

2019 No. 1242

BRITISH NATIONALITY

**The British Nationality (General) (Amendment) Regulations
2019**

<i>Made</i> - - - -	<i>6th September 2019</i>
<i>Laid before Parliament</i>	<i>9th September 2019</i>
<i>Coming into force</i> - -	<i>1st October 2019</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 41(1)(ba) of the British Nationality Act 1981(a):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the British Nationality (General) (Amendment) Regulations 2019 and come into force on 1st October 2019.

(2) In these Regulations, “the 2003 Regulations” means the British Nationality (General) Regulations 2003(b).

Amendments to the 2003 Regulations

2.—(1) Regulation 5A (knowledge of language and life in the United Kingdom) of the 2003 Regulations(c) is amended as follows.

(2) For paragraph (1)(a) substitute—

“(1)(a) has passed a test known as a Secure English Language Test administered by an English language test provider which has been approved by the Secretary of State for this purpose and which-

- (i) is at a level equivalent to level B1 or above on the Council of Europe’s Common European Framework of Reference for Languages: Learning, Teaching, Assessment; and
- (ii) was taken no more than two years before the date of the application for naturalisation; or”.

(3) In schedule 2A of the 2003 Regulations (Specified English Language Tests . . . and English Speaking Countries) omit paragraph(1)(d).

(a) 1981 c. 61; section 41(1)(ba) inserted by ss1(3) of the Nationality, Immigration and Asylum Act 2002 (c. 41).
(b) S.I. 2003/548; relevant amending instruments are S.I. 2004/1726, 2005/2785, 2013/2541, 2015/681, 2015/1806, 2018/618.
(c) Regulation 5A was inserted by S.I. 2004/1726 and substituted by 2005/2785, 2013/2541 and 2015/681.
(d) Schedule 2A was inserted by S.I. 2013/2541 and amended by 2014/1465 and 2015/681.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations amend the British Nationality (General) Regulations 2003 (“the 2003 Regulations”), which detail the procedures and requirements relating to applications in connection with British nationality made under the British Nationality Act 1981 (“the 1981 Act”).

Regulation 2 amends regulation 5A of the 2003 Regulations, which sets out how applicants for naturalisation as a British citizen under section 6 of the 1981 Act must demonstrate sufficient knowledge of the English language and life in the United Kingdom. Paragraph 2 amends the 2003 Regulations so that a person will have sufficient knowledge of the English language for the purpose of an application for naturalisation as a British citizen under 6 of the 1981 Act if they have passed a Secure English Language Test which: is at a level equivalent to level B1 or above on the Council of Europe’s Common European Framework of Reference for Languages: Learning, Teaching, Assessment; was taken at an approved English language test provider; and was taken no more than two years before the date of the application for naturalisation. A list of Secure English Language Tests and approved test providers is published on the UK Visas and Immigration pages of Gov.uk. A hard copy is available from the Nationality Policy Team, Home Office, 2 Marsham Street, London SW1P 4DF.

No impact assessment has been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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