



Home Office

Guide MN2

Registration of a child as a British Overseas Territories citizen

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Introduction

This guide and the application form MN2 are for a person who wishes a child under 18 to be registered as a British overseas territories citizen.

It is not necessary to fill in this form if you are a parent who is applying for naturalisation or registration as a British overseas territories citizen yourself. You should apply for the registration of any of your children under 18 by including their details on your own application form.

What this guide contains

1. explains 4 different sets of requirements. You may apply if a child meets set of requirements.
2. tells you what matters are considered if an application is made for a child who does not meet any of the sets of requirements in part 1.
3. has a note about the legitimisation of children who are born to unmarried parents.
4. tells you who should fill in the application form, which parts to fill in and contains notes about certain parts of the form.
5. tells you what to send with the form and where to send it.
6. tells you about the Certificate of Registration. The law covering registration is contained in the British Nationality Act 1981 and the regulations made under it. The information given here is meant only as a brief guide to the law and to the Home Secretary's policy. It is not a comprehensive statement of either the law or policy.

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The requirements

A child under the age of 18 has to be registered as a British overseas territories citizen (see note below) if they come within of the sections A, B or C below.

The Governor of the British overseas territory (see note below) concerned will normally be responsible for the registration.

The Governor may, if they think fit, register as a British overseas territories citizen any other child under 18. The matters which they will take into account are set out in section D.

Section A is for children born in a British overseas territory after 1 January 1983 who are not British overseas territories citizens at birth but one of whose parents later becomes a British overseas territories citizen or becomes settled in a British overseas territory.

Section B is for children born outside the British overseas territories after 1 January 1983 where the child is likely to remain living overseas and where one (or both) of the parents is a British overseas territories citizen by descent with certain parental and residential connections with a British overseas territory.

Section C is for children born outside the British overseas territories after 1 January 1983 to a British overseas territories citizen (or citizens) by descent where the child later comes to a British overseas territory with their parent(s) to live.

Section D covers the Governor's discretion to register any minor child.

In the case of a child born to unmarried parents, the definition of parent is the mother who gave birth to the child. Otherwise, the definition of parent refers to both the mother and father of the child (see also the note in section 3).

Warning on dual nationality. A person does not have to give up his or her present citizenship or nationality to become a British overseas territories citizen. But under the nationality laws of some countries a child could automatically lose his or her citizenship if they becomes a citizen of another country. If you are not sure about this, you should ask the authorities of the country concerned before you make an application.

NB. The British overseas territories and British overseas territories citizenship are what the dependent territories and British Dependent Territories citizenship have been called since 26 February 2002. As regards any time before 26 February 2002, any references in this guide to British overseas territories (citizenship) should be read accordingly.

Section A

The child will come within this section if:

- the child was born in a British overseas territory;
 - The British Overseas territories are currently Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St. Helena and Dependencies, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands and the Virgin Islands.
- the child was not a British overseas territories citizen by birth;
- one (or both) of the child's parents later became a British overseas territories citizen or settled in a British overseas territory;
- that parent has at any time before the child's birth lived in a British overseas territory for a period of 3 years without being absent from the territory for more than 270 days in that period;
 - This requirement does not apply if the child was born stateless.
- the application is made within 12 months of the child's birth.
 - This time limit may be extended to within 6 years of the child's birth if there are special circumstances. If you make an application outside the 12 months, you should explain what the special circumstances are on a separate sheet of paper.

Section B

Important warning: A child who comes within section B and is registered becomes a British overseas territories citizen by descent, whereas a child who comes within section C becomes a British overseas territories citizen otherwise than by descent. The difference is important because a citizen otherwise than by descent automatically passes on British overseas territories citizenship to their children who are born outside the British overseas territories but a citizen by descent does not. A person who is registered as a citizen by descent cannot later be registered as a citizen otherwise than by descent. If therefore the child comes within section B but the family intend to return to a British overseas territory

the parents should consider whether it would be advisable to delay an application until the child qualifies for registration under section C.

If one of the child's parents is a British overseas territories citizen otherwise than by descent the child would automatically become a British overseas territories citizen at birth. There is no need to apply for registration of the child.

If one of the child's parents is a British citizen by descent the child may be entitled to registration as a British citizen in addition to registration as a British overseas territories citizen an application for registration as a British citizen should be made on form MN1. Further information about registration as a British citizen is contained in the guide accompanying form MN1 or by contacting the relevant office mentioned in [citizenship-related queries](#).

The child will come within this section if:

- the child was born outside the British overseas territories on or after 1 January 1983;
 - The British Overseas territories are currently Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St. Helena and Dependencies, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands and the Virgin Islands.

1 January 1983 is the date the British Nationality Act 1981 came into force.
- the child is likely to remain living overseas;
- one (or both) parents is a British overseas territories citizen by descent with a connection to a British overseas territory both through living there and through their parents;
- before the child's birth, that parent lived in a British overseas territory for a period of three years without being absent from the territory for more than 270 days;
- the application is made within 12 months of the child's birth.
 - In exceptional cases we may grant applications for registrations made within six years of the child's birth.

Section C

The child will come within this section if:

- the child was born outside the British overseas territories on or after 1 January 1983;
 - 1 January 1983 is the date the British Nationality Act 1981 came into force.
- one of the child's parents was a British overseas territories citizen by descent at the time of the child's birth;
- the child's mother and father were in one and the same British overseas territory during the 3 years immediately before the application without any of them being absent from that territory for more than 270 days in that period. They must also have been in that territory at the beginning of the 3-year period;
- the child's mother and father consent to the application for registration of the child;
 - If either parent has died this requirement applies to the other parent
- the application is received before the child's 18th birthday
 - If the child is born to unmarried parents, the above requirements do not apply to the father

If one of the child's parents is a British overseas territories citizen otherwise than by descent the child would automatically become a British overseas territories citizen at birth. There is no need to apply for registration of the child.

If one of the parents is a British citizen by descent, the child may be entitled to registration as a British citizen in addition to registration as a British overseas territories citizen. An application for registration as a British citizen should be made on form MN1. Further information about registration as a British citizen is contained in the guide accompanying form MN1 or by contacting the relevant office mentioned in [citizenship-related queries](#).

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If a child does not meet the requirements in sections A-C

Section D

A child who does not come within sections A to C may be registered as a British overseas territories citizen at the discretion of the Governor provided an application is received before the child's 18 birthday. It is not possible to set out all the circumstances in which they would normally agree to registration but consideration is given to:

- the child's connections with the territory;
- where the child's future is likely to lie;
- the views of the parents;
- the nationality of the parents;
- whether the child is of good character;
- the length of time the child has lived in the territory.

The last two points are considered only in the case of older children, particularly those approaching 18.

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Legitimacy

A child born to unmarried parents may, in some circumstances, have been legitimated by the subsequent marriage of their parents. Also, the child of a void marriage may, in some circumstances, be treated as legitimate. In certain cases of this kind a child may even already be a British overseas territories citizen, for example, if the father was such a citizen because they were born in a British overseas territory. If a child comes within either of these categories, do not make an application (unless there is a danger of passing a time limit) but send full details to the appropriate office mentioned in [citizenship-related queries](#).

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The application form

Who should fill in the form

An application should normally be made by a parent or guardian of the child. If the child comes within section C both parents must agree to the application unless the child was born to unmarried parents.

A guardian should apply or consent only if both parents are dead or if for some reason (which must be given) neither parent is able to make the application. A guardian must send evidence of their right to act as guardian, e.g. an Order of Court or the written authority of the parent(s).

If the child makes their own application and does not come within sections A, B or C, the written consent of the parent(s) or guardian should be given and it should be explained why a parent or guardian is not making the application.

Which parts to fill in

Please complete sections 1-3 of [form MN2](#).

Notes about some parts of the form

Section 1, Question 23 - Criminal Record

Details of all the child's criminal convictions must be provided.

The British Nationality Act 1981 contains a statutory requirement that those seeking to register as British must be of good character, which applies to children aged ten or over.

This means the child must observe UK laws and show respect for the rights and freedoms of its citizens. Checks will be made on children aged 10 years and over to ensure that this requirement is met.

Before you complete this section in respect of a child, you are advised to refer to the good character policy guidance which caseworkers use to decide your application. This is available on the GOV.UK [website](#).

Checks will be carried out to ensure that the information you provide is correct. This may include checks with other government departments such as HM Revenue and Customs. If you are not honest about the information you provide, and they are registered on the basis of incorrect or fraudulent information they will be liable to have their 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.

Criminality

You must give details of all criminal convictions given to the child, both within the UK and overseas. This includes if the child went to prison, or has received a non-custodial sentence such as a suspended sentence. You should also include any out-of-court disposal such as a fine, a caution, a warning or reprimand, a community sentence, a civil order, a civil penalty, a civil judgment, a hospital order or a restriction order. All fiscal fines must also be disclosed. If you are not sure, you should declare all penalties or orders.

Fixed penalty notices such as those issued under the coronavirus Regulations, or for traffic offences such as speeding or parking tickets must also be disclosed, although will not normally be taken into account unless they have failed to pay and there were criminal proceedings as a result, or they received multiple fixed penalty notices in a short space of time.

Where a fixed penalty notice or fiscal fine in Scotland 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 must also be declared. If the child has had any endorsements on their driving licence they must access the [DVLA website](#) to download and print a summary of your record and send it with the application, or provide the paper counterpart.

Criminal record checks will be carried out in all cases. If the child has been charged with a criminal offence and are awaiting trial or sentencing, you are advised not to make any application for the child's registration until the outcome is known.

You must give details of all civil judgments which have resulted in a court order being made against them, as well as any civil penalties under the UK Immigration Acts. For applicants from Scotland any recent civil penalties must also be declared. If the child has been declared bankrupt at any time you should give details of the bankruptcy proceedings. (The application is unlikely to succeed if they are an undischarged bankrupt).

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

You must say if the child's details have been recorded by the police as a result of certain sexual offences, or if they 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).

You must say if there is any offence for which the child may go to court, or which is awaiting hearing in court. This includes having been arrested for an offence and waiting to hear if they will be formally charged. If they have been arrested and not told that charges have been dropped, or that they will not have to appear in court, you may wish to confirm the position with the police. You must tell us if they are arrested or charged with an offence after you make their 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.

Terrorism and International Crimes

You must say whether the child has had any involvement in terrorism or whether they have been involved in any crimes in the course of armed conflict, including crimes against humanity, war crimes or genocide, or if they are the subject of an international travel ban. If you are in any doubt as to whether something should be mentioned, you should mention it.

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 \(TSO\)](#).

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, ethnic, 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.

Travel bans - travel bans restrict the movement of individuals associated with regimes or groups whose behaviour is considered unacceptable by the international community.

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 which involves serious violence against a person or which 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 with terrorism - an organisation is concerned with 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 with terrorism.

Financial soundness

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 the child's tax and National Insurance affairs are in order. When you sign the application form you will be giving your consent for us to approach them.

If a child is liable for income tax but does not pay through PAYE, you must demonstrate that their obligations towards the H.M. Revenue & Customs have been discharged by attaching a Self-Assessment Statement of Account.

You must tell us if the child has ever been declared bankrupt, engaged in fraud in relation to public funds (including claiming public funds to which they were not entitled or were prohibited from accessing, or failing to declare their full circumstances), or have an unpaid NHS debt of £500 or more.

Deception

You must tell us if the child has ever practised deception in their dealings with the Home Office or other government departments (for example, by providing false information or fraudulent documents).

What if you consider that you have mitigating factors?

You can also tell us about any genuine, meaningful attempts to change their behaviour and comply with the law. For example, any voluntary or charity work the child participates in, or where they have engaged with programmes or activities aimed at addressing the cause of their offending, such as treatments aimed at reduction of alcohol consumption, drug dependency, or successful engagement with a youth diversion or turning point scheme.

Section 2 - Consent

If it is not convenient for both parents to give their consent on the application form, written consent can be given in a separate letter to the Governor.

If one of the parents has not given their consent, the reason should be given in question 2.3 (e.g. a parent is dead, cannot be traced, objects, etc.).

Where a parent objects, a separate letter giving the reasons should be sent to the Governor.

Section 3 - Declaration

When the form has been completed, sign and date the Declaration in section 3. An undeclared application will not be valid.

NOTE: Information you give us will be treated in confidence, but may be disclosed to other Government Departments and agencies and local authorities to enable them to carry out their functions.

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What to send with the form

The Fee

This will depend on the fees charged in the British overseas territory concerned. You will be notified about the fee later.

Documents

Please also send the evidence as outlined below.

If the child comes within **section A**, you should send evidence:

- that the child was born in a British overseas territory;
 - Please send the child's birth certificate.
- that a parent has become a British overseas territories citizen or settled in a British overseas territory;
 - As evidence of British overseas territories citizenship please send the naturalisation or registration certificate.
 - As evidence of settled status please send the passport, or the Police Registration Certificate, or a letter from the authorities showing that there is no time limit on the parent's stay in the territory.
- (if the parent concerned is the father) that the child's parents were married.
 - Please send the marriage certificate.

If the child comes within **section B**, you should send evidence:

- of the child's birth outside the British overseas territories;
 - Please send the birth certificate.
- of the parent's citizenship;

- Please send any birth, marriage, naturalisation or registration certificates, passports or official letters which prove the citizenship of the parent concerned.
- of the grandparent's citizenship;
 - Please send any birth, marriage, naturalisation or registration certificates, passports or official letters which prove the citizenship of the grandparent concerned.
- of the parent's residence in a British overseas territory for 3 years before the child's birth (unless the child is stateless);
 - Please send documents which cover the 3-year period. These can be made up of the following:
 - letters from employers during the qualifying period;
 - letters from schools or other educational establishments which the parent attended during the qualifying period;
 - a letter showing that the parent has paid tax during the qualifying period;
 - any other documents which show that the parent lived in a British overseas territory during the qualifying period.
- (if the parent concerned is the father) that the child's parents were married;
 - Please send the marriage certificate.
- of statelessness (if the child is stateless).
 - Please send a letter from the authorities of the country in which the child was born stating that the child is not and never has been a citizen of that country.

If the child comes within **section C**, you should send evidence:

- of the child's birth outside the British overseas territories;
 - Please send the birth certificate.
- of the parent's citizenship;

- Please send any birth, marriage, naturalisation or registration certificates, passports or official letters which prove the citizenship of the parent concerned.
- of the child's, the mother's and the father's residence in one and the same British overseas territory during the 3 years immediately before the application;
 - Please send the passport(s) which cover the 3 year period. If these do not show that the parent who is a British overseas territories citizen has been resident in the territory send as much as you can of the following:
 - letters from employers during the qualifying period;
 - letters from schools or other educational establishments which the child attended during the qualifying period;
 - letter showing that the parent has paid tax during the qualifying period;
 - any other documents which show that the family has lived in the territory during the qualifying period.
- of the death of a parent (if this has occurred);
 - Please send the death certificate.
- of the divorce or legal separation of the parents (if either has occurred);
 - Please send the divorce certificate or court order.
- that custody of the child has been awarded to one parent (if this has occurred);
 - Please send the court order.

If the child comes within **section D**, you should send evidence:

- of the child's birth and citizenship;
 - Please send the child's birth certificate and passport.
- of the parents' citizenship;
 - Please send any birth, naturalisation or registration certificates or passports which show their citizenship.

- that the child has been resident in a British overseas territory (if this is so);
 - Please send the child's passport. If you cannot do this please explain why and send the following:
 - letters from schools or educational establishments any other document which shows the child's residence.
- that custody of the child has been awarded to one parent or a guardian (if this has occurred);
 - Please send the court order.
- that the child is adopted (if this is so);
 - Please send the court order.
- of any other fact that may be relevant to the application e.g. if the child is married please send the marriage certificate.

Where to send the application form

If you are applying in England, Wales, Scotland or Northern Ireland, send the form with the fee and supporting documents to:

Department 1
 UK Visas and Immigration
 The Capital Building
 New Hall Place
 Liverpool
 L3 9PP

If you are in the Channel Islands or the Isle of Man, you should send them to the Lieutenant Governor.

If you are in a British overseas territory, you should send them to the governor.

If you are elsewhere, you should send them to the nearest British consulate, embassy or high commission.

What happens afterwards?

The application will be forwarded for consideration to the Governor of the British overseas territory with which the child or the parent(s) are or were connected. They will be in touch with you direct about the final decision.

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Certificate of registration

If the application is successful, a certificate of registration will be issued in the name of the child. But citizenship may be withdrawn if it has been obtained by fraud, false representation, or the concealment of any material fact.

NB. Place and country of birth names shown on the certificate will be names in current acceptable use (and will be in English where English versions exist).

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Citizenship-related queries

If, having read the information set out in this guidance, you have questions about applying for BOT citizenship, you can email the Citizenship and Nationality Enquiries team at nationalityenquiries@homeoffice.gov.uk.

You should also contact them to let them know if you have made an application and your circumstances change.

If you've not had a response, we recommend checking your email's spam or junk folder before contacting UKVI again.

Alternatively, you can also write to:

Department 1
UK Visas and Immigration
The Capital Building
New Hall Place
Liverpool
L3 9PP

If you require anything else, please [contact UK Visas and Immigration for help](#).

Please quote any Home Office reference number from a previous application or correspondence.

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