



Home Office

Guide T

Registration as a British citizen – A guide for those born in the UK on or after 1 January 1983 who have lived in the UK up to the age of 10

March 2019

Contents

Contents.....	2
Introduction	3
The requirements you have to meet.....	4
OISC and Immigration Advice	5
Residence requirements.....	5
Good character	6
Genocide.....	9
Crimes against humanity.....	9
War Crimes	10
Terrorist Activities.....	10
Organisations concerned in terrorism	10
Deception	10
Immigration Related Issues.....	10
Deprivation	10
What if you haven't been convicted but your character may be in doubt?	11
Biometric enrolment	12
Documents	13
Citizenship ceremonies	14

Introduction

Becoming a British citizen is a significant life event. Apart from allowing you to apply for a British citizen passport, British citizenship gives you the opportunity to participate more fully in the life of your local community.

For your 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 aims to help you to make a successful application. It will also help you to prepare for British citizenship. It tells you what information to provide and which documents you need to supply.

The first chapter of this guide summarises the legal requirements for applying for registration.

You should be aware that under the nationality laws of some countries a person will automatically lose their nationality if they become a citizen of another country. If you have any questions about this, you should ask the authorities of the country of which you are a citizen through their embassy or high commission before making your application. If the country of which you are currently a citizen continues to recognise you as one of its citizens, you may continue to be subject to the duties of citizens of that country when you are in its territory. This may include obligations to undergo military service.

The law covering registration is contained in the British Nationality Act 1981 and the Immigration Asylum and Nationality Act 2006, and the regulations made under them. This guide is intended to help you to apply. It is not a complete statement of the law or policy. Other information about citizenship and immigration is available on our website at <http://www.gov.uk/government/organisations/uk-visas-and-immigration>

[Contents](#)

The requirements you have to meet

To be registered under this section you must:

- have been born in the UK on or after 1 January 1983
- be 10 years of age or over
- have spent no more than 90 days outside the UK in each of the first 10 years of your life
- be of good character

In special circumstances, the Home Secretary may make an exception to the requirement that the applicant must not have been absent from the UK for more than 90 days in any of the first 10 years. If you have exceeded this number of days in any of those years, but you believe there are special circumstances in your case, you should explain what those special circumstances are on a separate sheet of paper.

An application may be made by an adult or a child, but if the applicant is under 18 the form should normally be filled in by their parent or guardian (giving the child's particulars).

A child who is unable to meet some of, or all of, the requirements listed above may still have a right to be registered as a British citizen on the strength of their parents' citizenship or immigration status. Alternatively, the Home Secretary may be prepared to register a child because of his or her special circumstances. You can obtain further advice on our [website](#).

If one of your parents was a British citizen or was settled in the UK at the time of your birth, you are already a British citizen and there is no need to apply for registration. The definition of 'parent' here will depend on the date of the child's birth. Further information can be found on our [website](#).

A parent will have been 'settled' in the UK if they were ordinarily resident there without being subject to any time limit under the immigration rules. A person is not 'settled' if he or she is in the UK either:

- in breach of the immigration laws
- as a member of a diplomatic mission, visiting forces or (with some exceptions) an international organisation

The UK means England, Scotland, Wales, Northern Ireland, the Channel Islands and the Isle of Man.

Information you give will be treated in confidence, but may be disclosed to Government Departments, the Security Service and other agencies, local authorities

and the police, where it is necessary for immigration or nationality purposes or to enable these bodies to carry out their own function.

If you do not meet the requirements but think the Home Secretary should exercise discretion in your favour you should provide details of the special circumstances in your case. If you do not provide any details or if your special circumstances are not accepted your application will be refused and your fee will not be fully refunded. Applications that fail generally do so because either:

- applicants do not tell us about offences and convictions
- the residence requirements have not been satisfied

OISC and Immigration Advice

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. The provision of such advice is prohibited unless a person works for an organisation registered with, or exempted by, the OISC or is authorised to practice (like solicitors and barristers) by a designated professional body.

A full list of OISC regulated advisers is available on its website at www.oisc.gov.uk

Residence requirements

To satisfy the residence requirements you should not have been absent for more than 90 days in each of the first 10 years of your life.

There is discretion to disregard absences in excess of the limits. We will normally waive excess absences:

- if the number of days absence from the UK in any one of those years does not exceed 180 days, and the total number of days absence over the 10-year period does not exceed 990 days
- (if the number of days absence exceeds 180 in any one year or 990 over the 10-year period) the excess absence was the result of circumstances beyond your control (such as serious illness)

We would not normally waive excess absences simply because:

- your parents were unaware of the requirements
- your parents' absences, with you, were entirely voluntary

Good character

To be of good character you should have shown respect for the rights and freedoms of the UK, observe its laws and fulfilled your duties and obligations as a resident of the UK. Checks will be carried out to ensure that the information you give is correct.

If you are not honest about the information you provide, and you are registered on the basis of incorrect or fraudulent information you will be liable to have British citizenship taken away (deprivation) and you may be prosecuted. It is a criminal offence to make a false declaration knowing that it is untrue.

Among the duties and obligations which you are expected to fulfil is payment of income tax and National Insurance contributions. We may ask H.M. Revenue & Customs for confirmation that your tax and National Insurance affairs are in order.

If you do not pay income tax through PAYE you must demonstrate that you have discharged your obligations towards the H.M. Revenue & Customs, by attaching a Self Assessment Statement of Account.

You must give details of all criminal convictions both within and outside the UK. These include road traffic offences.

Fixed penalty notices (such as speeding or parking tickets) must be disclosed, although will not normally be taken into account unless:

- you have failed to pay and there were criminal proceedings as a result
- you received 3 or more fixed penalty notices at any level
- in the past 3 years you received 2 or more fixed penalty notices, at least one of which was at the upper levels (fine of £200 or more).

We will consider the applications against the factors listed in the [Good Character Guidance](#) at Considering cumulative, non-custodial sentences.

Where a fixed penalty notice or fiscal fine has been referred to a court due to non-payment, or the notice has been unsuccessfully challenged by the person in court, we will consider it as a conviction and assess it in line with the new sentence imposed.

Drink driving offences must be declared. If you have any endorsements on your driving licence you must provide the paper counterpart.

A driving conviction may not be disregarded despite any penalty points being removed from your driving licence.

Criminal record checks will be carried out in all cases. If you have a conviction within the relevant sentence based threshold you are unlikely to be registered as a British citizen. Similarly, if you have been charged with a criminal offence and are awaiting

trial or sentencing, you are advised not to make any application for registration until the outcome is known. If you are convicted, you should then consult the table below.

Sentence	Impact on Nationality
4 Years or more imprisonment	Application will normally be refused, regardless of when the conviction occurred.
Between 12 months and 4 years imprisonment	Application will normally be refused unless 15 years have passed since the end of the sentence.
Up to 12 months imprisonment	Application will normally be refused unless 10 years have passed since the end of the sentence.
A non-custodial offence or other out of court disposal that is recorded on a person's criminal record	Application will normally be refused if the conviction occurred in the last 3 years.

Notes:

- A person who receives a sentence of life imprisonment is included in the '4 years or more imprisonment' category.
- A person who receives a custodial sentence of exactly 4 years is included in the '4 years or more imprisonment' category.
- A person who receives a custodial sentence of exactly 12 months or exactly 1 year is included in the 'Between 12 months and 4 years imprisonment' category.
- The "end of the sentence" means the entire sentence imposed, not just the time the person spent in prison. For example, a person sentenced to 3 years' imprisonment on 1/1/2013 will normally be refused citizenship until 1/1/2031 – the 15 year 'bar' added to the 3 year sentence.
- A "non-custodial offence or other out of court disposal that is recorded on a person's criminal record" includes Fines, Cautions, Warnings and Reprimands, Community Sentences, Civil Orders, Hospital Orders & Restriction Orders and Potential Court Orders.
- A person who is subject of an extant Deportation Order will be refused citizenship regardless of when they apply.
- Some extremely short periods of imprisonment may not be included in the 'up to 12 months imprisonment' category. This will depend on whether the person was convicted & sentenced or simply committed to prison. The latter is not a sentence and the vast majority of those detained for one day– will have been committed by the court and not sentenced. The decision maker will instead treat this as a "non- custodial offence or other out of court disposal that is recorded on a person's criminal record".

- A suspended prison sentence will be treated as a “non-custodial offence or other out of court disposal that is recorded on a person’s criminal record”.
- The exception is where that sentence is subsequently ‘activated’. This means that the person re-offended or failed to adhere to/breached the conditions of that sentence. Where this happens, the sentence length will be the one originally imposed.

Example 1: a person is sentenced to 6 months’ imprisonment, suspended for two years. If they ‘activate’ this, the sentence should be 6 months and fall into the ‘up to 12 months’ imprisonment’ category above.

Example 2: a person is sentenced to 12 months’ imprisonment, suspended for two years. If they ‘activate’ this, the sentence should be 12 months and fall into the ‘Between 12 months and 4 years’ imprisonment’ category above.

- Sentences imposed overseas will normally be treated as if they occurred in the UK.
- For concurrent sentences, the decision maker will take the longest single sentence imposed. For example, a sentence of 9 months’ imprisonment served concurrently with a sentence of 6 months’ imprisonment will be treated the same as one 9-month sentence.
- For consecutive sentences, the decision maker will add together the total of all the sentences imposed. For example, a sentence of 9 months’ imprisonment served consecutively with a of 6 months’ imprisonment will be treated the same as one 15month sentence.

You are also advised to refer to the good character policy guidance which caseworkers use to decide your application. This is available on the [website](#).

You must give details of all civil judgments which have resulted in a court order being made against you as well as any civil penalties under the UK Immigration Acts. If you have been declared bankrupt at any time you should give details of the bankruptcy proceedings. (Your application is unlikely to succeed if you are an undischarged bankrupt).

You do not need to give details of family law proceedings such as divorce decrees, dissolved civil partnerships, guardianship orders, parental responsibility orders.

You must give details of any cautions (simple or conditional), warnings or reprimands you have received in the UK or any other country. Cautions, warnings and reprimands are out of court disposals that are recorded on a person’s criminal record and are taken in to account when assessing a person’s character.

You must say if your details have been recorded by the police as a result of certain sexual offences, or if you are subject to one of the following orders: notification

order, sexual offences prevention order, foreign travel order, risk of sexual harm order (or equivalent order made in a British overseas territory or any other country). If your details are recorded on the “sex offenders” register, even if any conviction is spent, the Home Secretary is unlikely to be satisfied that you meet the good character requirement and so an application for citizenship is unlikely to be successful.

You must say if there is any offence for which you may go to court or which is awaiting hearing in court. This includes having been arrested for an offence and waiting to hear if you will be formally charged. If you have been arrested and not told that charges have been dropped, or that you will not have to appear in court, you may wish to confirm the position with the police. For applicants from Scotland any recent civil penalties must also be declared. You must tell us if you are arrested or charged with an offence after you make your application and while the application is under consideration. You risk prosecution under section 46 of the British Nationality Act 1981 if you do not do so.

You must also say whether you have had any involvement in terrorism. If you do not regard something as an act of terrorism but you know that others do or might, you should mention it. You must also say whether you have been involved in any crimes in the course of armed conflict, including crimes against humanity, war crimes or genocide. If you are in any doubt as to whether something should be mentioned, you should mention it.

You should refer to the definitions in this Guide on actions which may constitute genocide, crimes against humanity and war crimes.

This guidance is not exhaustive. Before you answer these questions you should consider the full definitions of war crimes, crimes against humanity and genocide which can be found in Schedule 8 of the [International Criminal Court Act 2001](#). Alternatively, copies can be purchased from The Stationery Office, telephone 0870 600 5522.

It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

War Crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Terrorist Activities

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purpose of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

Organisations concerned in terrorism

An organisation is concerned in terrorism if it:

- commits or participates in acts of terrorism,
- prepares for terrorism,
- promotes or encourages terrorism (including the unlawful glorification of terrorism), or
- is otherwise concerned in terrorism.

Deception

If you have practised deception in your dealings with the Home Office or other Government Departments (such as by providing false information or fraudulent documents) this will be taken in to account in considering whether you meet the good character requirement.

Your application will be refused if you have attempted to deceive the Home Office within the last 10 years.

Immigration Related Issues

Your application may also be refused if you have evaded immigration control in the last 10 years or helped someone else to evade immigration control or employed illegal workers, at any time. Full details of our policy can be seen on the [website](#).

Deprivation

You may be deprived of your British citizenship if it is found to have been obtained by fraud, false representation or the concealment of any material fact. The Home

Secretary may also deprive you of British citizenship if they are satisfied that deprivation is conducive to the public good and you would not be made stateless. Following the Immigration Act 2014, the Home Secretary may also deprive naturalised persons of their British citizenship if the person has conducted themselves in a manner which is seriously prejudicial to the vital interests of the United Kingdom and the Home Secretary has reasonable grounds for believing the person is able, under the law of another country to become a national of that country or territory.

What if you haven't been convicted but your character may be in doubt?

You must say if there is any offence for which you may go to court or which is awaiting hearing in court. This includes having been arrested for an offence and waiting to hear if you will be formally charged. If you have been arrested and not told that charges have been dropped, or that you will not have to appear in court, you may wish to confirm the position with the police. You must tell us if you are arrested or charged with an offence after you make your application and while the application is under consideration. You risk prosecution under section 46 of the British Nationality Act 1981 if you do not do so.

You must say whether you have been involved in anything which might indicate that you are not of good character. You must give information about any of these activities no matter how long ago this was. Checks will be made in all cases and your application may fail and your fee will not be fully refunded if you make an untruthful declaration. If you are in any doubt about whether you have done something or it has been alleged that you have done something which might lead us to think that you are not of good character you should say so.

[Contents](#)

Biometric enrolment

As part of your application, all applicants are required to enrol their biometric details for the purpose of identity verification.

Children under 18 applying for registration as a British citizen must also enrol their biometric details. Children under the age of 6 do not need to provide fingerprints, but must have a digital photograph taken of their face.

The requirement for fingerprints to be taken from the age of 6 comes from EU Regulation 380/2008. Up to the age of 6 the Home Office only requires a digitised image of the child's face, although the regulation does not prevent fingerprints being recorded from children aged less than 6 years. There is no upper age limit for biometric information to be taken.

Children under the age of 16 must be accompanied by a parent or legal guardian at their biometric enrolment appointment.

You must complete the biometric enrolment section of the application, and you will then be issued with an enrolment letter, instructing you to make an appointment at a designated Post Office to have your/your child's biometric details recorded.

You will be charged an additional handling fee for this service, payable to the Post Office Ltd. You must pay the fee by cash or debit card when you attend your biometric enrolment appointment.

If you are currently in the Channel Islands or the Isle of Man you/your child would enrol at the Lieutenant Governor's Office.

If you are currently in a British overseas territory you/your child would enrol at the Governor's Office.

Your application may be rejected as invalid if you do not enrol your biometrics when requested. For more information about enrolling biometrics and the current fee, please visit the following section of our website: <http://www.gov.uk/biometric-residence-permits>.

[Contents](#)

Documents

This section tells you the sort of documents you will need to send for.

You must send:

- your/your child's full UK birth certificate (showing the parents' details).
- evidence of residence in the UK for the first 10 years of your/your child's life. If you are self-employed and do not pay tax through Pay As You Earn (PAYE) arrangements, we require your most recent H.M. Revenue & Customs Self-Assessment statement of account.
- your/your child's passport(s) which cover the 10-year period. As the passport(s) may not be enough to show residence in the UK throughout the 10-year period, you should send as much as you can of the following:
 - letters from schools or other educational establishments which you/your child attended during that period
 - medical records (child health book, summary of appointments from your/your child's GP, nursery records) particularly where these assist in demonstrating residence in the years before attending school
 - any other documents showing that you/your child lived in the United Kingdom for the first 10 years of your/their life.

[Contents](#)

Citizenship ceremonies

If your application is successful and you are living in the UK, you will be invited to attend a citizenship ceremony if you are over 18. You will receive an invitation letter from the Home Office and this will confirm the local authority you should contact to arrange your 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 re-apply for registration and pay a further processing fee.

If you are over the age of 18 when your application is decided, you will need to attend a citizenship ceremony. At the ceremony, you will be asked to affirm or swear an oath of allegiance to Her Majesty the Queen and to pledge your loyalty to the UK. Following this you will be presented with your certificate of registration as a British citizen.

You must make immediate contact with the local authority once you have been informed that your application is successful, as you only have 90 days in which to attend the ceremony. The date by which you must attend your ceremony will be given in your Home Office citizenship ceremony invitation letter. If you do not attend the ceremony within 90 days without good reason, your application for citizenship will be refused and you will need to re-apply.

Making the Oath (or Affirmation) and Pledge at a citizenship ceremony is a legal requirement for adults, and the point at which you will become a British citizen. You are therefore expected to attend a ceremony. 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 local authority once you have your invitation letter.

[Contents](#)