



Home Office

## **Guide BOTC(F)**

Registration as a British Overseas Territories citizen and/or a British citizen  
– A guide for certain persons born before July 2006 to unmarried fathers connected to a British overseas territory

October 2023

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# About this guidance

British Overseas Territories citizenship (BOTC) is a form of British nationality held through a close and continuing connection with a British overseas territory. The vast majority of people who hold BOTC also hold British citizenship.

This guidance describes how certain people, who missed out on acquiring British nationality at birth because their unmarried father could not pass on status, can now make an application to correct that. This change was introduced in the Nationality and Borders Act 2022 and applications can be made from 28th June 2022.

For an application to succeed you will need to show that you satisfy a number of requirements that are set out in British nationality law. This guide summarises the legal requirements to apply for registration and aims to help you to make a successful application.

## Terms used in this guidance

The name given to the nationality held by people who have a close and ongoing connection to the overseas territories has changed over time:

- Before 1949, the term used was British subject.
- From 1949 to 1982, the term used was Citizen of the United Kingdom and Colonies (CUKC).
- From 1983 to 2002, the term used was British dependent territories citizen (BDTC).
- Since 2002, the term used is British overseas territories citizen (BOTC).

In this guidance, we are using the term “**BOTC fathers**” to describe men who became a BOTC in 2002 (or would have done had they not died before that date). It therefore includes men who may also have held one or more of the earlier statuses. It also therefore excludes fathers connected to countries which did not become an overseas territory in 2002.

In this guidance, we are using the term “**settled fathers**” to describe men who lived in an overseas territory and had no immigration restrictions on the time for which they could live there.

In this guidance, we use the term “**natural father**” to refer to your biological parent.

In this guidance, we use the term “**unmarried**” to describe a natural father who is not married to your mother.

For more information on BOTC status see the [BOTC guidance](#).

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# Applying for BOTC and British citizenship at the same time

We recognise that people who missed out on acquiring BOTC because unmarried BOTC fathers could not pass on British nationality in the same way as married men, may also have missed out on acquiring British citizenship.

Where this is the case, the application process will allow you to register as both a BOTC and a British citizen at the same time.

You will be asked on your application form if you do not wish to apply for British citizenship, but otherwise it will be assumed that you are applying for both statuses where you qualify for them. This means you don't have to make two separate applications.

If you already hold British citizenship through other means, but not BOTC, you will also be able to tell us that when you apply.

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# Becoming a citizen

Anyone aged 18 or over who is becoming a BOTC is required to make an oath and pledge before they receive their registration certificate.

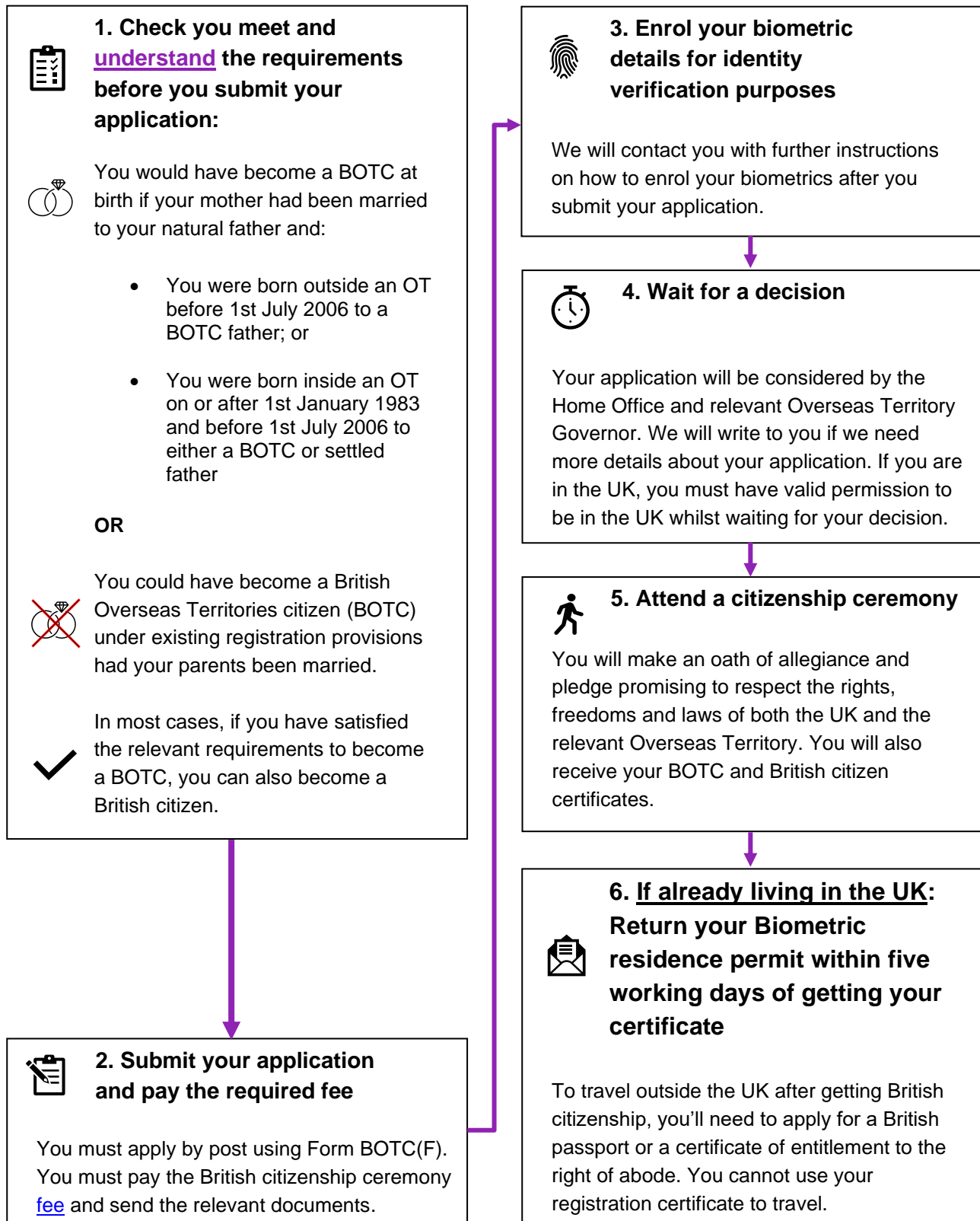
Anyone aged 18 or over who is becoming a British citizen is required to make an oath and pledge at a citizenship ceremony before they receive their registration certificate.

As with the application, we will combine together these events so that you can give both oaths and pledges on one occasion.

You will become a BOTC and/or a British citizen from the date on which you receive your certificates.

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# Applying for both British Overseas Territories citizenship and British citizenship





# The requirements you must meet

You will be entitled to registration if you meet these requirements:

- You were born outside of a British overseas territory, to an unmarried BOTC father.
- If unmarried BOTC fathers had been able to pass on British nationality in the same way as married BOTC fathers, you would have become a British national at birth and a BOTC after 2002.

**OR**

- You were born on or after 1st January 1983 inside a British overseas territory, to an unmarried BOTC father or an unmarried settled father.
- If unmarried BOTC fathers or unmarried settled fathers had been able to pass on British nationality in the same way as married BOTC fathers or married settled fathers, you would have become a British national at birth and a BOTC after 2002.

**OR**

- You could already have become a BOTC under other registration provisions had they applied to unmarried BOTC fathers and unmarried settled fathers in the same way they did for married BOTC fathers and married settled fathers.

## How someone became a BOTC father

- Until 1983, people born in a place which is now a British overseas territory were normally CUKCs (and called British subjects before 1949). A person could also become a CUKC through registration or naturalisation.
- On 1 January 1983, CUKCs through a connection with a territory became British Dependent Territories citizens (BDTCs). This included people who were born, registered or naturalised in a territory, or whose parent was born in a territory.
- On 26 February 2002, everyone who was a British Dependent Territories citizen before that date was renamed a British Overseas Territories citizen. Most BOTCs also became British citizens that year.

## How someone became a settled father

- Overseas territories set out immigration requirements for people who wish to reside in a territory.

- These may be for a limited period (e.g., permission to study for three years) or can be an indefinite permission, often referred to as permanent residence.
- For nationality purposes, settled refers to someone resident in an overseas territory and without any immigration limits on the time for which they can remain there.

## How someone missed out on British nationality

- Before 1 July 2006 unmarried fathers were not allowed to pass on nationality.
- A child born outside of an overseas territory to an unmarried BOTC father before that date could not acquire British nationality from him.
- By contrast, a married BOTC father could pass on that status to a child born overseas.
- Up until 1983 this did not affect children born in an overseas territory as, at that time, being born in a territory was sufficient to become a British national.
- However, from 1983 a child born in an overseas territory only became a British national if, at the time of their birth, their parent was a BOTC themselves or settled in that overseas territory.
- Until 1 July 2006 an unmarried BOTC father or an unmarried settled father was not classed as a child's parent for nationality purposes.
- By contrast, the child would be a BOTC if their natural father was a married BOTC father or a married settled father.
- In addition, there are registration provisions which allow a child born from 1983 to register as a British national where their parent becomes a BOTC or settled after they are born.
- Until 1 July 2006, these registration provisions could not be used by a child whose unmarried father's status had changed.
- By contrast, the child would be able to register if it was the status of their married father which had changed in this way.

Some countries (such as the USA or New Zealand) do not make a distinction between whether a child's parents are married or not. Where the parents are not married a person may have a claim to British citizenship through their father if he was domiciled in a country whose laws (at the time of the birth) did not distinguish between children of married or unmarried parents. Our guidance on this is published on [GOV.UK](https://www.gov.uk).

## Who can register?

You will generally be able to register under these provisions if you were:

- Born outside of an overseas territory before 1st July 2006 and your unmarried father was born, naturalised or registered in a British overseas territory before you were born.
- Born inside an overseas territory between 1st January 1983 and 30th June 2006 inclusive, and your unmarried father was born, naturalised or registered.
- in a British overseas territory before you were born; or was settled in an overseas territory before you were born.
- Born before 1st July 2006, and your unmarried father became a BOTC or settled after you were born, but existing registration provisions cannot be used because your parents weren't married.
- Born on or after 1<sup>st</sup> July 2006, but you did not become a BOTC because your mother was married to someone other than your natural father

Example:

Mary was born in the USA in 1980. Her father was born in Bermuda, which is an overseas territory. He was not married to Mary's mother. If unmarried BOTC fathers had been able to pass on citizenship in 1980, Mary would have become a CUKC at birth. She would have become a BDTC in 1983 and then both a BOTC and a British citizen in 2002.

She can apply using the BOTC(F) form – this application form allows you to apply for both citizenships at the same time.

Example:

Toby was born in the USA in 1969. His father was born in Montserrat, an overseas territory. His father did not marry Toby's American born mother. If unmarried BOTC fathers had been able to pass on citizenship in 1969, Toby would have become a CUKC at birth, then a BDTC, BOTC, and from 2002, a British citizen.

He can apply using the BOTC(F) form – this application form allows you to apply for both citizenships at the same time.

Example:

Emma was born in the British Virgin Islands, an overseas territory, in 2004. Her father was a BOTC and her mother was not settled. They were not married. If unmarried BOTC fathers had been able to pass on citizenship in 2004, Emma would have become a BOTC and a British citizen at birth.

She can apply using the BOTC(F) form – this application form allows you to apply for both citizenships at the same time.

**Example:**

Lydia was born in Anguilla, an overseas territory, in 2005. Her father and mother were not settled in Anguilla at that time and are not married. In 2008, Lydia's father becomes settled in Anguilla.

If Lydia's father was married to her mother then, while still under 18, she would be able to register as a BOTC now that he is settled. However, as her parents are not married she is not able to use the existing registration provisions.

She can apply using the BOTC(F) form – this application form allows you to apply for both citizenships at the same time.

**Who else can register?**

Citizenship of the UK and Colonies could normally only be passed on to one generation born outside an overseas territory. This means that normally your unmarried BOTC father would need to have been born, naturalised or registered in an overseas territory before you were born, and that you were the first generation born overseas after that.

However, there are some scenarios where, even if your unmarried BOTC father was himself the first generation born outside an overseas territory, you may still be able to register using the BOTC(F) form. This could be where:

- You were born, or your unmarried father was born, in a British protectorate, protected state, mandated territory or trust territory, or in any foreign place in which British subjects came under British extraterritorial jurisdiction, or
- you were born in a non-Commonwealth country, or
- your unmarried father was in Crown service under the United Kingdom government at the time of your birth, or
- you were born in Ceylon/Sri Lanka.

**Example:**

Ted was born in the USA, a non-commonwealth country, in 1980. His unmarried father was also born in the USA and his father (Ted's grandfather) was born in Bermuda, which is an overseas territory.

Although Ted is the second generation born outside of an overseas territory, it would have been possible (until 1983) to register his birth at the British consulate in New York, as USA is a non-commonwealth country. However, unmarried fathers were not able to do this.

Had his unmarried father been allowed to register his birth, Ted would have become a CUKC at that time, a BDTC in 1983, and then both a BOTC and a British citizen in 2002.

He can apply using the BOTC(F) form – this application form allows you to apply for both citizenships at the same time.

To apply under these provisions, you will need to prove your relationship with your natural father. To do this you will have to provide evidence of paternity. See the section on “Proof of Paternity”.

## Legitimation

If your parents married after your birth, you may already be a BOTC and/or a British citizen. This will depend on which country’s laws applied to your father at the time of the marriage. Some countries’ laws – including the UK’s – state that where a child’s parents marry after the child’s birth, the child will be treated as if the parents had been married at the time of the birth.

If your parents married after your birth you may wish to seek advice from an immigration adviser. Our guidance on this is published on [GOV.UK](https://www.gov.uk).

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# What you will need to provide

## Evidence of identity

You should provide one of the following:

- Your current passport
- Your birth certificate
- National identity card
- Your photo driving licence
- A bank, building society or credit card statement issued to you within the last 6 months
- Biometric Residence Permit issued by the Home Office
- Home Office travel document
- Home Office entitlement card

If you have changed name and/or gender and do not have, or cannot obtain, any of these documents in your acquired identity you are also required to provide evidence of that change. This can include:

- a [Gender Recognition Certificate](#) or an official document confirming your acquired gender, or
- a letter from your doctor or medical consultant confirming that your change of gender is likely to be permanent
- change of name deed poll
- marriage certificate
- a civil partnership certificate

## Documentary evidence that (had the law been different) you would have become a BOTC

You will need to provide the following documents:

- Your passport.
- Your full birth certificate and either:
  - Your father's full birth certificate, or
  - Your father's certificate of naturalisation or registration as a BDTC or BOTC or as a citizen of the United Kingdom and Colonies (or, before 1 January 1949, as a British subject), or
  - Papers showing your father's legal adoption, or

- Your father's citizen of the United Kingdom and Colonies or British citizen passport showing he had that status before you were born, or
- Evidence that he was settled in the UK at the time of your birth if you were born in the UK on or after 1 January 1983.

## Proof of Paternity

If your natural father was named as your father on a birth certificate issued within 12 months of your birth and you were born before 10 September 2015, this will be acceptable evidence of paternity. If not, you must provide other evidence. This could include:

- a DNA test report. We will accept test results from a company that is on the [government's accredited list](#).
- a court order.
- a birth certificate.
- **other evidence that proves you are related as claimed.**

Please provide any translations if these are applicable.

## Consent

If the person applying is under 18, the consent of all those with parental responsibility should be provided.

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# Referees

Your application must be endorsed by 2 referees.

One referee can be of any nationality but must be a [professional person](#). A professional person could include:

- a minister of religion
- civil servant
- a member of a professional body such as an accountant or a solicitor (but not one who is representing you with this application).

The other referee must be the holder of a British citizen passport and either a [professional person](#) or over the age of 25.

Each referee must have known you for at least 3 years.

Each referee must not be:

- related to you
- related to the other referee
- your solicitor or agent representing you with this application
- employed by the Home Office

We will not usually accept a referee who has been convicted of an imprisonable offence during the last 10 years.

Checks may be carried out to ensure that the referees do not have unspent convictions and are qualified to act for you and that their signatures are genuine. It is a criminal offence to provide false information knowingly or recklessly, punishable with up to 3 months imprisonment or by a fine not exceeding £5,000 or both under section 46(1) of the British Nationality Act 1981.

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# Understanding the process

## Before you apply

Please ensure you have the correct documents before you apply. You should indicate in the space provided what documents you have supplied and why. These documents will be held with application throughout the process. Before making any travel plans, it is worth bearing in my that we will need to keep your passport whilst your application is being processed.

## If you have already been a BOTC

If you have previously been a British overseas territories citizen or British dependent territories citizen, you cannot apply for registration as a BOTC under this provision.

If you are already a British overseas territories citizen, you can apply for British citizenship if you meet the requirements.

## Dual nationality

Dual nationality (sometimes called [dual citizenship](#)) is when someone holds British nationality and the nationality of at least one other country at the same time.

The UK recognises dual nationality and allows British nationals who have dual nationality, to hold a British passport.

Before applying, you should be aware that not all countries allow dual citizenship and you may therefore lose, or have to give up, your existing nationality in order to become a British citizen. If you have any questions about this, you should seek advice from the country of which you are already a citizen before making your application.

## Getting help making an application

You may, if you wish, use the services of an agent such as a solicitor or other competent adviser to help you with your application.

Immigration or nationality advisers acting in the course of business (whether paid or unpaid) are regulated by the Office of the Immigration Services Commissioner (OISC), an

independent body. Nationality advice should only be provided by a person who works for an organisation registered with, or exempted by, the OISC or who is authorised to practise (like solicitors and barristers) by a designated professional body. Certain categories (for example public health bodies) are exempted from the regulatory scheme by Ministerial Order. It is a criminal offence to provide advice or services in contravention of the regulatory scheme. Further information about the regulatory scheme and a full list of OISC regulated advisers is available on its website at [www.oisc.gov.uk](http://www.oisc.gov.uk).

## When to apply

You can apply using this route from 28 June 2022. There is no time limit on applications – you can apply at any time.

If you would have a route to registration under one of the existing registration provisions if your parents were married, you may need to apply before you are 18.

You should time your application for a time when it is convenient to send us your documents.

## How to apply

At the moment applications must be made using the paper form. An online application process will be introduced later, but we did not want to delay you being able to apply.

All applications will be considered by the Home Office in the United Kingdom.

Send your application to:

Department 162  
UKVI  
The Capital  
New Hall Place  
Liverpool  
L3 9PP

## If you can apply under more than one route

It is possible that you might be able to apply for BOTC and British citizenship through a connection with both your mother and your father. You can choose whether to apply on this form or the one for people with BOTC mothers. You may wish to think about the evidence you would need to provide and choose the route that is easiest for you.

## Fees

There is no application fee to apply for British citizenship if you would have acquired that status automatically had your parents been married, but you will need to pay the ceremony fee if you are over the age of 18. You need to send this with your application, using the [payment slip](#).

If you would qualify for *registration* if your parents were married, you will need to pay a fee. Fees are listed on our [fees page](#).

British overseas territories are responsible for the fees for BOTC applications. You may wish to check with the territory that you have a connection with to see if they will charge a fee.

## Sending documents

You will need to send original documents (unless you are in the UK and can upload them to Sopra Steria). We will return them once the application is complete

If you do not have all the documents on the list, you may still be able to apply. We will look at all the information available and see if there is enough to show that you would have been, or been able to become, a BOTC and British citizen if your parents had been married.

## Biometric Enrolment (if you are also applying for British citizenship)

You will need to enrol your biometric details to verify your identity as part of the application process. You will usually need to complete this step of the application process within 45 days of submitting your application and failure to do so would invalidate your application.

You will be provided with instructions explaining where and how you need to enrol your biometric information after you have submitted your application. If you are in the UK, we may be able to re-use biometrics previously provided with earlier immigration applications.

## Application Processing Times

We aim to conclude applications within 6 months from the date on which we receive your application. Please do not contact us within this timeframe to request an update on your application – we will get in touch if we need any more information to help us make a decision.

## Travel after submitting an application

Before making any travel plans, it is worth bearing in my that we will need to keep your passport whilst your application is being processed.

Please be aware that you will usually be required to [enrol your biometric information](#) within 45 days of submitting your application. You will receive instructions on how to provide your biometric details once you have submitted your application.

In addition, please note that should we grant an application, there is a 90-day period where you will need to arrange attendance at a [citizenship ceremony](#) or give an oath and pledge.

Please bear in mind that a citizenship application does not provide you with immigration permission in the UK or a territory and you may need to demonstrate your entitlement to re-enter the UK or territory.

You should ensure that we are able to contact you quickly if we have any queries about your application.

## The status you will get - British overseas territories citizenship by descent and otherwise than by descent

All British overseas territories citizens (BOTCs) hold that status either 'by descent' or 'otherwise than by descent'. Whether an individual holds BOT citizenship by descent or otherwise than by descent will determine whether they can pass the status on to their children born outside the British overseas territories. It does not affect any other rights or privileges that go with this status. BOTCs by descent cannot normally pass this status on to children born outside of the British Overseas Territories. The exception to this is where their parent was serving outside of the British overseas territory in Crown or similar service. BOT citizens otherwise than by descent automatically pass their citizenship to their children regardless of where they are born.

If you register as a BOTC under this route you will be a BOTC by descent if:

- you would have been able to register as a BOTC under section 17(2) had your parents been married. This was if your parent was a BOTC by descent and lived in a territory for a period of 3 years before you were born.
- you would automatically have become a BOTC by descent had your parents been married.

In all other cases you will be a BOTC otherwise than by descent.

If you are resident in an overseas territory, and aged 18 or over, you may wish to consider applying for naturalisation, as that would give BOTC otherwise than by descent which would allow you to be able to pass on that citizenship to any children born abroad to you in the future.

If you become a BOTC by descent and are also registered as a British citizen, you will become a British citizen by descent.

Further information about the requirements for citizenship can be obtained on [GOV.UK](https://www.gov.uk).

## Citizenship Ceremonies

### BOT citizenship

If you are an adult at the time that you are registered, you will have to make a citizenship oath and pledge. Making the Oath and Pledge is a legal requirement, and the point at which you will become a BOTC.

If you are living in a territory, you will be invited to make the oath and pledge where you are living.

If you are living abroad, you will be invited to make the oath and pledge at the embassy or consulate in the country you are living in.

If you are becoming both a BOTC and British citizen, you will be invited to make the BOTC oath and pledge at a ceremony, along with the oath and pledge for British citizenship. You will receive both certificates at the ceremony.

### Ceremony for applicants applying for both BOTC and British Citizenship or British Citizenship only

If your application is successful, you will need to attend a citizenship ceremony. The Home Office will contact you about how to arrange a ceremony. We expect you to arrange to attend a ceremony within 3 months of receiving your invitation otherwise it will expire, and you will have to reapply for registration and pay a further processing fee (if applicable).

If you are living in a territory, you will be invited to attend a ceremony in that territory.

If you are outside the UK, arrangements will be made for you to make the oath/affirmation and pledge at a ceremony, this will take place at the British Embassy, High Commission, Consulate, Governor's Office or Lieutenant Governor's Office.

If you are in the UK, you will be invited to attend a ceremony in the UK.

At ceremonies for British citizenship, you will be asked to affirm or swear an oath of allegiance to His Majesty the King and to pledge your loyalty to the UK. Following this you will be presented with your certificate of registration as a British citizen. Making the Oath (or Affirmation) and Pledge at a citizenship ceremony is a legal requirement, and the point at which you will become a British citizen.

Successful applicants are rarely exempt from ceremonies although an applicant may be exempted where he or she is physically unable to attend or if their mental state would make it inappropriate to attend. If you wish to be exempt, you should say why and provide supporting evidence.

If you have special needs or concerns about saying the Oath (or Affirmation) and Pledge in English, you should bring these to the attention of the person arranging the ceremony once you have received your invitation. Please be assured that the wording is of a level that a person who has met the language requirement should be able to understand.

## Next steps

### **Returning your Biometric Residence Permit (BRP)**

If you have a BRP issued by the Home Office, you must send it back to the Home Office within 5 working days of getting your certificate of British citizenship.

Please cut your BRP into 4 pieces and put it in a windowless envelope.

Please enclose a note saying you are returning your permit because you have become a British citizen. Include your name, date of birth and the document number (found on the front of the card) in the note.

Naturalisation BRP Returns  
PO Box 195  
Bristol  
BS20 1BT

Please note that you may be fined up to £1,000 if you do not return your permit within 5 working days.

## Passports

If you wish to obtain a British passport you will need to make a separate application. Information about applying for a passport is on [GOV.UK](https://www.gov.uk).

## Travelling to and from the UK after becoming a British citizen

Once you have successfully registered as a BOTC and/or a British citizen, for travel purposes, you can apply for either a BOTC or British citizen passport or both.

You can apply for a BOTC passport by going to the relevant territory's website.

For those who have registered as a British citizen, you can [apply for a British passport](#) or for a [certificate of entitlement to the right of abode](#) that can be placed in a valid foreign passport or BOTC passport. You will not be able to enter the UK using your BRP or digital status, or by presenting your citizenship certificate at the UK border.

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# Citizenship-related queries

If, having read the information set out in this guidance, you have questions about applying for BOT citizenship and British citizenship, you can email the Citizenship and Nationality Enquiries team at [NationalityEnquiries@homeoffice.gov.uk](mailto:NationalityEnquiries@homeoffice.gov.uk).

You should also contact them to let them know if your circumstances change.

If you've not had a response, we recommend checking your email's spam or junk folder before contacting UKVI again.

Alternatively, you can get in touch via telephone on +44 (0)300 790 6268. You will need to select option 2, then option 2 again. You can get in touch Monday to Thursday from 9am to 4:45pm, or Friday, 9am to 4:30pm. Information about call charges can be found [here](#).

If you cannot contact UK 0300 numbers, use +44 (0)203 875 4669.

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