

Persons who were citizens of Pakistan on 14 May 1973 and who had been ordinarily resident in the United Kingdom and/or in relevant employment (see paragraph 5 below) since before that date, but who were not qualified for registration on 1 September 1973, were given a period of 12 months after they became so qualified in which to apply for registration. In all cases, the application had to be received in the Home Office before the appropriate deadline. The Secretary of State had discretion, in the special circumstances of any particular case, to accept an application made outside the normal time limits.

3.2 The registration provisions of paragraph 2 of the Second Schedule applied to any citizen of Pakistan who was such a citizen on 14 May 1973 and was ordinarily resident in the United Kingdom or in relevant employment, or partly the one or partly the other, throughout the period beginning immediately before that date and ending when the application was received.

3.3 Citizens of Pakistan who had been ordinarily resident in the United Kingdom without any restrictions on their stay since immediately before 1 January 1973 (the date on which the Immigration Act 1971 came fully into force) but had not on 1 September 1973, completed 5 years' ordinary residence free of restrictions, could apply for registration under s.5A or, when qualified, s.6(1) (as modified) of the BNA 1948, up to either the date 12 months after becoming qualified for registration under s.6(1), or 1 September 1979, whichever was the earlier.

3.4 Citizens of Pakistan who had been ordinarily resident in the United Kingdom, but with a restriction on their stay, and/or in relevant employment overseas, since immediately before 1 January 1973 but had not, on 1 September 1973, completed 5 years' ordinary residence free from restrictions or 5 years in relevant employment overseas, or partly the one and partly the other, could apply for registration under s.5A of the BNA 1948 up to the date 12 months after completing a period of 5 years' ordinary residence and/or relevant employment (which must have been continuous since before 14 May 1973).

3.5 The Secretary of State had discretion in the cases described above to accept an application made outside the normal time limits, but this discretion was exercised only in exceptional circumstances (eg in cases of great hardship where applicants were prevented from applying within the normal time limit due to circumstances completely beyond their control).

3.6 The following categories of people were not eligible to benefit from the transitional provisions:

- Persons who became citizens of Pakistan after 14 May 1973, or who arrived in the United Kingdom on or after that date
- Citizens of Pakistan who were illegal entrants, and who did not have their stay regularised before 14 May 1973
- Citizens of Pakistan who were either overstayers on 14 May 1973, or overstayers at any time in the period between 14 May 1973 and the date of their application

4. Consideration of applications under sections 5A and 6(1) (as modified)

4.1 In addition to the normal criteria (see Volume 1 Chapter 14), it was necessary to confirm that an applicant:

- was a citizen of Pakistan on 14 May 1973; and
- was ordinarily resident in the United Kingdom, or in relevant employment, before that date and had remained so up to the date of the application; and
- made the application within the time limits laid down (ie the application was received before the appropriate date)

5. Meaning of "relevant employment"

5.1 "Relevant employment" meant:

- Crown service under the UK Government
- Service under an international organisation of which the UK Government was a member
- Service in the employment of a society, company or body of persons established in the United Kingdom

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