 3(2) of the Act shall contain information showing—
- (a) that the applicant’s father or mother (“the parent in question”) was a British 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 citizen otherwise than by descent at the time of the birth of the parent in question; or
    - (ii) became a British citizen otherwise than by descent at commencement; or
    - (iii) would have become a British citizen otherwise than by descent at commencement but for his or her death;
  - (c) either—
    - (i) that the parent in question possesses the requisite qualifications in respect of residence; or
    - (ii) that the applicant was born stateless.

<sup>F8</sup>5. ....

**Textual Amendments**

- F8** Sch. 2 para. 5 omitted (13.1.2010) by virtue of [The British Nationality \(General\) \(Amendment\) Regulations 2009 \(S.I. 2009/3363\)](#), regs. 1, **4(2)**

*Application under section 3(5) of the Act*

6. An application under section 3(5) of the Act shall contain information showing—

*Changes to legislation:* There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

- (a) that the applicant’s father or mother was a British 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;
- (c) that the consent of the applicant’s father and/or mother (as required by section 3(5)(c) and (6) of the Act) has been signified in accordance with regulation 14 and, if the consent of one parent only has been signified, the reason for that fact<sup>F9</sup>; and
- (d) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

**F9** Sch. 2 para. 6(d) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(3)**

*Application under section 4(2) of the Act*

- 7.—(1) An application under section 4(2) of the Act shall contain information showing—
- (a) that the applicant is a British overseas territories citizen, a British Overseas citizen, a British subject under the Act or a British protected person;
  - (b) that the applicant possesses the requisite qualifications in respect of residence, freedom from immigration restrictions and compliance with the immigration laws<sup>F10</sup>; and
  - (c) where the applicant is aged 10 or over, that he is of good character.]

<sup>F11</sup>(1A) . . . . .

(2) If the applicant does not possess the requisite qualifications in respect of residence, freedom from immigration restrictions and compliance with the immigration laws and it is desired that the application should nevertheless be considered under section 4(4) of the Act, it shall specify the special circumstances to be taken into consideration.

**Textual Amendments**

**F10** Sch. 2 para. 7(1)(c) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(4)**

**F11** Sch. 2 para. 7(1A) omitted (31.12.2020) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **80(5)** (with reg. 80(6))

*Application under section 4(5) of the Act*

- 8.—(1) An application under section 4(5) of the Act shall contain information showing—
- (a) that the applicant is a British overseas territories citizen, a British Overseas citizen, a British subject under the Act or a British protected person;
  - (b) that the applicant possesses the requisite qualifications in respect of service<sup>F12</sup>; and
  - (c) where the applicant is aged 10 or over, that he is of good character.]
- (2) The application shall specify the special circumstances to be taken into consideration.

**Changes to legislation:** There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

**Textual Amendments**

**F12** Sch. 2 para. 8(1)(c) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(4)**

*Application under section 4A of the Act*<sup>M1</sup>

**Marginal Citations**

**M1** Section 4A was inserted by section 4 of the [British Overseas Territories Act 2002 \(c. 8\)](#).

9. An application under section 4A of the Act shall contain information showing—
- (a) that the applicant is a British overseas territories citizen who is not such a citizen by virtue only of a connection with the Sovereign Base Areas of Akrotiri and Dhekelia;
  - (b) that the applicant has not ceased to be a British citizen as a result of a declaration of renunciation<sup>F13</sup>; and
  - (c) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

**F13** Sch. 2 para. 9(c) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(4)**

*<sup>F14</sup>Application under section 4B of the Act*

**Textual Amendments**

**F14** Sch. 2 para. 10 and cross-heading substituted (13.1.2010) by [The British Nationality \(General\) \(Amendment\) Regulations 2009 \(S.I. 2009/3363\)](#), regs. 1, **4(3)**

10. An application under section 4B of the Act shall contain information showing—
- (a) that the applicant is a British Overseas citizen, a British subject under the Act, a British protected person or a British National (Overseas) and does not have any other citizenship or nationality; and
  - (b)
    - (i) in the case of an application made by virtue of subsection (1)(a), (b) or (c), that the applicant has not, after 4th July 2002, renounced, voluntarily relinquished or lost through action or inaction, any citizenship or nationality; or
    - (ii) in the case of an application made by virtue of subsection (1)(d), that the applicant has not, after 19th March 2009, renounced, voluntarily relinquished or lost through action or inaction, any citizenship or nationality.]

*Changes to legislation:* There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

*[<sup>F15</sup>Application under section 4C of the Act*

**Textual Amendments**

**F15** Sch. 2 para. 11 and-cross-heading substituted (13.1.2010) by [The British Nationality \(General\) \(Amendment\) Regulations 2009 \(S.I. 2009/3363\)](#), regs. 1, **4(4)**

- 11.** An application under section 4C of the Act shall contain information showing—
- (a) that the applicant was born before 1st January 1983;
  - (b) that the applicant would at some time before 1st January 1983 have become a citizen of the United Kingdom and Colonies—
    - (i) under section 5 or 12(2) of, or paragraph 3 of Schedule 3 to, the British Nationality Act 1948 if (as the case may be) that section or paragraph provided for citizenship by descent from a mother in the same terms as it provided for citizenship by descent from a father and if references in that provision to a father were references to the applicant’s mother; or
    - (ii) under section 12(2), (3), (4) or (5) of the British Nationality Act 1948 if a provision of the law at some time before 1st January 1949, which provided for a nationality status to be acquired by descent from a father, provided in the same terms for its acquisition by descent from a mother and if references in that provision to a father were references to the applicant’s mother; [<sup>F16</sup>and]
  - (c) that immediately before 1st January 1983 the applicant would have had the right of abode in the United Kingdom by virtue of section 2 of the Immigration Act 1971 had he become a citizen of the United Kingdom and Colonies as described in either sub-paragraph (b)(i) or (ii) above; <sup>F17</sup>...
  - <sup>F18</sup>(d) .....]

**Textual Amendments**

- F16** Word in Sch. 2 para. 11(b) inserted (25.7.2019) by [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(2)(a)**
- F17** Word in Sch. 2 para. 11(c) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(2)(b)**
- F18** Sch. 2 para. 11(d) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(2)(c)**

*[<sup>F19</sup>Application under section 4D of the Act*

**Textual Amendments**

**F19** Sch. 2 para. 11A and-cross-heading inserted (13.1.2010) by [The British Nationality \(General\) \(Amendment\) Regulations 2009 \(S.I. 2009/3363\)](#), regs. 1, **4(5)**

- 11A.—(1)** An application under section 4D of the Act shall contain information showing—
- (a) that the applicant’s father or mother was a member of the armed forces and serving outside of the United Kingdom and qualifying territories at the time of the applicant’s birth;

**Changes to legislation:** There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

- (b) that the consent of the applicant’s father and/or mother (as required by section 4D(3) and (4) of the Act) has been signified in accordance with regulation 14 and, if the consent of one parent only has been signified, the reason for that fact; and
- (c) where the applicant is aged 10 or over, that he is of good character.

(2) If the application is made without the consent of the applicant’s father and/or mother and it is desired that the application should nevertheless be considered under section 4D(5) of the Act, it shall specify the special circumstances to be taken into consideration.]

*[<sup>F20</sup>Application under section 4F of the Act*

**Textual Amendments**

**F20** Sch. 2 paras. 11B-11E and cross-headings inserted (6.4.2015) by [The British Nationality \(General\) \(Amendment No. 2\) Regulations 2015 \(S.I. 2015/681\)](#), regs. 1, **4(3)**

**11B.** An application under section 4F of the Act shall contain information showing—

- (a) that the applicant would be entitled to be registered as a British Citizen under section 1(3), 3(2), [<sup>F21</sup>3(5) or 4D] of, or paragraph 4 or 5 of Schedule 2 to, the Act, had his mother been married to his natural father at the time of his birth; and
- (b) where the applicant is aged 10 or over [<sup>F22</sup>and the provision under which the applicant would be entitled to be registered as a British citizen (as mentioned in section 4F(1)(b) of the Act) is section 1(3), 3(2) [<sup>F23</sup>, 3(5) or 4D] of the Act], that he is of good character.]

**Textual Amendments**

**F21** Words in Sch. 2 para. 11B(a) substituted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **2(2)(a)(i)**

**F22** Words in Sch. 2 para. 11B(b) inserted (25.7.2019) by [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(3)**

**F23** Words in Sch. 2 para. 11B(b) substituted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **2(2)(a)(ii)**

*[<sup>F20</sup>Application under section 4G of the Act*

**11C.** An application under section 4G of the Act shall contain information showing—

- (a) that the applicant would have automatically become a British citizen by birth by operation of any provision of the Act or the British Nationality (Falkland Islands) Act 1983 (“the 1983 Act”), at any time in the period after commencement of the Act or (as the case may be) the 1983 Act, had his mother been married to his natural father at the time of his birth;  
<sup>F24</sup> ...

<sup>F25</sup>(b) .....]

**Textual Amendments**

**F24** Word in Sch. 2 para. 11C(a) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(4)(a)**

*Changes to legislation:* There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

**F25** Sch. 2 para. 11C(b) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(4)(b)**

*[<sup>F20</sup>Application under section 4H of the Act*

- 11D.** An application under section 4H of the Act shall contain information showing—
- (a) that the applicant was a citizen of the United Kingdom and Colonies immediately before commencement of the Act; [<sup>F26</sup>and]
  - (b) that the applicant would have automatically become a British citizen at commencement of the Act, by the operation of any provision of the Act, had his mother been married to his natural father at the time of his birth; <sup>F27</sup>...
  - <sup>F28</sup>(c) .....]

**Textual Amendments**

**F26** Word in Sch. 2 para. 11D(a) inserted (25.7.2019) by [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(5)(a)**

**F27** Word in Sch. 2 para. 11D(b) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(5)(b)**

**F28** Sch. 2 para. 11D(c) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(5)(c)**

*[<sup>F20</sup>Application under section 4I of the Act*

- 11E.—(1)** An application under section 4I of the Act shall contain information showing—
- (a) that the applicant—
    - (i) 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 had his mother been married to his natural father at the time of his birth;
    - (ii) 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 the operation of any provision of it, but would have done so had his mother been married to his natural father at the time of his birth; or
    - (iii) 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, had his mother been married to his natural father at the time of his birth; <sup>F29</sup>...
  - <sup>F30</sup>(b) .....

(2) In this paragraph, “British subject” and “independence legislation” have the same meaning as in section 4I(7) of the Act.]

**Textual Amendments**

**F29** Word in Sch. 2 para. 11E(1)(a)(iii) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(6)(a)**



**F30** Sch. 2 para. 11E(1)(b) omitted (25.7.2019) by virtue of [The British Nationality Act 1981 \(Remedial\) Order 2019 \(S.I. 2019/1164\)](#), arts. 1(1), **4(6)(b)**

*[<sup>F31</sup> Application under section 4K of the Act*

**Textual Amendments**

**F31** Sch. 2 paras. 11F, 11G and cross-headings inserted (28.6.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(2), **2(2)(b)**

**11F.** An application under section 4K of the Act must contain information showing—

- (a) that the applicant—
  - (i) is entitled to be registered as a British overseas territories citizen under section 17A, 17C, 17D, 17E [<sup>F32</sup>, 17F or 17H] of the Act, otherwise than by virtue only of a connection with the Sovereign Base Areas of Akrotiri and Dhekelia, or
  - (ii) would be entitled to be registered as a British overseas territories citizen under any of those sections, otherwise than by virtue only of a connection with the Sovereign Base Areas of Akrotiri and Dhekelia, but for the fact that the applicant has already become a British overseas territories citizen under a different provision, 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**

**F32** Words in Sch. 2 para. 11F(a)(i) substituted (23.11.2022) by [The British Nationality \(General, British Overseas Territories and Fees\) \(Amendment\) Regulations 2022 \(S.I. 2022/602\)](#), regs. 1(3)(a), **2(2)(c)**; [S.I. 2022/1056](#), **reg. 2(a)**

*Application under section 4L of the Act*

**11G.—(1)** An application under section 4L of the Act must specify the information to be considered by the Secretary of State in forming an opinion under section 4L of the Act about whether the applicant would have been, or would have been able to become, a British citizen but for—

- (a) historical legislative unfairness,
  - (b) an act or omission of a public authority, or
  - (c) exceptional circumstances relating to the applicant.
- (2) The application must contain information showing that the applicant is of full capacity.
- (3) Where sub-paragraph (4) 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.
- (4) This sub-paragraph applies where—

*Changes to legislation: There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)*

- (a) the application is made on the basis that the applicant would have been able to become a British citizen but for a matter mentioned in paragraph (a), (b) or (c) of sub-paragraph (1), and
  - (b) the process by which the applicant would have been able to become a British 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.
- (5) In this paragraph, “historical legislative unfairness” and “public authority” have the same meaning as in section 4L of the Act.]

*Application under section 5 of the Act*

12. An application under section 5 of the Act shall contain information showing:

- [<sup>F33</sup>(a)] that the applicant is a British overseas territories citizen who falls to be treated as a national of the United Kingdom [<sup>F34</sup>by virtue of a connection with Gibraltar][<sup>F35</sup>; and
- (b) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

- F33** Words in Sch. 2 para. 12 renumbered as Sch. 2 para. 12(a) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(a)**
- F34** Words in Sch. 2 para. 12(a) substituted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **30(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F35** Sch. 2 para. 12(b) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(2)(b)**

*Application under section 6(1)*

13.—(1) An application under section 6(1) of the Act shall contain information showing—

- (a) that the applicant possesses the requisite qualifications in respect of residence or Crown service, freedom from immigration restrictions, compliance with the immigration laws, good character, knowledge of language[<sup>F36</sup>, knowledge about life in the United Kingdom] and intention with respect to residence or occupation in the event of a certificate of naturalisation being granted to him;
- (b) that the applicant is of full capacity.

<sup>F37</sup>(1A) .....

(2) If the applicant does not possess the requisite qualifications in respect of residence, freedom from immigration restrictions, compliance with the immigration laws and knowledge of language and it is desired that the application should nevertheless be considered under paragraph 2 of Schedule 1 to the Act, it shall specify the special circumstances to be taken into consideration.

[<sup>F38</sup>(3) 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.]

**Textual Amendments**

- F36** Words in Sch. 2 para. 13(1)(a) inserted (1.11.2005) by [The British Nationality \(General\) \(Amendment\) Regulations 2005 \(S.I. 2005/2785\)](#), regs. 1(2), **4(a)**
- F37** Sch. 2 para. 13(1A) omitted (31.12.2020) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **80(5)** (with reg. 80(6))
- F38** Sch. 2 para. 13(3) inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(5)**

*Application under section 6(2) of the Act*

14.—(1) An application under section 6(2) of the Act shall contain information showing—

- (a) that the applicant is married to<sup>F39</sup>, or is the civil partner of,] a British citizen;
- (b) that the applicant possesses the requisite qualifications in respect of residence, freedom from immigration restrictions, compliance with the <sup>F40</sup>immigration laws, good character, knowledge of language and knowledge about life in the United Kingdom];
- (c) that the applicant is of full capacity.

<sup>F41</sup>(1A) .....

(2) If the applicant does not possess the requisite qualifications in respect of residence and compliance with the immigration laws and it is desired that the application should nevertheless be considered under paragraph 4 of Schedule 1 to the Act, it shall specify the special circumstances to be taken into consideration.

(3) 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 4(d) of Schedule 1 to the Act on the grounds of marriage to <sup>F42</sup>or civil partnership with] a person who is serving in Crown Service under the government of the United Kingdom or other designated service, it shall specify the nature of the service and contain information showing that recruitment for that service took place in the United Kingdom.

<sup>F43</sup>(4) 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.]

**Textual Amendments**

- F39** Words in Sch. 2 para. 14(1)(a) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 13 para. 5(2)(a)**
- F40** Words in Sch. 2 para. 14(1)(b) substituted (1.11.2005) by [The British Nationality \(General\) \(Amendment\) Regulations 2005 \(S.I. 2005/2785\)](#), regs. 1(2), **4(b)**
- F41** Sch. 2 para. 14(1A) omitted (31.12.2020) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **80(5)** (with reg. 80(6))
- F42** Words in Sch. 2 para. 14(3) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 13 para. 5(2)(b)**
- F43** Sch. 2 para. 14(4) inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(6)**

*Application under section 10(1) of the Act*

15. An application under section 10(1) of the Act shall contain information showing—
- (a) that the applicant renounced citizenship of the United Kingdom and Colonies;
  - (b) that at the time when he renounced it the applicant was, or was about to become, a citizen of a country mentioned in section 1(3) of the British Nationality Act 1948;
  - (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 the United Kingdom immediately before commencement or was married before commencement to a person who possessed the requisite qualifying connection with the United Kingdom immediately before commencement or would if living have possessed such a connection;
  - (e) that the applicant has not previously been registered under section 10(1) of the Act<sup>F44</sup>; and
  - (f) where the applicant is aged 10 or over, that he is of good character.]

**Textual Amendments**

- F44** Sch. 2 para. 15(f) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(7)**

*Application under section 10(2) of the Act*

- 16.—<sup>F45</sup>(1) An application under section 10(2) of the Act shall contain information showing—
- (a) that the applicant has renounced citizenship of the United Kingdom and Colonies and his reason for so doing;
  - (b) that the applicant possesses the requisite qualifying connection with the United Kingdom or has been married to<sup>F46</sup>, or has been the civil partner of,] a person who has, or would if living have, such a connection;
  - (c) that the applicant is of full capacity<sup>F47</sup>; and
  - (d) where the applicant is aged 10 or over, that he is of good character.]

<sup>F48</sup>(2) 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.]

**Textual Amendments**

- F45** Sch. 2 para. 16 renumbered as Sch. 2 para. 16(1) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(8)(a)**
- F46** Words in Sch. 2 para. 16(b) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 13 para. 5(2)(c)**
- F47** Sch. 2 para. 16(1)(d) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(8)(b)**
- F48** Sch. 2 para. 16(2) inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(8)(c)**

*Application under section 13(1) of the Act*

- 17.—<sup>[F49]</sup>(1) An application under section 13(1) of the Act shall contain information showing—
- (a) that the applicant has renounced British 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 citizenship was necessary to enable him to retain or acquire that other citizenship or nationality;
  - (d) that the applicant has not previously been registered under section 13(1) of the Act;
  - (e) that the applicant is of full capacity<sup>[F50]</sup>; and
  - (f) where the applicant is aged 10 or over, that he is of good character.]

<sup>[F51]</sup>(2) 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.]

**Textual Amendments**

- F49** Sch. 2 para. 17 renumbered as Sch. 2 para. 17(1) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(9)(a)**
- F50** Sch. 2 para. 17(1)(f) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(9)(b)**
- F51** Sch. 2 para. 17(2) inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(9)(c)**

*Application under section 13(3) of the Act*

- 18.—<sup>[F52]</sup>(1) An application under section 13(3) of the Act shall contain information showing—
- (a) that the applicant has renounced British citizenship and his reason for so doing;
  - (b) that the applicant is of full capacity<sup>[F53]</sup>; and
  - (c) where the applicant is aged 10 or over, that he is of good character.]

<sup>[F54]</sup>(2) 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.]

**Textual Amendments**

- F52** Sch. 2 para. 18 renumbered as Sch. 2 para. 18(1) (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(10)(a)**
- F53** Sch. 2 para. 18(1)(c) and word inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(10)(b)**
- F54** Sch. 2 para. 18(2) inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **4(10)(c)**

*Application under paragraph 3 of Schedule 2 to the Act*

**19.**—(1) An application under paragraph 3 of Schedule 2 to the Act shall contain information showing—

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

(2) 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 shall specify the special circumstances to be taken into consideration.

*<sup>F55</sup>Application under paragraph 3A of Schedule 2 to the Act*

**Textual Amendments**

**F55** Sch. 2 para. 19A 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), **2(2)(d)**

**19A.**—(1) An application under paragraph 3A of Schedule 2 to the Act must contain information showing—

- (a) that the applicant is and always has been stateless,
  - (b) that the applicant seeks British citizenship and possesses the requisite qualifications in respect of residence, and
  - (c) that the applicant is unable to acquire another nationality in accordance with sub-paragraph (2).
- (2) A person is able to acquire a nationality in accordance with this sub-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.

(3) For the purposes of sub-paragraph (2)(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.

(4) 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 must specify the special considerations to be taken into consideration.]

*Application under paragraph 4 of Schedule 2*

**20.**—(1) An application under paragraph 4 of Schedule 2 to the Act shall contain information showing—

- (a) that the applicant is and always has been stateless;
- (b) in respect of both the father and mother of the applicant, which of the following statuses, namely, British citizenship, British overseas territories citizenship, British Overseas

**Changes to legislation:** There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

citizenship or the status of a British subject under the Act, was held at the time of the applicant's birth;

- (c) that the applicant possesses the requisite qualifications in respect of residence;
- (d) if more than one of the statuses mentioned in sub-paragraph (b) above are available to the applicant, which status or statuses is or are wanted.

(2) 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 shall specify the special circumstances to be taken into consideration.

*Application under paragraph 5 of Schedule 2*

**21.** An application under paragraph 5 of Schedule 2 to the Act 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;
- (c) that the applicant seeks British citizenship or British Overseas citizenship and that that citizenship is available to the applicant in accordance with paragraph 5(2) of Schedule 2 to the Act.

<sup>F56</sup>SCHEDULE 2A

Regulation 5A

SPECIFIED ENGLISH LANGUAGE TESTS <sup>F57</sup>... AND ENGLISH SPEAKING COUNTRIES

**Textual Amendments**

- F56** Sch. 2A inserted (28.10.2013) by [The British Nationality \(General\) \(Amendment\) Regulations 2013 \(S.I. 2013/2541\)](#), regs. 1, 4
- F57** Words in Sch. 2A heading omitted (12.11.2015) by virtue of [The British Nationality \(General\) \(Amendment No. 3\) Regulations 2015 \(S.I. 2015/1806\)](#), regs. 1, **8(a)**

**Specified English Language Tests <sup>F58</sup>...**

<sup>F59</sup>**1.** .....

**Textual Amendments**

- F58** Words in Sch. 2A para. 1 heading omitted (12.11.2015) by virtue of [The British Nationality \(General\) \(Amendment No. 3\) Regulations 2015 \(S.I. 2015/1806\)](#), regs. 1, **8(b)**
- F59** Sch. 2A para. 1 omitted (1.10.2019) by virtue of [The British Nationality \(General\) \(Amendment\) Regulations 2019 \(S.I. 2019/1242\)](#), regs. 1(1), **2(3)**



*Changes to legislation:* There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

### Specified English Speaking Countries

2. The following countries are specified English speaking countries for the purposes of regulation 5A(1)(b)(ii) and (e)—

- (a) Antigua and Barbuda;
- (b) Australia;
- (c) the Bahamas;
- (d) Barbados;
- (e) Belize;
- (f) Canada;
- (g) Dominica;
- (h) Grenada;
- (i) Guyana;
- (j) Jamaica;
- [ Malta;]
- <sup>F60</sup>(ja)
- (k) New Zealand;
- (l) the Republic of Ireland;
- (m) Saint Christopher and Nevis;
- (n) Saint Lucia;
- (o) Saint Vincent and the Grenadines;
- (p) Trinidad and Tobago; or
- (q) the United States of America.]

#### Textual Amendments

**F60** Sch. 2A para. 2(ja) inserted (1.12.2020) by [The British Nationality \(General\) \(Amendment\) Regulations 2020 \(S.I. 2020/1141\)](#), regs. 1(1), **3(2)**

[<sup>F61</sup>SCHEDULE 2B

Regulation 5A

CERTAIN MEMBERS OF THE COMMONWEALTH  
AND BRITISH OVERSEAS TERRITORIES ETC.

#### Textual Amendments

**F61** Sch. 2B inserted (30.5.2018) by [The Immigration and Nationality \(Requirements for Naturalisation and Fees\) \(Amendment\) Regulations 2018 \(S.I. 2018/618\)](#), reg. 1(2), **Sch.**

Anguilla  
Antigua and Barbuda  
Australia  
The Bahamas



Bangladesh  
Barbados  
Belize  
Bermuda  
Botswana  
British Antarctic Territory  
British Indian Ocean Territory  
Brunei  
Canada  
Cayman Islands  
Cyprus, but excluding the Sovereign Base Areas of Akrotiri and Dhekelia (that is to say the areas mentioned in section 2(1) of the Cyprus Act 1960)  
Dominica  
Falkland Islands  
Fiji  
The Gambia  
Ghana  
Gibraltar  
Grenada  
Guyana  
Hong Kong  
India  
Jamaica  
Kenya  
Kiribati  
Lesotho  
Malawi  
Malaysia  
Maldives  
Malta  
Mauritius  
Montserrat  
Namibia  
Nauru  
New Zealand  
Nigeria  
Pakistan  
Papua New Guinea  
Pitcairn, Henderson, Ducie and Oeno Islands  
Saint Christopher and Nevis

*Changes to legislation:* There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

Saint Helena, Ascension and Tristan da Cunha  
Saint Lucia  
Saint Vincent and the Grenadines  
Samoa  
Seychelles  
Sierra Leone  
Singapore  
Solomon Islands  
South Georgia and the South Sandwich Islands  
South Africa  
Sri Lanka  
Swaziland  
Tanzania  
Tonga  
Trinidad and Tobago  
Turks and Caicos Islands  
Tuvalu  
Uganda  
Vanuatu  
Virgin Islands  
Zambia  
Zimbabwe]

SCHEDULE 3

Regulation 6

ADMINISTRATION OF [F62]CITIZENSHIP OATH OR PLEDGE]

**Textual Amendments**

**F62** Words in Sch. 3 heading substituted (1.1.2004) by [The British Nationality \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/3158\)](#), regs. 1, **5(a)**

1. Subject to [F63]paragraphs 2 and 3], [F63]a citizenship oath or pledge] shall be administered by one of the following persons:

- (a) in England and Wales or Northern Ireland—any justice of the peace, commissioner for oaths or notary public;
- (b) in Scotland—any sheriff principal, sheriff, justice of the peace or notary public;
- (c) in the Channel Islands, the Isle of Man or any British overseas territory—any judge of any court of civil or criminal jurisdiction, any justice of the peace or magistrate, or 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;

**Changes to legislation:** There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

- (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—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, any consular officer or any established officer of the Diplomatic Service of Her Majesty’s Government in the United Kingdom;
- (e) elsewhere—any consular officer, any established officer of the Diplomatic Service of Her Majesty’s Government in the United Kingdom or any person authorised by the Secretary of State in that behalf.

**Textual Amendments**

**F63** Words in Sch. 3 para. 1 substituted (1.1.2004) by [The British Nationality \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/3158\)](#), regs. 1, **5(b)**

2. If the deponent is serving in Her Majesty’s naval, military or air forces, the oath [<sup>F64</sup>or pledge] may be administered by any officer holding a commission in any of those forces, whether the oath [<sup>F64</sup>or pledge] is made <sup>F65</sup>...in the United Kingdom or elsewhere.

**Textual Amendments**

**F64** Words in Sch. 3 para. 2 inserted (1.1.2004) by [The British Nationality \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/3158\)](#), regs. 1, **5(c)**

**F65** Words in Sch. 3 para. 2 omitted (1.1.2004) by virtue of [The British Nationality \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/3158\)](#), regs. 1, **5(c)**

[<sup>F66</sup>3. Where a citizenship oath and pledge is required by section 42 of the Act to be made at a citizenship ceremony, it shall be administered at the ceremony:

- (a) in the case of a ceremony held in England, Wales or Scotland, by a registrar (within the meaning of section 41(3B) of the Act); and
- (b) in the case of a ceremony held elsewhere, by a person authorised to do so by the Secretary of State.]

**Textual Amendments**

**F66** Sch. 3 para. 3 inserted (1.1.2004) by [The British Nationality \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/3158\)](#), regs. 1, **5(d)**

**Textual Amendments**

**F67** Sch. 4 omitted (3.12.2007) by virtue of [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **5**

## SCHEDULE 5

Regulation 8

## REQUIREMENTS AS RESPECTS DECLARATIONS OF RENUNCIATION

1. A declaration shall be made in writing and shall state the name, address, date and place of birth of the declarant.
2. A declaration shall contain information showing that the declarant—
  - (a) is a British citizen, British Overseas citizen or British subject, as the case may be;
  - (b) is of full age or, if not, has been married [<sup>F68</sup>or has been a civil partner];
  - (c) is of full capacity;
  - (d) will, after the registration of the declaration, have or acquire some citizenship or nationality other than British citizenship, British Overseas citizenship or British subject status, as the case may be.

**Textual Amendments**

**F68** Words in Sch. 5 para. 2(b) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 13 para. 5(3)**

[<sup>F69</sup>**2A.** 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.]

**Textual Amendments**

**F69** Sch. 5 para. 2A inserted (3.12.2007) by [The British Nationality \(General and Hong Kong\) \(Amendment\) Regulations 2007 \(S.I. 2007/3137\)](#), regs. 1(1), **6**

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

[<sup>F70</sup>SCHEDULE 6

Paragraph 5 of Schedule 1

Waiver request for the knowledge of language and life in the UK requirement — medical opinion

**Textual Amendments**

**F70** Sch. 6 inserted (9.8.2018) by [The British Nationality \(General\) \(Amendment\) Regulations 2018 \(S.I. 2018/851\)](#), reg. 1(1), **Sch.**

## Waiver request for the knowledge of language and life in the UK requirement – medical opinion

This form is to support a request for waiver from the knowledge of language and life in the UK requirement, for a person applying for settlement in the United Kingdom or naturalisation as a British citizen. It must be completed by a General Medical Council registered medical practitioner who is able to comment on the individual's condition.  
Applicant's name:

Date of birth:

In your professional opinion please state:

1. What is the nature of the person's condition?
2. How does their condition impact on their daily life?
3. How would this condition prevent them from learning English? There are a number of ways to learn English, including classes and home study. The language requirement for citizenship and settlement is only for speaking and listening skills – not reading and writing.
4. How would this condition prevent them from studying for the knowledge of language and life in the UK test? The study materials are available in a number of formats including audio.
5. How would this condition prevent them from sitting the knowledge of language and life in the UK test or taking an English test? The knowledge of language and life in the UK test can be taken in an audio form, and that test centres can cater for a range of disabilities. It is computer-based and comprises 24 questions with multiple choice answers. Candidates are allowed 45 minutes and the pass mark is 18 correct answers.
6. In your opinion is this condition likely to improve sufficiently for them to be able to study and take the required tests? If so, is this likely to do so within the next 2 years?
7. In what capacity you have dealt with this person, for example as GP, consultant, other medical professional?
8. Have you worked professionally with this person other than for the purposes of this report, and over what period?

Please state your profession/qualifications and any registration number(s).

Signature:

Date:

Name in capitals:

**Changes to legislation:** There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003. (See end of Document for details)

.]

**Changes to legislation:**

There are currently no known outstanding effects for the The British Nationality (General) Regulations 2003.