

## Names

### 1. Change of name

1.1 There is nothing in the law of the United Kingdom to prevent people from changing their name simply by using another one and gradually becoming known by it. A person who wishes to evidence the change may do so by advertising it in the local press, by making a statutory declaration, or by executing a deed poll. However, where that person is applying for British citizenship, we should ensure that there is a clear audit trail establishing the change of name and that the person concerned clearly meets the statutory requirements.

Guidance on how names can be changed on Home Office documents can be found on [GOV.UK](http://GOV.UK).

1.2. Guidance issued with application forms advises applicants that they should ensure that the details provided are correct, as these will be entered on their certificate of citizenship. We would normally expect the name used to be the one that is on a person's current passport, travel document or Biometric Residence Permit, unless there are exceptional circumstances that would seriously adversely affect their life in the UK (see paragraphs 18 to 25 of the change of name policy). We will not normally issue a certificate of registration or naturalisation in a name that differs from a person's official documents.

People who marry or enter a civil partnership and decide to change their name, and who wish to be naturalised in their married name, must change the name on their other passport(s), travel documents and national identity card(s) to reflect that name before submitting their application. This is to avoid a person having official documents in more than one identity, and is consistent with the policy for issuing BRPs.

1.3. If a person has completed the application form using a name that is different to that on the official documents we should contact the applicant/agent to request an explanation for the discrepancy and advise that we will not normally grant citizenship in an "unofficial" name. We should also point out that, if the name on a naturalisation certificate does not match other official documents, HMPO will not issue a British passport. The person may be given an opportunity to obtain official documents in the correct identity. If a person wants to have the certificate issued in a name that does not reflect their official documents and is unwilling or unable to obtain official documents with the new name, the case should be discussed with an EO caseworker or Senior Caseworker before refusing.

1.4. If a person has changed their name, and we have established that the name on the application form is the one used for all purposes, we should ensure that all

character checks have been made in current and previous names and that the change of name is not being used to either hide past criminality or because of deception in previous immigration applications. If it is suspected that a person used false details in the past, the application should be considered against the deception criteria at in Annex D to Chapter 18.

1.5. Where a change of name has taken place, we should normally ensure that the name at birth is included on the certificate, although this can be omitted if there is a good reason for this, e.g. because the person has been adopted or is no longer living in the gender they were recorded as having at the time of their birth.

## **2. Change of gender**

2.1. Where an applicant has changed gender it is likely that the name at birth will be different from the current name. We need to be certain that the applicant and the owner of the supporting documents are the same person. Where the name change is not evidenced by a deed poll or statutory declaration we should see the applicant's gender recognition certificate (see entry in Volume 2, General Information, "GENDER RECOGNITION ACT").

2.2. Where a transgender person applies to become a British citizen, they will normally be naturalised in the name and gender contained in their passport, Home Office Travel Document and national identity card. However, when they have been unable to obtain a passport from their country in their acquired gender and were issued with a BRP in their acquired name and gender they can be issued with a naturalisation certificate in the identity contained on their BRP.

2.3 Transgender people who hold non-British passports and identity cards in their former name and gender must be advised that they will not be able to obtain a British passport in their acquired name and gender, unless they align their other passport(s) or identity card(s) to reflect their acquired name and gender. Where a person claims they are unable to change their foreign passport the caseworker must refer the case to a senior caseworker.

2.4. From 3 December 2007 there is no legal requirement for a person's name at birth to be included on a certificate of naturalisation. If a person has changed gender and does not wish the name at birth to be on the certificate, we should not include this information.

2.5. Where the applicant does hold a gender recognition certificate care must be taken to ensure that we do not disclose, to a third party, the applicants name at birth. This is because this information is protected under the terms of the Gender Recognition Act and its disclosure can lead to prosecution.

2.6. It is not our usual policy to alter a certificate of registration or naturalisation, after it has been issued (see below), but where a person has changed gender we should, if requested, re-issue the certificate omitting the name at birth.

### 3. Passport Office names policy

3.1 HMPO will normally use the name contained in the applicant's other passport when issuing a UK passport. This is to ensure the name being used is for all official purposes.

3.2 Where the person's name includes one or more of the following:

- numbers or symbols;
- punctuation marks other than hyphens or apostrophes;
- vulgar language which is offensive or is deliberately or inadvertently likely to offend sectors of the community;
- wording that promotes criminal activities;
- a name that appears to be made for frivolous purposes;
- a trade marked name, or is subject to copyright;
- wording that is obviously made for purely commercial reasons;
- a combination of names which makes up a phrase or saying not normally considered to be a name; or
- a presumed title that is likely to cause confusion about the status of the person

Caseworkers should refer the case to an EO Caseworker who will consult HMPO colleagues about whether the person's name is likely to result in them being refused a British passport. Where HMPO consider the person's name to be unacceptable the case **must** be referred to a senior caseworker, even if the person holds other passports and identity documents in that name.

3.3 Where a person holds a non-UK passport or naturalisation or registration certificate in a name that is unacceptable for UK passports, HMPO may refuse to issue the applicant a UK passport. Should the person want to continue using their non-UK passport in a name considered unacceptable for UK passports, they should be advised that they are likely to be refused a British passport in that name and may need to consider applying for a [Certificate of Entitlement](#) instead of a British passport.

#### 4. Alterations to certificates after issue (known as 're-rolls')

4.1. A certificate of registration or naturalisation is issued on the basis of the information supplied by the applicant at the time of application and cannot be altered. Those who change their name after they have been naturalised or registered, and ask for their certificate to be altered to show the new name, should be advised that:

- it is not the normal practice of the Home Office to alter a certificate once it has been issued, and
- they should evidence the change by executing a deed poll or making a statutory declaration and to produce this document whenever they produce the certificate of naturalisation or registration

NB – see section 5.4 for guidance on re-issuing certificates after a change in gender.

#### 4.2. Alteration by the Home Office

4.2.1 Requests for amendments to be made to certificates where there has been a Home Office error should normally be referred to the caseworking team that was responsible for making the mistake.

4.2.2 If the responsible team no longer exists or the certificate was issued prior to the computerisation of Nationality records (1 October 1986) the certificate should be sent to the Citizenship Ceremony Support Team to deal.

4.2.3 Should the EO caseworker decide that issuing a re-roll is not appropriate but an endorsement on the certificate may be more suitable, the certificate and supporting documentation should be sent to the Citizenship Ceremony Support Team to consider.

4.2.4 As a general rule, no guarantees should be given that the details on a certificate will be amended in advance of a written request being received and considered by the appropriate group or section.

#### 4.3 Evidence

4.3.1 The evidence to be supplied will depend to some extent on the circumstances of the case. Re-roll applications should therefore be supported by as much documentary evidence as may be necessary in each case. Where a person claims that their details were entered incorrectly on their certificate of registration or naturalisation, we would expect to see evidence that shows the correct details and was issued around the time that the event took place. For example, if a person claims to have been born in 1949, we may accept either the original 1949 birth certificate, or a certificate which was issued after that date but shows that the birth was registered in 1949. Where the person's birth was only recently registered we would not normally accept this as sufficient to change the certificate details.

### 4.3. Endorsements

4.3.1 Where we have made an error on a certificate (that is that the information provided at the time of the certificate was correct), we should re-roll the certificate showing the correct details.

4.3.2 Where the information printed on the certificate was believed to be correct at the time of issue, but new evidence has come to light after issue that it was in fact incorrect and the certificate holder can provide satisfactory proof of the new details, the certificate can be endorsed to show the correct details. The Citizenship Ceremony Support Team considers these requests.

4.3.3. An example of an endorsement is as follows:

"The correct date of birth of the holder of this certificate of registration (or naturalisation) is..... and not ..... as entered overleaf."

### 4.4 Unofficial alterations

4.4.1 From time to time, certificates of naturalisation or registration which have been altered come into the possession of the Home Office. These should be referred to the Citizenship Ceremonies Support Team who will make further enquiries. If there is any doubt that the person presenting the certificate is the rightful holder, the police may be asked to make enquiries and report.

4.4.2 If it is clearly established, whether through police enquiries or otherwise, that the person presenting the certificate is not the rightful owner, then the certificate should be impounded. The person who presented it should be told that it has been impounded and for what reason, and should not be allowed to have a copy of the original. It may also be appropriate, where deliberate misrepresentation has taken place and, if reference to the police has not already been made, to draw the person's attention to the possibility of legal proceedings arising from the irregular possession and use of the certificate.

4.4.3 If the person presenting the certificate is the rightful owner, further action depends on the nature of the alteration. If the original text is clearly legible, even though crossed out, the holder should be warned that the alteration is likely to cause difficulty in the future and advised to obtain a certified copy of the original on payment of the prescribed fee. If the person does not agree, the altered certificate may be returned.

4.4.4 If the alteration has obliterated the original text, or has skilfully changed it so that the new reading would pass for the original:

- a certified copy of the original should again be offered at the prescribed fee, and, in this case, and

- the altered document should be retained, on the ground that it is no longer identical with that accepted and endorsed by the Secretary of State

#### 4.5 Possibility of nullity or deprivation

##### 4.5.1 Caseworkers dealing with:

- changes of name after naturalisation or registration
- requests for the alteration of other important personal particulars on a certificate
- certificates which have been altered unofficially

Should not overlook the possibility that the naturalisation or registration may have been obtained by impersonation, in which case it might be a nullity (see Chapter 55) or deprivation action may be appropriate.

## 5. Geographical names and descriptions of nationality status

5.1 If an applicant claims to be from a country which does not appear on the CID list, further enquires should be made to see if this is a country name which is officially recognised.

Specific country names to note:

### 5.2. Taiwan

Since Her Majesty's Government do not recognise the claim of the Chinese Nationalists to be the Government of China, the title "Republic of China" should not be used. The territory over which the Chinese Nationalists exercise jurisdiction is known, for diplomatic purposes, as "Taiwan". The Government and the administration should be referred to as the "Taiwan authorities" or the "Nationalist Chinese authorities". The adjective applied to the Government should be the "Nationalist Chinese", and "Taiwanese" should be used when it is necessary to differentiate the indigenous people from the Nationalist Chinese.

### 5.3. Congo

It is important not to confuse Congo with Congo (Democratic Republic). The form "Congolese" should only be used where the context makes it clear which specific country is intended. The country "Congo (Democratic Republic) may be abbreviated to "Congo (Dem. Rep.)" or Congo (D.R.) informally or where space is at a premium. The use of "Democratic Congo" or D.R. Congo should be avoided.

#### 5.4. Fiji

The term "Fijian" refers only to the indigenous inhabitants of Fiji (i.e. the people of Polynesian, Micronesian or Melanesian descent as defined in the Fiji Independence Order 1970). It should not be used in reference to the country or population in general.

#### 5.5. United Arab Emirates

The United Arab Emirates is a State comprising Abu Dhabi, Dubai, Sharjah, Umm al Qaiwain, Ajman, Ras al Khaimah and Fujairah. For official purposes, the designation "United Arab Emirates" should always be used, although each of the component states retains considerable autonomy. For Ajman, the adjectival term "Ajmani" may be used.

#### 5.6. United States

The use of the terms "America" and "American" should be avoided unless the context makes clear that the "United States" is intended.

#### 5.7. Vatican City

In 1929, the Lateran Treaty set up a State called the Vatican City State, this being an area of Rome constituting the territorial extent of the temporal sovereignty of the Holy See. The Holy See is the actual seat (i.e. residence) of the Pope but is generally used as a term to indicate the Pope as Supreme Pontiff together with those associated with him in the government of the Roman Catholic Church at its headquarters.

The Holy See exercises a traditional right to send and receive Ambassadors, to conclude treaties and to participate in international affairs. Since this legal or political personality is more important than the Pope's temporal sovereignty it is the Holy See which normally takes part in international relations, is represented at international conferences and is a party to international conventions. The only exceptions are questions, such as those dealt with by the Universal Postal Union, where the body interested is clearly the administration of "the Vatican City". Her Majesty's Representative is accordingly Her Majesty's Minister to the Holy See, not to the Vatican City.

Citizenship is of the Vatican, but the Vatican uses three different types of passport: Holy See diplomatic passports, Holy See Service passports, and Vatican City State passports. Holders of the first two types of passport, which include all members of the Papal diplomatic service, are not usually citizens of the Vatican City State; when they retire or leave the service of the Holy See, they revert to their original nationality.

The correct adjective depends on the context. For example, the diplomatic representation of the Holy See should be described as Apostolic (or less correctly Papal) Nunciature, while, on the other hand, it is correct to speak of the Vatican radio or of a Vatican stamp.

#### 5.8. Gibraltar

Article 2(a) of the Gibraltar Constitution Order 1969 states that "Gibraltar shall be known as the City of Gibraltar" but this term rarely, if ever, features in official documents.

#### 5.9. Turkish Republic of Northern Cyprus

The UK does not recognise the self-declared 'Turkish Republic of Northern Cyprus' ('TRNC' in the northern part of the island. The 'TRNC' is not internationally recognised, except by Turkey. We should not therefore use the term "TRNC" in any correspondence or on naturalisation certificates, as this would contradict official government policy on the non-recognition of a state.

#### 5.10. Burma

The UK Government's policy is to refer to Burma rather than 'Myanmar'. The current regime changed the name to Myanmar in 1989. Burma's democracy movement prefers the form 'Burma' because they do not accept the legitimacy of the unelected military regime and thus their right to change the official name of the country. Internationally, both names are recognised.

#### Historical names

5.11. If an applicant for citizenship has recorded their place of birth using a historical name we should nevertheless issue the certificate in the details in their current passport, so as not to cause problems when the person applies for a UK passport.