Home Office

British overseas citizens

Version 16.0

This guidance tells His Majesty's Passport Office operational staff how to deal with passport applications from customers who hold British overseas citizenship

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About: British overseas citizens

This guidance tells His Majesty's Passport Office operational staff how to deal with passport applications for customers holding British overseas citizen (BOC) status.

Only examiners with the correct level of training must deal with BOC cases.

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 Guidance 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 Guidance team.

Publication

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

- version **16.0**
- published for Home Office staff on **23 February 2026**

Changes from last version of this guidance

This guidance has been updated:

- to remove reference to Application Management System (AMS)
- in the section How to deal with British overseas citizen cases to tell examiners when they must deal with a British overseas citizen case as a first time application

Related content
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British overseas citizens

This section tells His Majesty's Passport Office operational staff about the nationality status British overseas citizen (BOC) and how we must deal with passport applications from BOC customers.

Before 1 January 1983, British nationals born in the United Kingdom (UK) or a British colony, held the nationality status 'British subject citizen of the UK and colonies' (BSUKC). They may also have held BSUKC status if they were born elsewhere but their father was born in the UK (or a British colony) and their birth was regarded as legitimate.

The British Nationality Act 1981 came into force on 1 January 1983 and created 3 new types of nationality status.

British citizenship was gained by customers who held BSUKC status and Right of Abode in the UK.

British dependent territories citizenship (renamed British overseas territories citizenship) was gained by customers who:

- had BSUKC status through a connection to a British dependent territory
- did not have Right of Abode in the UK

British overseas citizenship (BOC) was gained:

- automatically by some customers (on 1 January 1983)
- by children who registered as BOCs (on or after 1 January 1983)
- by women who registered as BOCs if they were married to someone who became a BOC (on or after 1 January 1983)
- by people who registered as BOCs if they were otherwise stateless and:
  - born outside the UK and British overseas territories on or after 1 January 1983 to a parent who was a British overseas citizen
  - born on or before 31 December 1982 to a mother who became (or would have become) a British overseas citizen on 1 January 1983
- automatically by people who are otherwise stateless if they were born in:
  - the UK (on or after 1 January 1983) and had a parent who held BOC status
  - a British overseas territory (on or after 1 January 1983) and had a parent who was a BOC
- automatically (on 1 July 1997) for customers connected to Hong Kong who would become otherwise stateless when sovereignty of Hong Kong returned to China under Hong Kong (British Nationality Order) 1986
- by people who are otherwise stateless if they were born:
  - in Hong Kong (on or after 1 July 1997) and had a parent who was a BOC or a British national (overseas) citizen

- outside a British overseas territory (on or after 1 July 1997) and had a parent who held ‘other than by descent’ BDTC status (on 30 June 1997) from a connection to Hong Kong

British overseas citizen nationality status cannot be passed by descent to another generation (for example from an adult to a child), unless the child of a person with BOC nationality status would be stateless.

You do not need to add a case note to show ‘other than by descent’ (OTBD) or ‘by descent’ (BD) for BOC applications unless you are dealing with an application for a child of a BOC, who is stateless. In this example you must ask your operational team leader (OTL) or Quality Examination Support Team (QuESt) for help.

BOC status: gained automatically on 1 January 1983

Section 26 of the British Nationality Act 1981 says a person automatically became a British overseas citizen on 1 January 1983, if:

- before that date they were a British subject citizen of the UK and colonies (BSUKC)
- did not on that date become:
  - a British citizen under section 11 of the British Nationality Act 1981 (because they did not hold Right of Abode in the UK)
  - a British citizen under section 1(1) of the British Nationality (Falkland Islands) Act 1983
  - a British dependent territories citizen under section 23 of the British Nationality Act 1981 (because their BSUKC status was not gained through a connection to a British dependent territory).

BOC status: gained automatically by stateless persons born on or after 1 January 1983

Customers who are considered stateless (do not otherwise qualify for British or foreign nationality) are entitled to British nationality under Schedule 2, paragraphs 1 and 2 of the British Nationality Act 1981 (BNA’81) under certain circumstances.

A customer is entitled to BOC status under Schedule 2, paragraph 1 of the BNA’1981, if all the following apply:

- they were born in the UK on or after 1 January 1983
- they are stateless
- at the time of their birth their parent was a BOC

A customer is entitled to BOC status under Schedule 2, paragraph 2 of the BNA’1981, if all the following apply:

- they were born in a British overseas territory on or after 1 January 1983
- they are stateless
- at the time of their birth their parent was a BOC

Schedules 1 and 2 of the British Nationality Act 1981 (BNA'81), were amended from 1 July 2006 when the Nationality, Immigration and Asylum Act 2002 (Commencement No. 11) Order 2006 came into force.

BOC status: registration as a BOC

The British Nationality Act 1981 (BNA'81) allows for registration as a British overseas citizen under the circumstances shown below.

BOC status: registration under section 27 BNA'81

Section 27 of the British Nationality Act 1981 allows for the registration of children as British overseas citizens (BOCs) on or after 1 January 1983:

- at the discretion of the Secretary of State (under section 27(1) of the act)
- if the application to register a child (under section 27(2) of the act) was made:
  - within 5 years of the act coming into force (before 1 January 1988)
  - within 12 months of the child's date of birth

The ability to register under section 27(2) of the British Nationality Act 1981 was removed on 7 November 2002 when the Nationality, Immigration and Asylum Act 2002 came in to force.

BOC status: women registered as BOCs through marriage

Section 28 of the British Nationality Act 1981 allowed women to register as British overseas citizens (BOCs) (on or after 1 January 1983), if:

- they were married to someone with BSUKC status
- they were previously able to register as a BSUKC under section 6(2) British Nationality Act 1948 because of that marriage
- their husband became a BOC on that date

The ability to register under section 28 of the British Nationality Act 1981 was removed on 7 November 2002 when the Nationality, Immigration and Asylum Act 2002 came in to force.

BOC status: registration under Schedule 2, paragraph 4 BNA'81

Schedule 2, paragraph 4 of the BNA'81 allows for a person born outside of the UK and the British overseas territories on or after 1 January 1983 and who is otherwise stateless to register as a British citizen, a British overseas territories citizen, British overseas citizen or British subject.

A customer is entitled to register as a British overseas citizen under Schedule 2, Paragraph 4 of the BNA'81 if all the following apply:

- they were born outside the UK and British overseas territories on or after 1 January 1983
- they are and always have been stateless
- at the time of their birth their parent was a British overseas citizen
- they were in the UK or a British overseas territory 3 years before making the application and have not left the UK or British overseas territory for more than 270 days since that date

BOC status: registration under Schedule 2, paragraph 5 BNA'81

Schedule 2, paragraph 5 of the BNA'81 allows for a person born before 1 January 1983, who is otherwise stateless to register as a British citizen, a British Overseas Territories citizen or a British Overseas citizen.

A customer is entitled to register as a British overseas citizen under Schedule 2, Paragraph 5 of the BNA'81 if all the following apply:

- they were born on or before 31 December 1982
- they are and always have been stateless
- at the time of their birth, their mother was a citizen of the UK and Colonies and became (or would have become) a British overseas citizen on 1 January 1983

BOC status: stateless customers from Hong Kong

The introduction of the Hong Kong (British Nationality Order) 1986 allowed British overseas citizens (BOC) status to be given automatically to customers who would otherwise become stateless. This applied to customers born:

- before 1 July 1997, who:
  - held British dependent territories citizen (BDTC) status through a connection with Hong Kong
  - lost their BDTC status on 1 July 1997 when sovereignty of Hong Kong returned to China
  - would become otherwise stateless (for example, they did not have another nationality)
- in Hong Kong on or after 1 July 1997, who:
  - had a parent who held BOC or British national (overseas) citizen status
  - would become otherwise stateless (does not have another nationality)

The Hong Kong (British Nationality Order) 1986 also allowed customers to register as a British overseas citizen (BOC), if they were born:

- outside a British overseas territory on or after 1 July 1997 who:
  - had a parent who held 'other than by descent' BDTC status on 30 June 1997 from a connection to Hong Kong

Rights of British overseas citizens

British overseas citizens (BOCs) can hold a British passport and get consular help and protection from UK diplomatic posts. Unless the BOC is a dual British citizen, they are subject to immigration controls and do not have the automatic right to live or work in the UK.

BOCs can hold dual British nationality if, for example, they have also registered as a British citizen or British overseas territory citizen after 1 January 1983. If a BOC registers as a British citizen or British overseas territory citizen, they do not lose their entitlement to BOC status and can hold both passports at the same time.

Related content
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How to deal with British overseas citizen cases

This page tells His Majesty's Passport Office operational staff how to deal with an application for a British overseas citizen (BOC) passport. Only correctly trained examiners must deal with BOC cases.

HM Passport Office assess all applications for British overseas citizen (BOC) passports as if they were first time applications. We do this for:

- customers who have never held a British passport
- customers who apply to renew or replace a BOC passport:
  - issued before 1 January 2013
  - issued after 1 January 2013 with no passport note to show the BOC nationality claim has already been re-assessed

You do not need to deal with a renewal or replacement application as a first time application if the customer's passport record shows we have already checked their claim (as a first time application) since 2013. But you (the examiner) must reassess the customer's claim if you have any concerns about their application.

You must send system letter 745 'BOC/BPP renewals – documents required' to ask for any additional documents or evidence needed to confirm the customer's BOC claim if they have not already provided it.

BOC applications: what the customer must send us

You may need to ask for the following documents by sending letter template 745.

- an application (including a referee if the customer has not had a British passport before)
- passport photo
- the correct fee
- the standard documents they need for their application type (for example, identity documents, birth certificates and change of name documents)
- any passport they hold or a colour copy of the personal details page if they need to keep their passport for travel
- any related documents that confirm they did not become a British citizen or a British dependent territories citizen on 1 January 1983 (for example, a grandparent's birth or adoption certificate)
- evidence they are stateless (without another citizenship or nationality) if their claim to BOC status relies on it
- evidence to show they are settled in the UK or has valid immigration leave (permission) to be in the UK, so we can add the correct UK immigration

observation to their passport (if they are living in the UK and applying for their first passport)
- any other documents we need in line with existing guidance

If the customer cannot send the documents we need

If a customer cannot send us the documents we need, you must ask them why. If they do not have a document or a duplicate, you must ask for other documents or evidence.

If the customer cannot give us the evidence we need and all avenues have been exhausted, we must consider the application using a balance of probabilities (see: Supporting documents not available guidance).

Examining a BOC passport application: first time application

You, the examiner, must deal with the application using existing first time passport application guidance (which may also include an interview) if the customer appears to be a British overseas citizens (BOC) and:

- has never held a British passport
- is renewing or replacing an Old Blue (hardback style) passport
- is renewing or replacing a red passport (machine readable style passport):
  - that you cannot find on our passport records or through a Genie search
  - issued before 1 January 2013 and we need their documents again (to check their nationality and identity)

If the application is for a first BOC passport, you must:

1. Make sure the application type is ‘first time’.
2. Decide if you need to ask the customer to provide a referee (if the customer has not had a British passport before).
3. Decide if you need to do extra checks on the BOC application.
4. Make sure the customer still holds BOC status, for example, if on 31 December 1982 they:
   - held British subject citizen of the UK and colonies status
   - did not have Right of abode in the UK
5. Check if we are dealing with the customer, in line with Windrush guidance.
6. Be satisfied the customer has given us enough evidence to confirm their nationality and identity.
7. Seek advice from your Quality Examination Support Team (QuESt) if the customer does not have a claim to BOC citizenship (QuESt will decide if we must refuse the application, in line with the Refusal and withdrawal of passport facilities guidance).
8. Use the **Nationality task** to record the customer’s status as ‘British Overseas Citizen’
9. Case note the details of the checks you have done and the outcomes.

10. Check which UK immigration observation you must add to the passport in line with the British overseas citizens UK immigration observations guidance and add the correct observation to the system.
11. Send the customer for interview (in line with current guidance). If not, issue a BOC passport.

You must not complete the application, send the customer for interview or issue a passport if there are other entitlement reasons why we cannot deal with the passport application. You must complete additional checks if, for example, there are:

- fraud concerns
- risk indicators
- court orders

Renewing or replacing a BOC passport

Most customers with British overseas citizens (BOC) status will already hold or have held a BOC passport. A record of their passport will usually exist on our passport records, G-search or the X drive. You, the examiner, will identify this when DAP (Digital Application Processing) creates an **Applicant has a British overseas citizen passport** task.

We do not assess the customer's claim on renewal or replacement applications if the customer's passport record shows we have already checked their claim (as a first time application) since 1 January 2013. You must check the case notes on the customer's previous passport record to see if they gave us their first time documents. If the case note shows, they:

- sent their documents you do not need to see them again, unless you have concerns with the application
- have not sent their documents you must ask the customer to send their documents again

You must use the correct application type. For the renewal or replacement application if we already have a passport record of the customer's machine readable passport. You do not need to change the application type on the system to first time. You must continue processing as renewal or replacement, even if you are assessing the application as 'first time'.

How to renew a BOC passport

To renew a customer's British overseas citizens (BOC) passport, you must:

1. Check if the customer still holds BOC status (in line with nationality legislation and this guidance).
2. Check if we must deal with them, in line with Windrush guidance.
3. Be satisfied they have given us enough evidence to confirm their nationality and identity.

4. Check the documents and evidence to make sure you have no concerns with the application.
5. Confirm the customer's identity.

6. Add the correct case note to the application.

7. Check which UK immigration observation you must add to the passport in line with the British overseas citizens UK immigration observations guidance and add the correct observation to the system.
8. Select the correct nationality status from the dropdown in **Application details – personal details – nationality field**.
9. Add the correct immigration observations to the system.
10. Issue a BOC passport.

You must complete additional checks if there are other entitlement reasons why we cannot deal with the passport application. For example:

- fraud concerns
- risk indicators
- court orders

How to replace a lost or stolen BOC passport

If a customer applies to replace a lost or stolen BOC passport, see lost, stolen and recovered guidance and renewing a BOC passport.

BOC case: if a customer's claim relies on statelessness

When dealing with an application where the customer is stateless, you must make sure they:

- have no entitlement to another nationality before you issue a British overseas citizens (BOC) passport
- send us documentary evidence that they are stateless

Stateless customers: Hong Kong

Customers who did not register as a British national overseas (BN(O)) citizen, stopped holding British dependent territories (BDTC) citizenship on 1 July 1997 and became Chinese citizens (if they were entitled to it).

If a customer became a citizen of China, they will have no claim to a British passport. You must tell them to contact the Chinese authorities at the nearest Chinese consulate so they can apply for a Hong Kong Special Administrative Region passport.

If the customer did not become a citizen of China, they may be stateless. You must ask the customer to send evidence:

- to show they or their parent:
  - was a BDTC with a connection to Hong Kong
  - held no other nationality on 1 July 1997
- from the Chinese authorities to confirm they are not Chinese citizens
- from authorities in any other country they are connected to by birth or descent, confirming they did not have that country's nationality on 1 July 1997

These requirements also apply to children born on or after 1 July 1997 to a parent who was previously a BDTC from a connection with Hong Kong. You must refer the application to your operational team leader (OTL). They will contact the customer if they are:

- stateless and not entitled to BOC status
- have not registered as a BN(O), is not stateless and have no claim to British nationality

The OTL will then confirm if you can refuse the customer's application.

Related content
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British overseas citizens UK immigration observations

This section tells HM Passport Office operational staff what United Kingdom immigration observations they must add to a British overseas citizen passport.

When we issue a customer with a British overseas citizens (BOC) passport, we must add the correct United Kingdom (UK) immigration observation. This will either be:

- subject to immigration control (STC) observation code OBTB, that says:

  THE HOLDER IS SUBJECT TO CONTROL UNDER THE IMMIGRATION ACT 1971

- re-admission to the UK (RUK) observation code OBTE, that says:

  THE HOLDER IS ENTITLED TO RE-ADMISSION TO THE UNITED KINGDOM

If we do not use the correct UK immigration observation, especially for customers in the UK, it may:

- mean if they leave the UK, they may have difficulty trying to re-enter
- create similar issues seen with Windrush customers

The UK immigration observation we use in a BOC passport, depends on:

- if a customer is in the UK or overseas
- how long a customer has been in the UK
- what UK immigration observations are in a customer's previous passports
- any immigration documents a customer has from UK Visas and Immigration (UKVI)

First BOC passport: customer is in the UK

If a UK customer applies for their first British overseas citizens (BOC) passport, you must check:

- their supporting documents to see if it shows they:
  - are settled in the UK (for example, indefinite leave to remain (ILR), indefinite leave to enter (ILE) or no time limit (NTL))
  - have valid leave (immigration permission) to be in the UK (for example, a visit visa, limited leave to enter or limited leave to remain)
- UKVI systems (if the customer does not have documents showing they are settled or have valid leave) to see if the records show if they are settled or have valid leave

If the supporting documents or the UKVI system show the customer is settled or has valid leave, you must refer to first BOC passport: customer is settled or has valid leave.

If the supporting documents and the UKVI system do not show if the customer is settled or has valid leave, you must:

1. Send the customer letter 137. The letter asks for:
   - evidence that shows their immigration status in the UK
   - the document they used to enter to the UK (if they cannot give us evidence that shows their immigration status in the UK)
   - a signed letter that explains when they travelled to the UK and what document they used (if they cannot give us the document, they used to enter the UK)
2. Add a case note to explain the actions and decisions you made.
3. Store the application while you wait for a response.

When you get the customer's response, you must refer to:

- first BOC passport: customer is settled or has valid leave (if the customer provides evidence to show they are settled or has valid leave)
- first BOC passport: asking UKVI if a customer is settled or has valid leave, below (if the customer cannot provide evidence to show they are settled or has valid leave)

First BOC passport: asking UKVI if a customer is settled or has valid leave

When a customer in the UK applies for their first British overseas citizen (BOC) passport, we will ask UK Visas and Immigration (UKVI) to confirm if they are settled or have valid leave, when both of the following apply:

- the customer could not provide evidence to show they are settled or has valid leave
- the UKVI system does not show if the customer is settled or has valid leave

To ask UKVI if a customer is settled or has valid leave, you must:

1. Complete the UKVI referral – customer's immigration status form using the details on the passport application to:
   - ask UKVI to check their records to see if the customer is settled or has valid leave
   - tell UKVI to contact the customer to explain what they need to do about their UK immigration status, if their records do not show the customer is settled or has valid leave
2. Create an email and with the subject field showing:

   HMPO request – customer's settlement status

3. Attach the referral form to the email and send it to UKVI from your team's mailbox.
4. Add a case note to explain the:
   - customer could not give us evidence to show they are settled or has valid leave
   - actions and decisions you made
5. Store the application while you wait for UKVI to respond (usually within 10 working days).

When you get a response from UKVI, you must refer to:

- first BOC passport: customer is not settled and does not have valid leave (if UKVI confirm the customer is not settled and does not have valid leave)
- first BOC passport: customer is settled or has valid leave, below (if UKVI confirm the customer is settled or has valid leave)

First BOC passport: customer is settled or has valid leave

If the British overseas citizens (BOC) customer provides evidence to show they are settled or has valid leave, you must first check to see if the evidence is genuine. You must:

1. Check the customer's documentary evidence agrees with UKVI systems.
2. Refer the application to your operational team leader (OTL), to decide if the evidence is genuine (using a balance of probability) if there is nothing on the UKVI systems.
3. Complete additional checks, if you suspect the customer's evidence of settlement is not genuine.

Providing you are satisfied there is evidence to show the customer is settled or has valid leave (either from the customer's supporting documents, information from UKVI systems or because UKVI confirmed they are settled or have valid leave), you must:

1. Add the UK immigration observation:
   - STC immigration observation
2. Send the customer letter 132, making sure you use the correct phrase to show their nationality status is British overseas citizen.
3. Add a case note to explain the:
   - customer is settled or has valid leave (including how)
   - actions and decisions you made
4. Continue to process the application (in line with current guidance)

First BOC passport: customer is not settled and does not have valid leave

If UKVI confirm the British overseas citizen (BOC) customer is not settled an does not have valid leave, you must:

1. Add the UK immigration observation:

    - STC immigration observation
2. Send the customer letter 133, making sure you use the correct phrase to show their nationality status is British overseas citizen.
3. Add a case note to explain the:
    - customer is not settled and does not have valid leave
    - actions and decisions you made
4. Continue to process the application (in line with current guidance).

First BOC passport: international customer

If a customer applies for their first British overseas citizens (BOC) passport from outside the UK, you must:

1. Add the UK immigration observation:
    - STC immigration observation
2. Add a case note to explain the actions and decisions you made
3. Continue to process the application (in line with current guidance).

We do not send letters to first time BOC international customers about UK immigration observations.

Renewal and replacements of BOC passports

If a UK or international customer applies to renew, replace or change the details on their British overseas citizens (BOC) passport, you must:

1. Deal with the application in line with current guidance (for example, lost and stolen).
2. Check if the RUK or STC immigration observation is on their old passport.

If the customer's old British national BOC passport does not have the RUK or STC immigration observation or only has the STC immigration observation, you must check what's on their previous passports, using:

- our passport records
- G-search
- X-drive

Previous BOC has RUK

If the customer's old, or any previous British overseas citizens (BOC) passport has the RUK immigration observation, you must:

1. Add the RUK immigration observation.
2. Send the customer letter 136, making sure you use the correct phrase to show their nationality status is British overseas citizen (you must only send it to UK customers, as international customers do not need it).
3. Add a case note to explain the actions and decisions you made.
4. Continue to process the application (in line with current guidance).

Previous BOC does not have STC or RUK or just has STC

If the customer's old and previous British overseas citizens (BOC) passports do not have the RUK or STC immigration observation, or only have the STC observation, you must follow the guidance for:

- First BOC passport: customer is in the UK (if it is a UK customer)
- First BOC passport: international customer (if the customer applies from outside the UK)

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