



Home Office

Nationality policy: identity

Version 2.0

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About this guidance

This guidance tells nationality caseworkers about dealing with issues relating to an individual's identity.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the nationality policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **2.0**
- published for Home Office staff on **29 November 2021**

Changes from last version of this guidance

Additional information included regarding amendments to naturalisation and registration certificates due to internal error or when new information is supplied from the certificate holder.

Related content

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Change of name

This page tells you how to consider applications for naturalisation or registration where the applicant has changed their name.

Applications for British nationality must normally be made in an individual's established name. You should normally expect this to be the name used on any current documents such as passports, travel documents or biometric residence permits (BRP). You should 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 into a civil partnership and decide to change their name, and who wish to be naturalised in their married name, must normally change the name on their other passports, travel documents and national identity cards to reflect that name before submitting their application. This is to avoid an individual having official documents in more than one identity and is consistent with the policy for BRPs.

If an individual has completed the application form using a name that is different to that on the official documents you must contact the applicant or their representative to request an explanation for the discrepancy and advise that we will not normally grant citizenship in a name that is not reflected in official documents. You must also ensure that they are aware that Her Majesty's Passport Office will not issue a British passport if the name on the naturalisation certificate does not match other official documents. If the person wishes to be naturalised or registered in a different name, despite having been warned that this will affect their ability to acquire a British passport, and you are satisfied about their identity, the case must be referred to a senior caseworker.

If a person has changed their name, you must ensure that all character checks have been made in both the current and previous names. This is to ensure that the name change has not been used to hide past criminality or because of deception in previous immigration applications.

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Change of name

Related external links

[Change of name](#)

Change of gender

This page tells you how to consider applications for naturalisation or registration where the applicant has changed their gender.

Where an applicant has changed gender it is likely that the name at birth will be different from the current name. You must 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.

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 biometric residence permit (BRP) in their acquired name and gender you can issue a naturalisation certificate in the identity contained on their BRP.

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 passports or identity cards 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.

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.

Where the applicant holds a gender recognition certificate you must take care to ensure that we do not disclose to a third party the applicant's 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.

Whilst it is not our policy to alter a certificate of registration or naturalisation after it has been issued, where a person has changed gender you should, if requested, re-issue the certificate omitting the name at birth.

Gender Recognition Act

The [Gender Recognition Act](#) came into effect in April 2005. It provides transsexual people with legal recognition in their acquired gender. The act enables people who are over 18 and have changed gender to apply to a gender recognition panel for a gender recognition certificate. Legal recognition of the person's acquired gender will follow from the issue of a full gender certificate. People who have changed their gender under the law of a country or territory outside the UK may also make an application to the panel for a gender recognition certificate.

In order to be granted a certificate the individual has to demonstrate that they either:

- have or have had gender dysphoria and:
 - have been living for at least 2 years in their acquired gender
 - intend to live in the acquired gender until their death
- have been recognised as having changed gender by an approved country or territory

Recognition is not retrospective and does not affect anything before the certificate is issued.

Full gender recognition certificates

Once an individual has been issued with a certificate their gender for all purposes becomes the acquired gender. For example they will have the right to:

- marry in their acquired gender
- obtain a birth certificate reflecting their acquired gender, where their birth was registered in the UK
- acquire benefits from the state in their acquired gender on the same basis as all others of that gender

Interim gender recognition certificates

Where an individual is married when they seek legal recognition in their acquired gender they may be issued with an interim certificate. This enables the marriage to be annulled (or dissolved in Scotland).

The sole purpose of an interim certificate is to provide grounds to end a marriage. It has no other legal effect and therefore where an individual has not been issued a full gender recognition certificate they must not be considered in the acquired gender.

Impacts on parenthood

Whilst a person who has been issued a gender recognition certificate will be regarded as being of the acquired gender, they will retain their original parental status in relation to any children.

Gender recognition outside the UK

The fact that a change in gender has been recognised outside the UK does not mean that it is automatically recognised in the UK. The [act](#) does however allow for an individual in this situation to apply for a UK gender recognition certificate on the basis of a simplified procedure providing the country concerned is one which has been [approved for this purpose](#) by the Secretary of State.

If the individual has a changed gender recognised by a country not on the [approved list](#) they will need to apply under gender recognition under the same rules as those who have not been previously recognised.

European Economic Area countries

The [Gender Recognition Act](#) recognises the right of free movement which all individuals from EU and European Economic Area (EEA) countries enjoy. Those free movement rights mean that where a person's change of gender has been recognised in one of those countries, an application for gender recognition is not necessary. This means that, if an individual has received legal recognition for their gender change in an EU or EEA country, they will be treated in their acquired gender in the UK.

Disclosure of information

Under the [Gender Recognition Act](#) it is an offence for a person to disclose information they have acquired in an official capacity about a person's application for a gender recognition certificate or about the gender history of a successful applicant. This information is called 'protected information'. In the nationality context this includes details such as name at birth and previous gender.

There are, however, exceptions to the general rule on disclosure. For example disclosure will not be an offence where the person concerned has given consent where disclosure is necessary to prevent crime. A full list of exceptions can be found at [section 22\(4\) of the act](#).

Given the sensitivities surrounding disclosure in these cases all cases where an applicant has obtained a gender recognition certificate must be referred to NPSCU for consideration. You must ensure that you do not disclose any information that relates to the previous gender of the individual.

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Foreign titles

This section tells you what action must be taken where someone has used a foreign title in their naturalisation application.

While there is nothing to prevent a British citizen in the UK from using a foreign title for private purposes, such a title cannot be officially recognised. When an application is received from a person who appears to hold a foreign title, you must seek confirmation of its authenticity from the Honours Department of the Foreign and Commonwealth Office. You must write, as below, addressing them by their title, to warn them that it will not receive official recognition:

‘The Secretary of State thinks it right to point out that if you become a British citizen your foreign title will not receive official recognition in this country and that in accordance with the established practice it will be omitted from the certificate. I am to request that you will specifically acknowledge your acceptance of this position.’

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Amending naturalisation and registration certificates

This section tells you what action must be taken when someone requests an amendment to a naturalisation or registration certificate. The amendments can include names, place of birth and/or date of birth.

The original certificate should be included with an application. If this has been lost or stolen, see [unable to provide original certificate](#).

Certificate issued with incorrect details

If there is a genuine error on the certificate and the details do not reflect the evidence that was supplied at the application stage, then a corrected certificate should be issued.

Example:

A person born on 1 January 1990 is naturalised as a British citizen. Their application form and supporting evidence confirms their date of birth as 1 January 1990. The original naturalisation certificate was issued stating a date of birth of 2 January 1990. In this instance, a new certificate should be provided showing the correct date of birth.

This will be free of charge.

Potential deprivation cases

Where the person has admitted that they provided false personal details to obtain nationality and a passport

Cases often come to light where a person has obtained a certificate of registration or naturalisation using false personal details. This might have been identified by HMPO when the person applied for a passport either for themselves or for their child, or if the person has contacted UKVI to ask for the certificate to be amended.

If HMPO have reliable evidence of the true identity, and the person has admitted that they provided false details and declared their true identity, HMPO will refer the case to the Status Review Unit to consider whether deprivation or nullity action is appropriate.

If the person has contacted UKVI directly, the case should be referred to the Status Review Unit to consider whether deprivation or nullity action is appropriate.

If the grant of nationality is not assessed to be null and void, deprivation action must be considered in line with the deprivation guidance.

Whilst deprivation action is being considered, the person concerned remains a British citizen. HMPO will refuse a passport application and revoke any live passports in the fraudulent identity. If HMPO have reliable evidence of the true identity, and the person has admitted that they provided false details and declared their true identity, they may be issued with a restricted validity passport (of 3 years) in their true identity pending the outcome of deprivation action, but they must first apply for a naturalisation or registration certificate in their correct details. This must be a charged application.

Once the certificate has been re-issued in the correct details, HMPO will consider the passport application. The person's correct and fraudulent details will be added to the HMPO watchlist.

Status Review Unit must prioritise consideration of the case so that a deprivation decision is made before the person's restricted validity passport expires.

Where the person has not admitted that they provided false personal details, or their true identity cannot be established

Where the deception is not admitted or the person's true identity cannot be established on the balance of probabilities, HMPO will revoke an existing passport, or refuse the application for a new one. Status Review Unit will consider deprivation action. The certificate must not be re-issued until after the decision has been made whether or not to deprive.

If SRU do not deprive you must re-roll the certificate in the accepted identity that SRU have confirmed.

Unable to provide the original certificate

If a person wishes to correct a certificate that has been lost or stolen and therefore they cannot provide the original, additional steps must be taken as part of the consideration process.

If a person has their registration or naturalisation certificate stolen, they must report it to the police and provide the crime reference number with their application.

Before issuing a new certificate, the appropriate steps should be taken to ensure the original certificate cannot be used to apply for a passport.

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