

Aug/01
Nationality Instructions
Procedural section ROCEDURAL SECTION
Declarations

1. If the applicant has neglected to include a declaration with the application confirming the truth of the information given, it should normally be returned. (See Chapter 6.3 Volume I for guidance on situations where such action would be appropriate)
2. Where applicants are unable to sign the declaration because of a physical disability or because of illiteracy, they may make their mark in place of the usual signature. In exceptional circumstances, where applicants are incapable of making a mark, another person may complete the declaration on their behalf. Such an application would only be valid, however, if made with the knowledge and consent of the person concerned.

3. Witnessing of marks

- 3.1 A cross or thumb mark can be regarded as sufficient for the purposes of the declaration, but it should be witnessed by a person who signs and dates the statement (beside the declaration) in the following terms: "I confirm that this application has been made and understood by and this is his/her mark".
- 3.2 Applications bearing an unwitnessed mark should be returned to the applicant to be witnessed as above. However, if there is some evidence to suggest that the applicant has genuinely made the application (e.g. a passport or other document 'signed' in the same way which has been accepted officially), there is no need to ask for the mark to be witnessed.
- 3.3 A refusal to have the mark witnessed may constitute grounds for considering refusal of the application if this should happen the case should be referred to Nationality Policy and Special Cases Unit (NPSCU).
- 3.4 When an illiterate applicant is subsequently required to take the oath of allegiance, we should compare the mark made on the application form with that given at the oath stage to satisfy ourselves of the applicant's identity. We need to be sure that the person who applied and the person to whom we are about to grant citizenship are one and the same.

4. Out of date declarations

4.1 An application received in the Home Office more than 6 months after the declaration has been signed should be returned to the applicant for the declaration to be re made unless we are reasonably sure that the information contained in it remains accurate. This is:

- to ensure that the information given on the application is up to date
- to cover the position whereby proceedings can be instituted under s.46 of the 1981 Act (false statements etc)