



Home Office

British citizenship

Version 33.0

This guidance tells His Majesty's Passport Office staff how to deal with passport applications for customers that hold British citizenship

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About: British citizenship

This guidance tells His Majesty's Passport Office staff:

- how a customer can have a claim to British citizenship
- how to check if a customer holds British citizenship
- what documents a customer needs to send to support their passport application

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 HM Passport Office's 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 the Guidance team.

Publication

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

- version **33.0**
- published for Home Office staff on **27 April 2026**

Changes from last version of this guidance

This guidance has been updated:

- throughout to remove references to the Application Management System (AMS), and in the sections:
- Proving British citizenship if born before 1 January 1983, to tell examiners they must:
 - check the countries' independence legislation to confirm if a customer, born outside the UK and appears to have an automatic claim to British citizenship, has retained their British subject, citizen of the UK and Colonies status before becoming a British citizen
 - record the intended passport holder's nationality status using the Nationality Task, in line with DAP: recording nationality status
- Customers born in the UK or qualifying overseas territory, to tell examiners:
 - if a customer cannot supply their parents' or grandparents' details when they send their application, they must follow When parent or grandparent details are missing or incomplete
 - they must record the intended passport holder's nationality status using the Nationality Task, in line with DAP: recording nationality status
- Claims under schedule 2 British Nationality Act 1981 to clarify that claims to British citizenship under schedule 2, paragraph 2 of the British Nationality Act 1981 apply to customers born between 1 January 1983 and 21 May 2002

- Naturalisation as a British citizen, to:
 - clarify that being born outside the UK and the qualifying territories is not a requirement for naturalisation under the British Nationality Act 1981
 - tell examiners they must record the intended passport holder's nationality status using the Nationality Task, in line with DAP: recording nationality status, and record the naturalisation certificate details, in line with Recording British nationality certificates on the system
- Registration as a British citizen, to:
 - tell examiners they must record the intended passport holder's nationality status using the Nationality Task, in line with DAP: recording nationality status, and record the registration certificate details, in line with Recording British nationality certificates on the system
 - confirm customers must send a full birth certificate if the intended passport holder is a child who has registered as a British citizen and is applying from outside the UK
 - clarify the requirements for registration under sections 4F to 4I, and 7, of the British Nationality Act 1981
 - tell examiners how to confirm if a customer who registered under section 4F of the British Nationality Act 1981 is a British citizen 'by descent' or 'otherwise than by descent'
 - explain how a child born in the UK to a parent who later registered under section 7(1)(a) may have a claim to British citizenship under section 1(1)(b) of the British Nationality Act 1981
 - explain that customers who registered as British citizens under schedule 8 of the British Nationality Act 1981 could be 'by descent' or 'otherwise than by descent', depending on what their status would have been under the previous Act
- Customers born in the UK or qualifying overseas territory, to tell HM Passport Office staff what documents a customer must send to confirm a parent's (and grandparent's, if needed) claim to British citizenship, to support a claim under section 1(1)(a) of the British Nationality Act 1981
- Registration as a British citizen, to clarify how a child born in the UK to a parent who later registered under section 7(1)(a) of the British Nationality Act 1981 may have a claim to British citizenship under section 1(1)(b) of the British Nationality Act 1981
- Section 1(1)(b) of the British Nationality Act 1981, to add 'refugee settlement' to the types of settled status a parent can hold
- Recording registration details: 'by descent' or 'otherwise than by descent', to tell examiners when to use UK Visas and Immigration systems to check if a customer registered as a British citizen 'by descent' or 'otherwise than by descent'
- Registration sections under the British Nationality Act 1981, to:
 - clarify the requirements for registration under section 3(5) of the Act
 - include information on registrations under section 4AA of the Act
- the British citizenship section, to remove a reference to a Certificate of Right of Abode being added to foreign passport. This is because UK Visas and Immigration will issue digital certificates from 26 February 2026.
- Proving British citizenship if born before 1 January 1983, to tell examiners:

- a person who was registered as a BSUKC in an independent Commonwealth country by a UK High Commissioner will have Right of Abode in the UK under section 2(1)(a) of the Immigration Act 1971
- to follow British citizenship by descent, if the customer was born outside the UK before 1983 and is claiming British citizenship by descent through a British subject, citizen of the UK and colonies (BSUKC) father, or through their birth in a former British colony, protectorate, protected state or UK trust territory
- Documents needed as evidence under section 1(1)(a), to tell examiners we only accept parent's British citizen passport or passport numbers if the customer is applying from the UK, or internationally from a Group 1 or Group 2 country
- The British Overseas Territories Act 2002, to:
 - explain the Act came into effect in 2 stages, on 26 February, and 21 May 2002
 - clarify that customers who were British citizens under sections 1(2) to 1(4) of the Nationality (Falkland Islands) Act 1983 immediately before 21 May 2002, retained their British citizenship status after that date
- to tell examiners that dual nationals who naturalised or registered must send their foreign passports (or a colour photocopy of all pages, in line with Dealing with customer documents), in the following sections:
 - Born outside the UK and registered or naturalised as a BSUKC
 - Documents we need to confirm claims through naturalisation
 - Documents we need to confirm claims through registration

Related content

[Contents](#)

British citizenship

This section tells His Majesty's Passport Office staff about how customers can gain British citizenship through, birth, adoption, naturalisation, registration or descent. The section also tells staff about dual nationality and citizenship, the definition of a parent enemy aliens and diplomats, losing, renouncing and assuming British citizenship and immigration observations.

The British Nationality Act 1981 was brought in on 1 January 1983 and explains how customers can:

- gain British citizenship
- pass on their citizenship to a further generation

British citizenship is gained by:

- [birth](#)
- [adoption](#)
- [naturalisation](#)
- [registration](#)
- [descent](#)

British citizens have [the right of abode \(ROA\)](#) under the Immigration Act 1971, meaning they can enter and leave the United Kingdom without restriction.

You, the examiner, can determine if a customer has ROA without sending to UK Visas and Immigration (UKVI). If you need help you must ask your operational team leader (OTL) or Quality and Examination Support team (QuEst).

You, the examiner, must not accept a Certificate of Entitlement to Right of Abode as evidence the holder is a British citizen. If you can confirm the customer is a British citizen and you issue them a passport you must revoke their Certificate of Entitlement.

British citizenship by birth

Customers may be entitled to [British citizenship automatically](#), depending on if they were:

- [born in the UK or a British colony \(before 1 January 1983\)](#)
- [born in the UK \(between 1 January 1983 and 1 October 2000\)](#)
- [born in the UK \(between 2 October 2000 and 29 April 2006\)](#)
- [born in the UK \(on or after 30 April 2006\)](#)
- [born outside the UK](#)

Customers who are entitled to British citizenship automatically do not need to register or naturalise.

Full birth certificates

Customers applying from the UK for their first passport, must send their full birth certificate. If a short birth certificate is sent instead of a full birth certificate, see Life Events Verification: checking birth records as we may be able to check the full birth certificate in certain circumstances. We will accept a short birth certificate from customers born in the UK before 1 January 1983 to support their application. Only full birth certificates are accepted from customers applying from overseas regardless of their date of birth.

You can find more information in the Birth registration guidance.

Birth certificates for customers born in the UK

Full birth certificates issued in England and Wales show a person's:

- full name
- place and date of birth
 - in the case of multiple births (for example, a twin) it will also show time of birth
- parents
- parents' occupation (the mother's occupation was added to full birth certificates in 1985)

Since 1 April 1969, full birth certificates also show the places of birth of a person's parents.

Full birth certificates issued in Scotland, show a person's:

- full name
- place, time and date of birth
- parents
- parents' date of marriage (if they were married at the time of birth)

Full birth certificates issued in Northern Ireland show a person's:

- full name
- place and date of birth
- parents

Birth certificates for customers born overseas

A customer born overseas must send a foreign birth certificate issued from the country they were born in.

See: Birth registration guidance for consular birth certificates or His Majesty's Armed Forces birth certificates.

Customers born aboard a ship or aircraft

The British Nationality Acts 1948 and 1981 allow for some customers born aboard a British ship or aircraft to be considered born in the UK (or in a British overseas territory) for nationality purposes.

Born aboard a ship or aircraft before 1 January 1983

Under the [British Nationality Act 1948](#), a person born aboard a ship or aircraft was considered to have been born in the country:

- where the ship or aircraft was registered; or,
- the unregistered government ship or aircraft belongs to

For example, a person born before 1 January 1983 aboard a ship registered in the UK would:

- be a British subject, citizen of the UK and Colonies (BSUKC) by birth under section 4 or 12(1)(a) of the [British Nationality Act 1948](#)
- have right of abode in the UK under [section 2\(1\)\(a\) of the Immigration Act 1971](#)
- qualify as a British citizen '[otherwise than by descent](#)' under [section 11\(1\) of the British Nationality Act 1981](#)

Born aboard a ship or aircraft on or after 1 January 1983

Under the [British Nationality Act 1981](#), a person born on or after 1 January 1983 aboard a ship or aircraft is considered to be born:

- in the UK, if the ship or aircraft is registered in, or belongs to the government of, the UK, and:
 - their mother or father was a British citizen at the time of the birth; or
 - they would otherwise be [stateless](#)
- in a British overseas territory (BOT), if the ship or aircraft is registered in, or belongs to the government of, a BOT, and:
 - their mother or father was a British citizen or British overseas territories citizen at the time of the birth; or
 - they would otherwise be [stateless](#)
- [outside the UK and the British overseas territories](#), if the ship or aircraft is registered in, or belongs to the government of, any other country or territory

A customer born aboard a ship or aircraft will qualify for British citizenship '[otherwise than by descent](#)', under [section 1\(1\)\(a\) of the British Nationality Act 1981](#) if, at the time of their birth:

- their mother or father is a British citizen; and,
- the ship or aircraft is registered to, or belongs to the government of:
 - the UK on or after 1 January 1983; or,
 - a [qualifying territory](#) on or after 21 May 2002

A customer born under these circumstances to a non-British parent who is [formally settled](#) in the UK or a [qualifying overseas territory](#) is not entitled to British citizenship under [section 1\(1\)\(b\) of the British Nationality Act 1981](#).

British citizenship by adoption

A customer can become a British citizen if their only entitlement to citizenship is if a British citizen (or a BSUKC) before 1 January 1983, adopts them as a minor:

- in a UK court (on or after 1 January 1950)
- in a qualifying British overseas territory court (on or after 21 May 2002)
- overseas, under [Article 23 of the Hague Convention](#) (on or after 1 June 2003) and they are:
 - habitually resident (country where the customer spends most of their year) in the UK at the time of the adoption

A minor adopted in an overseas territory by a British dependent territories citizen (BDTC) parent before 21 May 2002, would become a British citizen from that date, provided they were not already a BDTC or British citizen at the time of the adoption.

A minor is a child under the age of:

- 21 years old (if born before 1 January 1970)
- 18 years old (if born on or after 1 January 1970)

Adoption certificates under Article 23 of the Hague Convention are only issued if Article 17 has been complied with.

You, the examiner, must check the customer's adoption certificate to make sure the adoption took place in a UK court. Customers adopted outside the UK must hold an Article 23 Hague Convention certificate. This must be shown on the actual certificate.

If the adoption took place under Article 23, you must also check the customer's adoptive parent (and in the case of a joint adoption, both adoptive parents) was habitually resident in the UK at the time of the adoption.

The courts consider 'habitual residence' to be the country where a person spends most of their year. For most people, this is the place they call home and where they live and work. Therefore, a person living in the UK for most of the year is habitually resident in the UK.

Factors such as possession of a property, type of employment contract, financial arrangements and location of bank accounts and local connections, are just some of the many factors that may be relevant to questions relating to habitual residence.

Customers who were not already entitled to British citizenship (for example by birth or descent) will not have an automatic claim to British citizenship through adoption, if they were adopted:

- overseas in a local court and an Article 23 Hague Convention certificate was not issued, unless:
 - they were adopted before 1 January 1983; and,
 - they were already a BSUKC under the [British Nationality Act 1948](#); and,
 - at least 1 of the adoptive parents had the right of abode under [section 2\(1\)\(a\) or 2\(1\)\(b\)\(i\) of the Immigration Act 1971](#)
- in the UK by someone who is not a British citizen at the time of the adoption
- in the UK or overseas, under Article 23 of the Hague Convention and their adoptive parent (or in the case of a joint adoption, both adoptive parents) is not habitually resident in the UK at the time of the adoption

For more information, see: Adoption guidance.

British citizenship by naturalisation or registration

Naturalisation is a legal process where an adult (with no automatic claim to British citizenship) can:

- apply to UK Visa & Immigration (UKVI) to become a British citizen
- get the same rights and privileges as someone born a British citizen from the date of their naturalisation

Under the British Nationality Act 1981 a person can normally apply for naturalisation as a British citizen:

- 1 year after becoming free from immigration conditions (although it can take at least 5 years of lawful residence before a person is considered settled)
- If they are married or in a civil partnership to a British citizen and have lived in the UK for 3 years or more

Customers who have naturalised are issued a certificate by UKVI. For passport purposes, customers need to send their original certificate to prove their claim to British nationality. You must follow the Naturalisation and Registration certificates guidance when dealing with an applicant that has naturalised.

Registration is a similar process to naturalisation and is for people:

- who are minors. You may see registration certificates issued to someone born in the UK but aged over 18 at the time of the issue of the certificate. This happens when the registration application is sent when the customer is still a minor, but the application is not completed until after they have turned 18.
- who already hold a British nationality status other than British citizenship
- who are not recognised as a citizen of any country so would [otherwise be stateless](#) depending on when and where they were born
- who were previously excluded because of legitimacy (their parents were not married at the time of birth)
- born before 1 January 1983 and were unable to claim through their mother and would have been able to if claims were allowed through the maternal line

- who have previously renounced BSUKC or BC status
- people who were born outside the UK to a British citizen who is '[by descent](#)' and have no automatic claim
- who can (or could have) registered as a British overseas territories citizen under section 17A, 17C, 17D, 17E or 17F of the British Nationality Act 1981 (see British overseas territories citizens guidance)
- who would have been (or been able to become) a British citizen but for an act of historical legislative unfairness, an act or omission of a public authority, or exceptional circumstances relating to the customer

British citizenship by descent

If the claim parent's status is listed as 'by descent' they will not normally be able to pass their nationality to any children born overseas.

The sections of the following Acts give details about what sections are 'by descent' claims:

- sections 2 and 14 of the British Nationality Act 1981
- section 3(3) of the British Overseas Territories Act 2002
- section 2(1) of the British Nationality (Hong Kong) Act 1990
- section 2(1)(a) of the British Nationality (Hong Kong) Act 1997

The sections of the following Acts give details about the sections that become classed as 'by descent' under the British Nationality Act 1981:

- sections 5, 6(2), 12, 13 and Third Schedule of British Nationality Act 1948
- section 1 of the [British Nationality \(No2\) Act 1964](#) (stateless person)

British citizenship otherwise than by descent

Sections of the Act that are not by descent are known as 'otherwise than by descent'. These customers can pass their nationality to their children born abroad.

Whilst these children who were born abroad would hold no different British citizenship than for someone born in the UK, they would not be able to pass on their British citizenship unless they meet the criteria (for example, parent in Crown Service at the time of birth).

Case noting nationality status

When dealing with a first time application for a British citizen passport, you must record the intended passport holder's nationality status using the Nationality task, in line with DAP: recording nationality status.

You can find specific guidance on status case noting under the relevant sections in this guidance.

Customers applying for a first time passport outside the UK

If a customer applies for a British passport from outside the UK, they need to send extra documents to support their application. The documents depend on the country where the customer is applying from. For example:

- documents needed from a Group 1 country can be found [here](#)
- documents needed from a Group 2 country can be found [here](#)
- documents needed from a Group 3 country can be found [here](#)

You, the examiner, must check which group a country belongs to.

Dual nationality and dual citizenship

A person holds dual nationality if they are citizens of more than one country. A person who holds more than one British nationality is known as a dual British national.

Definition of a parent

You must determine if the claim to British nationality is through the customer's legal parent. [Section 50\(9\) of the British Nationality Act 1981](#) explains the definition of a parent. You must also check the [definition of a parent](#) guidance for more information about how to determine who is the legal parent for nationality purposes.

When taking a claim through a parent you must consider:

- whether the claim parent meets the definition of parent for nationality purposes
- if a claim can be taken through either parent, which would give the customer the stronger claim (for example, if one parent would give the customer an OTBD claim and the other a BD claim, you must use the OTBD claim if the documents are available)
- whether we can take a claim through the documents received on the application or are further documents required to prove a claim

Losing, renouncing and resuming British citizenship

A person can lose their British citizenship by:

- [deprivation](#)
- [nullity](#)
- [renouncing](#) their British nationality

Deprivation

Deprivation is when a person with British citizenship status, whether through registration, naturalisation or being a citizen of a British overseas territory or otherwise, has that citizenship removed by order of the British government.

The person is deprived of British citizenship from the date of the decision. For the period between becoming a British citizen and the date of deprivation the person is still classed as British. This means the person's nationality can be used when looking at claims to British nationality for dependents born to them during the period they are still classed as a British citizen.

Nullity

Nullity of British citizenship is when registration or naturalisation is considered to never have taken place. This means the person concerned does not need to be deprived of their British citizenship because we regard them as never having had it in the first place. You must review the nationality of any dependents that relied on the person's British nationality for their own status.

UKVI's status review unit investigates deprivation and nullity of British citizenship. More information can be found on [GOV.UK](https://www.gov.uk).

Renouncing British citizenship

A person can apply to give up (renounce) their British citizenship. Losing or renouncing British citizenship affects a person's right to live in the UK. It can also affect the status of any children born to them on or after the date of renunciation.

In some cases, it is possible for a person to reacquire their British citizenship after renouncing it. More guidance on renouncing and reacquiring British citizenship can be found on [GOV.UK](https://www.gov.uk).

You must follow the Renunciation guidance if you have reason to believe the customer is:

- a person who has renounced their citizenship
- the child of a person who renounced their citizenship before the child was born

Immigration observations for British citizens

We do not add immigration observations for British citizens, unless the customer has dual nationality and asks us if they can have the observation on their passport.

Related content

[Contents](#)

Proving British citizenship if born before 1 January 1983

This section tells HM Passport Office operational staff how to check if a customer born before 1 January 1983 is a British citizen under section 11 of the British Nationality Act 1981.

Customers born before 1 January 1983 may become a British citizen under [section 11 of the British Nationality Act 1981](#). They may not have a claim if at the time of their birth their father was an enemy alien or a foreign diplomat.

Enemy aliens and diplomats before 1 January 1983

[Section 4 of the British Nationality Act 1948](#) gives details of people not eligible for British citizenship if their father was an enemy alien or held diplomatic immunity at the time of the child's birth (for example, as a foreign diplomat or member of their household).

For British citizenship purposes, a person cannot claim British citizenship by birth if they were born before 1 January 1983 in:

- the UK, if their parent was a foreign diplomat or held diplomatic immunity in the UK at the time of their birth
- an occupied British territory (for example, the Channel Islands during World War 2, occupied by Germany from 1940-1945), if their father was an enemy alien and the birth occurred in a place which was under occupation by the enemy at the time

Any person born in the UK before 1 January 1983 to a foreign diplomat parent is not entitled to British citizenship, unless the parent is (or would have been had they been alive) a British citizen.

When examining these types of applications, you must watch for:

- an address of a foreign embassy in the UK
- a parent's profession listed as diplomat on the customer's full birth certificate

Section 11(1) British Nationality Act 1981

Under [section 11\(1\) of the British Nationality Act 1981](#), a person automatically became a British citizen on 1 January 1983, if immediately before that date they met both of the following:

- they were a British Subject citizen of the UK and Colonies (BSUKC) under any section of the British Nationality Act 1948, or any subsequent act, for example:
 - [section 8 of the Adoption of Children Act 1949](#)

- sections 1 and 2 of the [British Nationality \(No. 2\) Act 1964](#) (except where specified in [section 11\(2\) of the British Nationality Act 1981](#))
- they had Right of Abode (ROA) in the UK under [section 2 of the Immigration Act 1971](#) (except where specified under [section 11\(3\) of the British Nationality Act 1981](#))

If you, the examiner, are not sure if a person is covered under the [British Nationality Act 1948](#), or any subsequent act, you must refer the application to an appropriately trained caseworker or operational team leader (OTL).

Section 11(1) British Nationality Act 1981: ‘otherwise than by descent’ or ‘by descent’

A customer who got their British citizenship under [section 11\(1\) of British Nationality Act 1981](#) (BNA ‘81) could be a British citizen ‘[otherwise than by descent](#)’ or ‘[by descent](#)’. The status will depend on the circumstances of their BSUKC status and ROA in the UK.

Section 11(1) British Nationality Act 1981: ‘otherwise than by descent’

A customer who got their British citizenship under [section 11\(1\) of British Nationality Act 1981](#) (BNA ‘81) will be a British citizen ‘[otherwise than by descent](#)’ if, immediately before 1 January 1983, they were a BSUKC:

- and had ROA under [section 2\(1\)\(a\) of the Immigration Act 1971](#) because they were:
 - born, adopted, naturalised or (except [where specified](#)) registered in the UK; or,
 - registered under [section 8\(2\) of the British Nationality Act 1948](#) in an independent Commonwealth country by a UK High Commissioner; or,
- under sections [4](#), [6](#), [7](#), [12\(1\) or 12\(3\)](#) of the British Nationality Act 1948 and had ROA in the UK under [section 2\(1\)\(b\) and section 2\(1\)\(d\) of the Immigration Act 1971](#); or,
- who otherwise met the [criteria for British citizenship ‘by descent’](#) but, at the time of their birth, their legitimate father was in:
 - Crown service and recruited in the UK
 - Designated Service and recruited in the UK
 - service under a community institution and recruited within the European communities
- by any other means but did not meet the [criteria for British citizenship ‘by descent’](#)

Section 11(1) British Nationality Act 1981: ‘by descent’

A customer who was born outside the UK and got their British citizenship under [section 11 of the British Nationality Act 1981](#), will be a British citizen ‘[by descent](#)’ if, immediately before 1 January 1983, they:

- were a BSUKC 'by descent' through their legitimate father under sections [5\(1\)](#), [12\(2\)](#), [12\(4\)](#), [13\(2\)](#) or [paragraph 3 of the third schedule](#) of the [British Nationality Act 1948](#); or,
- were registered as a BSUKC under:
 - [section 12\(6\) of the British Nationality Act 1948](#); or,
 - [section 1\(1\)\(a\) or 1\(1\)\(c\) of the British Nationality \(No2\) Act 1964](#) (stateless person); or,
 - [section 6\(2\) of the British Nationality Act 1948](#) on the grounds of marriage to a man who became or would (but for his death or renunciation of citizenship) have become a British citizen '[by descent](#)'; or,
- had the right of abode in the UK under [the Immigration Act 1971](#), sections:
 - 2(1)(b) only; or,
 - 2(1)(b) and 2(1)(c) only; or,
 - 2(2) only, by being (or having been) the wife of a man covered under section 2(1)(b) only or sections 2(1)(b) and 2(1)(c) only

First time passports from the UK: born or adopted in the UK

Customers born in the UK before 1 January 1983, who are applying for their first British passport, must send:

- their [birth certificate](#) (we will accept either a short or full birth certificate)
- evidence of a change of name, if the name on the birth certificate is different from their application,

Customers who were adopted in the UK before 1 January 1983 and were not already BSUKCs (for example, they were born outside the UK or born in the UK to an enemy alien or diplomat), who are applying for their first British passport, must send:

- their full UK adoption certificate
- evidence their adoptive parent was a BSUKC at the time of the adoption (this must be the adoptive father if it was a joint adoption)
- evidence of a change of name, if the name on the adoption certificate is different from their application

You must follow: Adoption guidance.

First time passports from the UK: born outside the UK

You must follow British citizenship by descent: born before 1983, if the customer was born outside the UK before 1 January 1983 and their claim to BSUKC status was through either their:

- legitimate father, who was a BSUKC and able to pass on his status; or,
- birth in a former British colony, protectorate, protected state or UK trust territory

Born outside the UK and registered or naturalised as a BSUKC

A customer born outside the UK and claiming British citizenship by naturalisation or registration before 1 January 1983, must send:

- their naturalisation or registration certificate
- their foreign passports (or a colour photocopy of all pages, in line with Dealing with customer documents), if they are a dual national
- their other British passport, if they are a dual British national
- evidence of a change of name that links any other documents to the application (if needed)

Customers must also supply official translations for any foreign documents that are not in English.

First time passports from the UK: customer cannot send documents

A customer may have a reasonable explanation for why they cannot send their documents. This can include losing contact with their parent or if they had to leave a country due to a crisis. If a customer tells you they cannot send the documents we asked for, you must:

- check any relevant crisis-specific guidance
- check the supporting documents not available guidance
- consider the application using a balance of probability

You must case note what evidence you have seen and reallocate the application to an OTL for further consideration.

If you have requested documents and you do not receive a reply, you must follow the withdrawing passport application guidance.

Section 11(1) British Nationality Act 1981: how to record status

If you are dealing with an application for a British citizen passport under [section 11 of the British Nationality Act 1981](#), you must:

- record the intended passport holder's British nationality status using the Nationality task, in line with DAP: recording nationality status, including:
 - their British citizen status under section 11(1) of the [British Nationality Act 1981](#)
 - if their status is [‘by descent’](#) or [‘otherwise than by descent’](#)

- case note the sections of all the Acts that apply (only if the customer was born outside the UK), including:
 - their BSUKC status with reference to the section of the [British Nationality Act 1948](#) (or subsequent act)
 - their ROA status, with reference to the section of the [Immigration Act 1971](#)

Sections 11(2) and 11(3) British Nationality Act 1981

Sections [11\(2\) and 11\(3\) of the British Nationality Act 1981](#) cover exceptions to the general rules described in [section 11\(1\)](#). Cases under these sections are rare. You must refer them to an appropriately trained caseworker or OTL.

Section 11(2) British Nationality Act 1981

Under [section 11\(2\) of the British Nationality Act 1981](#), a person who was registered as a BSUKC under [section 1\(1\)\(a\) of the British Nationality \(No2\) Act 1964](#) did not become a British citizen under [section 11\(1\) of the British Nationality Act 1981](#), unless:

- before 1 January 1983, they had ROA under [section 2\(1\)\(c\) of the Immigration Act 1971](#); or,
- their mother became a British citizen (or would have been, had they been alive) under [section 11\(1\) of the British Nationality Act 1981](#)

Section 11(3) British Nationality Act 1981

Under [section 11\(3\) of the British Nationality Act 1981](#), a person who did not have ROA in the UK under [the Immigration Act 1971](#) became a British citizen on 1 January 1983, if:

- immediately before that date they were a BSUKC under [section 12\(6\) of the British Nationality Act 1948](#)
- their application for registration under [section 12\(6\)](#) was based on their descent through an ancestor in the legitimate male line, who was a BSUKC through birth or naturalisation in the UK

Irish citizens: renewal of a British citizen passport

There are some Irish citizens born in Ireland before 1 January 1949 who have been issued with a British citizen (BC) passport in error when they renewed their previous British subject (BS) passport. If an Irish citizen born before 1 January 1949 applies to renew or replace a British citizen passport you must check their passport history and if necessary, correct the customer's British nationality status

Related content

[Contents](#)

Customers born in the UK or a qualifying territory

This section tells HM Passport Office operational staff how to check if a customer born on or after 1 January 1983 in the UK (or on or after 21 May 2002 in the UK or a qualifying territory) is a British citizen under section 1 of the British Nationality Act 1981.

Customers born on or after 1 January 1983 in the UK (or on or after 21 May 2002 in the UK or a qualifying territory) may become a British citizen under [section 1 of the British Nationality Act 1981 \(BNA '81\)](#).

Any customer entitled to British citizenship under section 1 of the British Nationality Act 1981 by being born in the UK on or after 1 January 1983 (or in the UK or a qualifying territory on or after 21 May 2002) will always be [‘otherwise than by descent’](#).

For customers born outside the UK on or after 1 January 1983 (or outside the UK and the qualifying territories on or after 21 May 2002) with a British citizen parent, see [British citizenship by descent](#).

Qualifying territory

A qualifying overseas territory is defined in the [British Nationality Act 1981](#) as being a British territory other than the Sovereign Base Areas of Akrotiri and Dhekelia, Cyprus.

Section 1(1)(a) British Nationality Act 1981

Customers are entitled to British citizenship under [section 1\(1\)\(a\) of the British Nationality Act 1981](#), when they meet both of the following conditions:

- they were born in:
 - the UK on or after 1 January 1983; or,
 - a [qualifying territory](#) on or after 21 May 2002; and,
- at the time of the birth, their mother or father was a British citizen (if a customer was born before 1 July 2006 and their claim is through their father, the birth must be legitimate)

Documents needed as evidence under section 1(1)(a)

Customers applying for their first British passport under section 1(1)(a) of the British Nationality Act 1981 must support their application with a [full birth certificate](#) and evidence of their parents' (and grandparents', if needed) claim to British citizenship.

To prove a parent was a British citizen at the time of the intended passport holder's birth, the customer must send one of the following:

- the parent's British citizen passport or passport number, provided they are applying from the UK, or internationally from a [Group 1](#) or [Group 2](#) country, and our records show:
 - the parent was born in the UK before 1 January 1983; or,
 - the current passport, or a previous passport clearly linked to the current passport, was issued before the intended passport holder's birth; or,
 - information in case notes for the current or any clearly linked previous passport that confirms the parent's claim to British citizenship before the intended passport holder's birth
- the UK birth certificate of a parent born before 1 January 1983 (we must continue to accept short birth certificates for people born in the UK before 1 January 1983 and accept the risk that a very small number of children of foreign diplomats (or foreign aliens) may get a passport)
- the [full UK birth certificate](#) of a parent born on or after 1 January 1983, along with evidence the customer's grandparent was a [British citizen](#) or [settled in the UK](#) at the time of the parent's birth
- a parent's foreign (or British forces, if applicable) birth certificate showing their parents' names and places of birth, along with evidence of their [British citizenship by descent](#)
- a parent's adoption certificate (if it confirms British citizenship) along with evidence of the adoptive grandparent's [British citizenship](#) at the time of the adoption
- a parent's UK naturalisation or registration certificate issued before the intended passport holder's birth

The customer may also need to send:

- documents to confirm the birth is legitimate, if the intended passport holder was born before 1 July 2006 and the claim is reliant on the father (see Legitimacy and domicile)
- evidence of a change of name that links any other documents or passport records to the application, if needed
- extra documents, if they are applying from outside the UK

The customer must send parents' or grandparents' details (including passport numbers) in a signed and dated letter, if they are missing or incomplete and we need them to process the application.

A customer may have a reasonable explanation for why they cannot send their documents. This can include losing contact with their parent or if they entered the country illegally without a passport. You can confirm the information on passport records or UK Visas and Immigration (UKVI) systems, subject to existing guidance and consider using balance of probability and supporting documents not available guidance in your decision making.

Section 1(1)(b) British Nationality Act 1981

Customers are entitled to be British citizens under [section 1\(1\)\(b\) of the British Nationality Act 1981](#), if they meet both the following conditions:

- they were born in:
 - the UK on or after 1 January 1983; or,
 - a [qualifying territory](#) on or after 21 May 2002; and,
- at the time of their birth, their mother or (legitimate, if customer born before 1 July 2006) father was formally settled in the UK or in that qualifying territory

Settled status

A person is considered settled if they are ordinarily resident in the UK (or a qualifying territory) without being subject to any restrictions on the length of their stay (also known as being 'free from immigration control'). A settled parent will be one of the following:

- a British national (except if they are a British citizen, see [Section 1\(1\)\(a\) British Nationality Act 1981](#) above), with:
 - the Right of Abode in the UK (for example, a British subject who has the right of abode under [section 2\(1\)\(d\) of the Immigration Act 1971](#) before 1 January 1983 and then [section 2\(1\)\(b\) of the Immigration Act 1971](#) from 1 January 1983); or,
 - evidence they were free from immigration control in the UK when the customer was born
- a [Commonwealth citizen](#) who:
 - has the right of abode under [section 2\(1\)\(d\) of the Immigration Act 1971](#) before 1 January 1983, and then [section 2\(1\)\(b\) of the Immigration Act 1971](#) from 1 January 1983; or,
 - started living in the UK before 1 January 1973 (see also: Windrush)
- an Irish citizen who is resident in the UK at the time of the child's birth
- a person with:
 - indefinite leave to remain (ILR) in the UK; or,
 - indefinite leave to enter (ILE) the UK; or,
 - no time limit (NTL) on their stay in the UK
- a person who, after living in the UK with protection status (permission to stay as a refugee or person with humanitarian protection), has been granted ILR (also known as 'refugee settlement')
- a person who has ILR under the European Union Settlement Scheme (EUSS) - a parent granted ILR under the EUSS will affect a child's passport application differently, depending on if the child was born
 - on or before 30 June 2021
 - on or after 1 July 2021 (in some cases, a child can qualify as a British citizen if their parent was granted ILR after the child's birth)
- a person with EUSS pre-settled status who can give us evidence to show they gained a Withdrawal Agreement right of permanent residence by exercising Treaty rights before the child was born (on or after 1 July 2021)

- a European Economic Area (EEA) or Swiss national who gained a right of permanent residence by exercising Treaty rights – the evidence we need to show someone was exercising Treaty rights depends on if the child was born:
 - from 1 January 1983 up to and including 1 October 2000
 - from 30 April 2006 up to and including 30 June 2021
- a person of any foreign nationality who gained a right of permanent residence by living in the UK (within the periods noted above) as the family member of an EEA or Swiss national exercising Treaty rights
- a member of the British armed forces and subject to UK service law at the time of their child's birth before 13 January 2010 (for children born after this date, see [Section 1\(1A\) of British Nationality Act 1981](#))
- a person who later registered as a British citizen under [section 7\(1\)\(a\) of the British Nationality Act 1981](#) (which means they were considered settled in the UK between 1 January 1983 and the date of their registration)
- a person considered settled, or having 'belonger' status, in a qualifying territory, when the child was born in that territory on or after 21 May 2002

Foreign diplomats

A foreign diplomat is an official who represents the interests of their country in another country, usually working as a member of an embassy or consulate.

A foreign diplomat may be resident in the UK but if they have diplomatic immunity, any children born in the UK are not entitled to British citizenship, unless the parent is a British citizen or was already formally settled in the UK before the child was born. This is not restricted to foreign diplomats but may also cover other officials, you must follow Nationality: diplomatic privileges guidance.

When examining these types of applications, you must watch for:

- an address of a foreign embassy in the UK
- a parent's profession listed as diplomat on the customer's full birth certificate

Documents we need for claims under section 1(1)(b)

Customers applying for their first British passport under [section 1\(1\)\(b\) of the British Nationality Act 1981](#) must support their application with:

- a [full birth certificate](#) and
- evidence that, at the time of the intended passport holder's birth, in:
 - the UK, their parent was settled in the UK
 - a qualifying territory, their parent was settled in that territory

The customer may also need to send:

- documents to confirm the birth is legitimate, if the intended passport holder was born before 1 July 2006 and the claim is reliant on the father (see Legitimacy and domicile)

- evidence of a change of name that links any other documents or passport records to the application, if needed
- extra documents, if they are applying from outside the UK

The customer must send parents' details in a signed and dated letter, if they are missing or incomplete and we need them to process the application.

How to check for settlement

To prove a claim to British citizenship under [section 1\(1\)\(b\) of the British Nationality Act 1981](#), the document provided must show the parent's settled status was issued before the intended passport holder's birth (or provide a link to a UK Visas and Immigration (UKVI) record which shows this). This may be any of the following:

- a Certificate of Entitlement to Right of Abode or immigration endorsement in the parent's foreign passport; or
- a biometric residence card or permit showing a date of settlement; or
- an immigration reference number (unique application number (UAN) or Global Web Form (GWF)) from the parent's eVisa, provided in an acceptable format
- a European Union Settlement Scheme (EUSS) unique application number (UAN)
- a status letter from UKVI confirming they were settled on a specific date before the customer's birth

You must check UKVI systems, to make sure the record matches the parent's details provided on the application and supporting documents, and to verify their settlement status, if:

- a customer has provided an immigration reference number (UAN, GWF or EUSS UAN); or
- there are fraud concerns or inconsistencies with the documents or information the customer has provided
- the parent's passport does not have a certificate or endorsement dated before the child's birth and the parent does not have an earlier passport

You must check the parent's settlement status as this can be lost or revoked if a person:

- is deported
- is liable for deportation but cannot be removed for legal reasons, such as the UK's obligations under the Refugee Convention or the European Convention on Human Rights
- obtained leave by deception
- was granted leave as a refugee and stops being a refugee
- stays outside of the UK for 2 or more years
- stays outside the UK for 5 or more years (4 years for Swiss nationals), if the customer:
 - was granted settled status under the EU Settlement Scheme; or,
 - acquired a Withdrawal Agreement right of permanent residence

You must check:

- that any certificate or endorsement is the one granted closest to the child's birth
- Certificates of Entitlement to Right of Abode to make sure they were valid at the time of the child's birth
- ILE vignettes to make sure they have been validated by an entry stamp to the UK (the date of the entry stamp is the settlement date)
- ILR stamps or biometric residence cards to make sure they are dated before the child was born, and ILR has not been lost
- entry and exit stamps on the parent's passport, to make sure they have not lost their settled status by being out of the UK for more than 2 years (5 years if through EU Settlement Scheme) since the status was granted
- that NTL was granted before the child was born, otherwise you must ask for the earlier ILR or ILE confirmation
- evidence of settled (or 'belonger') status from the issuing authorities in a qualifying territory to make sure it is dated before the child is born

You may need to ask for a review of the pages in a parent's passport to confirm a parent's settlement. You must refer to DAP: how we handle customer documents, to check when and how to ask for a document rescan.

If the parent has lost their right to settlement in the UK, this may affect their immigration status; you must follow UK immigration permission if this is the case.

Irish citizens

Ireland and the UK have a common travel agreement which pre-dates the entry of both countries into the EU. This means Irish citizens are not subject to restrictions when they travel to the UK. For an Irish child born in the UK to get British citizenship, the Irish parent would have to live in the UK at the time of the birth.

You may accept that an Irish parent was settled in the UK at the time of birth, for the purpose of [section 1\(1\)\(b\) of the British Nationality Act 1981](#), unless there is clear evidence to the contrary. For example, if the:

- address on the customer's birth certificate was not in the UK
- if the customer tells you their parent was only visiting for a short time
- if the parent spent long periods of residence outside the UK

You must be satisfied the parent of a customer is an Irish citizen at the time of the child's birth. If a parent was born on the island of Ireland (Northern Ireland and Ireland) before 01 January 2005, they are entitled to Irish citizenship from birth; those born on the island of Ireland (Northern Ireland and Ireland) on or after this date or outside of the island of Ireland (Northern Ireland and Ireland) (at any time) are not automatically an Irish citizen.

To prove their Irish citizenship, parents must send:

- an Irish passport:
 - issued at the time of the customer's birth; or,
 - showing their birth in Ireland before 1 January 2005; or,
- a birth certificate confirming their birth in Ireland before 1 January 2005; or,
- evidence to show they held Irish citizenship at the time of the child's birth, for example:
 - naturalisation certificate
 - registration certificate
 - official confirmation from the Irish authorities

Customer born on or after 21 May 2002 in a qualifying territory

Customers born on, or after 21 May 2002 in a qualifying territory (not including the Sovereign Base Areas) will qualify for British citizenship under [section 1\(1\)\(b\) British Nationality Act 1981](#), if a non-British citizen parent was settled in the UK or in that territory at the time of the birth.

Parents who were settled in (or are 'belongers' of) a British overseas territory at the time of their child's birth must confirm their immigration status. They must provide official confirmation that at the time of their child's birth they:

- were free from immigration time restrictions in that territory; or,
- held 'belonger' status in that territory

Evidence a parent holds British overseas territories citizenship (BOTC) status is an indication the parent may be settled in a territory but cannot be accepted on its own. For example, we cannot accept a BOTC passport, registration or naturalisation certificate as evidence of settlement even if this is dated before the child's birth. The customer may also have a claim to British overseas territory citizenship.

The requirements and evidence provided for settlement and 'belonger' status varies from territory to territory.

Customer born on or before 30 June 2021 to EU, EEA or Swiss parent

Customers born on, or before 30 June 2021 to European Union (EU), European Economic Area (EEA) or Swiss nationals, may qualify for British citizenship under [section 1\(1\)\(b\) of the British Nationality Act 1981](#), if the parent:

- gained a right of permanent residence by exercising treaty rights:
 - at the time of the customer's birth (if they were born between 1 January 1983 and 1 October 2000 in the UK or between 1 January 1983 and 30 March 2004 if born in the Isle of Man, 8 February 2004 if born in Jersey or 30 September 2004 if born in Guernsey)
 - for a 5 year continuous period before the customer was born (if they were born between 30 April 2006 and 30 June 2021)
- was granted ILR under the EUSS before the customer's birth (see European Union Settlement Scheme)

There was no treaty rights provision in place between 2 October 2000 and 29 April 2006.

Customer born on or after 1 July 2021 to EU, EEA or Swiss parents

Under the [British Nationality Act 1981 \(Immigration Rules Appendix EU\) \(Amendment\) Regulations 2021](#), customers born on, or after 1 July 2021 to EU, EEA or Swiss nationals, may qualify for British citizenship under [section 1\(1\)\(b\) of the British Nationality Act 1981](#), if the parent:

- had been granted ILR before their child was born
- had retained a right of permanent residence because all of the following apply:
 - they were living in the UK on 31 December 2020
 - they exercised Treaty rights for 5 continuous years before 30 June 2021
 - UKVI received an EUSS application for them on, or before 30 June 2021 that was refused after their child was born
- was eligible for settled status under the EU Settlement Scheme on or before 30 June 2021 but the parent:
 - did not apply for settled status; or,
 - applied for settled status but UKVI did not grant them it
- was granted pre-settled status but has automatically acquired a right of permanent residence in line with the [Withdrawal Agreement](#)

In some cases, a customer born on or after 1 July 2021 to EU, EEA or Swiss parents may be British if their parent was granted ILR after they were born (see guidance in [Section 10A British Nationality Act 1981](#)).

When dealing with an application for a customer born on, or after 1 July 2021 to an EU, EEA or Swiss national, you must refer to European Union Settlement Scheme guidance.

If a customer is unable to send us the settlement documents we need

If a customer has a reasonable explanation why they cannot send us the documents we need (for example, they have lost contact with their parent) you, the examiner, can confirm the information from our passport or application records or UKVI systems (subject to existing guidance on accessing cases on these systems).

You must refer the application to a correctly trained caseworker or operational team leader (OTL) so they can consider the application using balance of probability and supporting documents not available guidance before they make a decision.

If you have fraud concerns, you must refer to Additional checks before referring for investigation.

HM Passport Office must support the customer, if the final decision is to refuse the application, using the information in the UK immigration permissions guidance.

If the decision is to refuse the application, you, the OTL, must raise a guidance query and ask for an assessment and (where agreed) a final decision from the Nationality team. You must keep the customer informed whilst the decision is being considered. Once the Nationality team has made a decision, you must provide a response to the examiner.

Section 10A British Nationality Act 1981

This section of the British Nationality Act was introduced on the 1 July 2021 following the [British Nationality Act 1981 \(Immigration Rules Appendix EU\)\(Amendment\) Regulations 2021](#).

This section applies to people born in the UK on, or after 1 July 2021 to EU, EEA or Swiss national parents who were granted ILR after their child's birth. These customers may qualify for British citizenship under [section 10A of the British Nationality Act 1981](#), if their parent was granted ILR under the EUSS after they were born and either of the following apply:

- their parent made the application to the EUSS on, or before 30 June 2021
- their parent made the application to the EUSS on, or after 1 July 2021 but UKVI would have granted it to them on 30 June 2021 (had the parent made their EUSS application on time)

When dealing with an application for a customer born on or after 1 July 2021 to an EU, EEA or Swiss national, you must refer to European Union Settlement Scheme guidance.

Section 1(1A) of British Nationality Act 1981

On 13 January 2010 the [Borders, Citizenship and Immigration Act 2009](#) amended the British Nationality Act 1981 to include [section 1\(1A\)](#). Customers are entitled to be British citizens under [section 1\(1A\) of the British Nationality Act 1981](#) if they meet both of the following:

- they were born in the UK (or born in a qualifying territory) on or after 13 January 2010
- at the time of the birth their mother or father was a member of;
 - the regular armed forces and subject to UK service law; or,
 - the reserve forces and subject to UK Service law under section [367\(2\)\(a\), \(b\) or \(c\) of the Armed Forces Act 2006](#)

Before 13 January 2010 any legitimate child born to a member of the armed forces serving in the UK will be covered under [section 1\(1\)\(b\) of the British Nationality Act 1981](#). From 13 January 2010 this was amended and is now covered under [section 1\(1A\) of the British Nationality Act 1981](#).

Documents we need for claims under section 1(1A)

First time applications from the UK from customers born on or after 13 January 2010, must be supported by:

- a [full birth certificate](#)
- proof the parent was a member of the regular or reserve forces and subject to UK service law at the time of the customer's birth (such as their passport)
- if needed, evidence of a change of name that links the full birth certificate to the application

A foreign national parent (including Gurkhas and Commonwealth citizens) serving in the armed forces is unlikely to have ILR or ILE in their passport, although their passport may contain a stamp or vignette making reference to [section 8\(4\)\(a\) of the Immigration Act 1971](#).

You, the examiner, may come across a stamp or vignettes that only make reference to section [8\(4\) of the Immigration Act 1971](#). You must establish whether the passport holder specifically holds section 8(4)(a). Those under section [8\(4\)\(b\) or 8\(4\)\(c\)](#) are exempt from immigration control during their posting for a temporary period, however it is not the same as being settled and their children will not have a claim.

To establish a claim, you can accept a letter from the Ministry of Defence (MOD), confirming the parent is a member of the armed forces and subject to UK service law from a specific date. If relevant to the claim, the MOD can also supply the date the parent left the armed forces.

You must:

- scan the supporting letter from MOD as evidence
- case note the application, making sure you record details of:
 - the customer's parent's status
 - any supporting evidence they have sent.

If a customer applies for a British passport from outside the UK, they need to send extra documents to support their application.

If a parent is no longer in the armed forces

If the customer's parent is no longer serving in the armed forces, their leaving date must be after the customer's birth for them to qualify for British citizenship under [1\(1A\) of the British Nationality Act 1981](#).

Section 1(2) of British Nationality Act 1981

Under [section 1\(2\) of the British Nationality Act 1981](#), a new-born infant (on or after 1 January 1983) found abandoned in the UK (sometimes referred to as a 'foundling') can be regarded, for the purposes of [section 1](#), as:

- born in the UK (on or after 1 January 1983)

- born to a parent who at the time of the birth was a British citizen or settled in the UK

An abandoned infant will be a British citizen under this section, unless there was evidence, they did not meet the qualifying criteria.

The [British Overseas Territories Act 2002](#) introduced an amendment to [section 1\(2\) of the British Nationality Act 1981](#). From 21 May 2002 a new-born infant found abandoned in a qualifying territory can be regarded (for the purposes of [section 1](#)), as:

- born in that territory (on or after 21 May 2002)
- born to a parent who, at the time of the birth, was either a British citizen or settled in that territory

Documents we need to confirm claims under section 1(2)

If a customer was found abandoned in the UK, they will be registered on the abandoned children register and be issued with [a full birth certificate](#). The certificate will:

- not show any parents' details
- not show the details of any informant
- show the place the child was found (or abandoned) as their place of birth
- show an estimated date of birth

If a customer applies for a British passport from outside the UK, they need to send extra documents to support their application.

Section 1(5) of British Nationality Act 1981

Children who are not already a British citizen may qualify under [section 1\(5\) of the British Nationality Act 1981](#) if they have a UK adoption order or an international adoption order conducted under the Hague Convention confirming their placement with a British citizen family.

By adoption

[Section 1\(5\) of the British Nationality Act 1981](#) applies to minors (under eighteen years old) who were adopted, if the following 2 points apply:

- they were adopted either:
 - in a UK court on or after 1 January 1983
 - in a qualifying British overseas territory court on or after 21 May 2002
 - on or after 1 June 2003 under [Article 23 of the Hague Convention](#)
- at least 1 of the adoptive parents was a British citizen on the date of the adoption order

If the adoption took place outside of the UK or a qualifying territory, on or after 1 June 2003, the adoptive parent (or for a joint adoption, both adoptive parents) must have been habitually resident in the UK or a British overseas territory at the time of the adoption.

Adoption certificates under Article 23 of the Hague Convention are only issued if article 17 has been complied with. This will be shown on the certificate.

See: Adoption guidance for more information.

Parental orders

From 6 April 2010 a child (subject to a parental order made in a UK court and not already a British citizen) following a surrogacy arrangement, can become a British citizen under [section 1\(5\) of the British Nationality Act 1981](#). That is, if either person making the parental order is [a British citizen permanently resident in the UK](#).

Where a child is subject to a parental order, a 13 section full birth certificate will be issued showing the details of the commissioning parents.

Documents we need to confirm claims under section 1(5)

First time applications for customers (born on or after 1 January 1983) must be supported by one of the following:

- a full UK adoption certificate
- an [Article 23 Hague Convention adoption certificate](#) (if the adoption took place in a Hague Convention country on or after 1 June 2003)
- a parental order

Adoption certificates under Article 23 of the Hague Convention are only issued if article 17 has been complied with. This will be shown on the certificate.

To prove an adoptive parent was a British citizen at the time of the intended passport holder's adoption, the customer must send one of the following:

- the adoptive parent's British citizen passport or passport number, provided they are applying from the UK, or internationally from a [Group 1](#) or [Group 2](#) country, and our records show:
 - the adoptive parent was born in the UK before 1 January 1983; or,
 - the current passport, or a previous passport clearly linked to the current passport, was issued before the intended passport holder's adoption; or,
 - information in case notes for the current or any clearly linked previous passport that confirms the adoptive parent's claim to British citizenship before the intended passport holder's adoption
- the UK birth certificate of an adoptive parent born before 1 January 1983
- the [full UK birth certificate](#) of an adoptive parent born on or after 1 January 1983, along with evidence the adoptive grandparent was a [British citizen](#) or [settled in the UK](#) at the time of the adoptive parent's birth

- an adoptive parent's foreign (or British forces, if applicable) birth certificate showing their parents' names and places of birth, along with evidence of their [British citizenship by descent](#)
- an adoptive parent's adoption certificate (if it confirms British citizenship) along with evidence of the adoptive grandparent's [British citizenship](#) at the time of the adoption
- an adoptive parent's UK naturalisation or registration certificate issued before the intended passport holder's birth

Customers also need to send evidence:

- the adoptive parent (or for a joint adoption, both adoptive parents) is habitually resident in the UK (if the adoption took place in a Hague Convention country on or after 1 June 2003)
- of a change of name that links other documents to the application (if needed)

A customer may have a reasonable explanation for why they cannot send their documents. This can include losing contact with their parent or if they entered the country illegally without a passport. You, the examiner, can confirm the information on passport records or UKVI systems subject to existing guidance on accessing cases on these systems and consider using balance of probability and supporting documents not available guidance in your decision making.

If a customer applies for a British passport from outside the UK, they need to send extra documents to support their application.

Section 1 British Nationality Act 1981: how to record status

You must record a customer's nationality status using the **Nationality task**, in line with DAP: recording nationality status. Where the customer has a claim under [section 1 of the British Nationality Act 1981](#), you must record their British citizen status, and that it is '[otherwise than by descent](#)'.

Related content

[Contents](#)

Naturalisation as a British citizen

This section tells HM Passport Office operational staff how to check a passport application, if the customer has naturalised as a British citizen under [the British Nationality Act 1981](#).

If a person has naturalised in the UK as a British citizen, UK Visas and Immigration (UKVI) will issue a naturalisation certificate on behalf of the Home Office. The certificate will show:

- the holder's personal details (for example, name, date and place of birth)
- details of the section of the British Nationality Act 1981 they naturalised under
- a unique certificate reference number
- a Home Office reference number
- the date of issue
- place of issue

For more information about certificates, see: [Naturalisation certificate guidance](#).

How to record naturalisation details

When dealing with a first time application for a British citizen passport by naturalisation, you, the examiner, must record the:

- details of the naturalisation certificate, in line with Recording British nationality certificates on the system
- intended passport holder's nationality status using the **Nationality task**, in line with DAP: recording nationality status

Documents we need to confirm claims through naturalisation

Customers who apply from the UK for their first time British passport following naturalisation must send:

- their naturalisation certificate
- their foreign passports (or a colour photocopy of all pages, in line with Dealing with customer documents), if they are a dual national
- evidence of a change of name that links any other documents to the application (if needed)

If a customer applies for a British passport from outside the UK, they need to send extra documents to support their application.

Naturalisation under the British Nationality Act 1981

Customers who naturalise as British citizens under the British Nationality Act 1981 will always be [‘otherwise than by descent’](#).

Section 6(1) ‘otherwise than by descent’

A customer can apply to naturalise as a British citizen under [section 6\(1\) of the British Nationality Act 1981](#) if they:

- are aged 18 or over; and,
- meet the [requirements for naturalisation](#)

Section 6(2) ‘otherwise than by descent’

A customer can apply to naturalise as a British citizen under Section 6(2) of the British Nationality Act 1981 if they:

- are aged 18 or over; and,
- meet the [requirements for naturalisation](#); and,
- are the spouse (husband, wife or civil partner) of a British citizen

Schedule 8 ‘otherwise than by descent’

A customer could naturalise as a British citizen under [schedule 8 of the British Nationality Act 1981](#), if:

- they applied before 1 January 1983 for a certificate of naturalisation as a British subject, citizen of the UK and Colonies under [the British Nationality Act 1948](#); and,
- the decision was not made until on or after 1 January 1983

Related content

[Contents](#)

Registration as a British citizen

This section tells His Majesty's Passport Office operational staff how to check a passport application, if a customer has registered as a British citizen under [the British Nationality Act 1981](#).

If a person has registered as a British citizen, UK Visas and Immigration (UKVI) will issue a registration certificate on behalf of the Home Office. The certificate will show:

- the holder's personal details (for example, name, date and place of birth)
- details of the section of the British Nationality Act 1981 they registered under
- a unique certificate reference number
- a Home Office reference number
- a date of issue
- place of issue

Information we need to prove a registration claim

Customers who register can be 'by descent' or 'otherwise than by descent' depending on the section of the relevant act they registered under and their personal details. For example, a customer's status may be dependent on their parents' British nationality status at the time of their birth.

You, the examiner, must check [Registration sections under the British Nationality Act 1981](#) to confirm if a customer's British citizenship is '[by descent](#)' or '[otherwise than by descent](#)'.

Documents we need to confirm claims through registration

Customers who apply for their first time British passport after registration need to send us:

- their registration certificate
- their foreign passports (or a colour photocopy of all pages, in line with Dealing with customer documents), if they are a dual national
- their full birth certificate (if they are a child applying from outside the UK)
- evidence of a change of name that links any other documents to the application (if needed)

How to record registration details

When dealing with a first time application for a British citizen passport by registration, you must record the:

- details of the registration certificate, in line with Recording British nationality certificates on the system

- intended passport holder's nationality status, including [if it is 'by descent' or 'otherwise than by descent'](#), using the **Nationality task**, in line with DAP: recording nationality status

Recording registration details: 'by descent' or 'otherwise than by descent'

Some registration sections are ['by descent'](#), some are ['otherwise than by descent'](#), and some can be either 'by descent' or 'otherwise than by descent', depending on the individual's circumstances. You must check the section on the registration certificate and [follow the guidance](#) to confirm if the customer is a British citizen 'by descent' or 'otherwise than by descent'.

Where the customer's registration could be either 'by descent' or 'otherwise than by descent' you must check their Home Office record on UKVI systems to find Citizenship's determination of the customer's status. See, Atlas: confirming registration by descent or otherwise than by descent'

Where the customer's full status is not available (or appears to be incorrect) on UKVI systems you must investigate and determine the correct status. For example, you must check the Atlas case notes to see what information the Citizenship team had when they made their determination and compare this to the information you have in the application. You must investigate the claim, if there is a discrepancy, before you confirm the customer's full British nationality status, and record:

- how you decided the correct status
- what evidence you used
- if you asked the customer for more documents or information to confirm their status

Registration sections under the British Nationality Act 1981

The following sections are about customers who registered to be British citizens on or after 1 January 1983, regardless of whether they were born before or after that date.

Section 1(3) 'otherwise than by descent'

Children under 18 are entitled to be registered as British citizens under [section 1\(3\) of the British Nationality Act 1981](#), if they:

- [meet the Home Office criteria](#)
- were born in the UK on or after 1 January 1983

Customers who register under this section will always be ['otherwise than by descent'](#).

Section 1(3A) 'otherwise than by descent'

Children under 18 are entitled to be registered as British citizens under [section 1\(3A\) of the British Nationality Act 1983](#), if they:

- [meet the Home Office criteria](#)
- were born in the UK on or after 13 January 2010

Customers who register under this section will always be '[otherwise than by descent](#)'.

Section 1(4) 'otherwise than by descent'

Customers are entitled to register as British citizens under [section 1\(4\) of the British Nationality Act 1981](#), if they:

- were born in the UK on or after 1 January 1983
- did not leave the UK for more than 90 days during each of the first 10 years of their life

Customers who register under this section will always be '[otherwise than by descent](#)'.

Section 3(1) 'by descent' or 'otherwise by descent'

The Secretary of State, at their discretion, can grant British citizenship by registration to a child under 18, born in the UK or abroad under [section 3\(1\) of the British Nationality Act 1981](#).

Registration under section 3(1) will give British citizenship '[by descent](#)' if, at the time of the child's birth, either the mother or father was:

- a British citizen
- British subject, citizen of the UK and Colonies (BSUKC) who automatically became a British citizen on 1 January 1983

For the purpose of whether the child is a British citizen '[by descent](#)':

- the father or mother does not include an adoptive father or mother
- father includes the father of a child whose parents were not married if:
 - the child was born on or after 1 July 2006
 - the mother was not married to another man at the time of the birth
 - the natural father satisfies the prescribed requirements as to proof of paternity

In all other cases registration gives British citizenship '[otherwise than by descent](#)'.

Children registered under section 3(1) will therefore be British citizens '[otherwise than by descent](#)' if they were adopted by British citizens.

Section 3(2) 'by descent'

Children under 18 are entitled to register as a British citizen by descent, under [section 3\(2\) of the British Nationality Act 1981](#) if they [meet the Home Office registration criteria](#) and were born outside:

- the UK on or after 1 January 1983
- the UK and the [qualifying territories](#) on or after 21 May 2002

Customers who register under this section will always be ['by descent'](#) because their parent was a British citizen by descent.

Section 3(5) 'otherwise than by descent'

Children under 18 are entitled to register as a British citizen under [section 3\(5\) of the British Nationality Act 1981](#), if they [meet the criteria](#) and were born outside:

- the UK, on or after 1 January 1983; or,
- the UK and the [qualifying territories](#), on or after 21 May 2002

Customers who register under this section will always be ['otherwise than by descent'](#).

Section 4(2) 'otherwise than by descent'

Customers can register as a British citizen under [section 4\(2\) of the British Nationality Act 1981](#), if they [meet the criteria](#) and are:

- British overseas territories citizens (BOTC)
- British nationals (overseas) (BNO)
- British overseas citizens (BOC)
- British subjects (BS) under the British Nationality Act 1981
- British protected persons (BPP)

Customers who register under this section will always be ['otherwise than by descent'](#).

Section 4A 'otherwise than by descent'

A customer, regardless of age, can register as a British citizen under [section 4A of the British Nationality Act 1981](#) at the Secretary of State's discretion, if they:

- [meet the criteria](#)
- are a British overseas territories citizen (BOTC)

Customers who register under this section will always be ['otherwise than by descent'](#).

Section 4AA 'otherwise than by descent'

An Irish citizen can register as a British citizen under [section 4AA of the British Nationality Act 1981](#), if:

- they meet the criteria in section 4AA(2) of the Act; or,
- under special circumstances at the discretion of the Secretary of State

Customers who register under this section will always be '[otherwise than by descent](#)'.

Section 4B 'by descent'

A customer, regardless of age, can register as a British citizen under [section 4B of the British Nationality Act 1981](#), if they [meet the criteria](#) and are a:

- British nationals (overseas) (BNO)
- British overseas citizens (BOC)
- British subjects (BS)
- British protected persons (BPP)

Customers who register under this section will always be '[by descent](#)'.

Section 4C 'by descent'

A customer can register as a British citizen under [section 4C of the British Nationality Act 1981](#), if they [meet the criteria](#) and:

- were born before 1 January 1983
- would have become BSUKCs under one of the following:
 - under section 5 or schedule 3, paragraph 3 of [the British Nationality Act 1948](#), as long as that section allowed citizenship 'by descent' from a mother in the same terms allowed for citizenship 'by descent' from a father
 - under section 12(2), 12(3), 12(4) or 12(5) of [the British Nationality Act 1948](#), as long as that section allowed citizenship 'by descent' from a mother in the same terms allowed for citizenship 'by descent' from a father and women were able to pass on British subject (BS) status in the same way as men before 1 January 1949

For the purposes of registration under section 4C of the British Nationality Act 1981, a woman is seen as being a BSUKC 'by descent' if the status was given under 1 of the following:

- section 12(2), (4) or (6) only of the [British Nationality Act 1948](#)
- section 13(2) of the [British Nationality Act 1948](#)
- paragraph 3 of schedule 3 of the [British Nationality Act 1948](#)
- section 1(1)(a) or (c) of the [British Nationality \(No 2\) Act 1964](#)

Customers who register under this section will always be [‘by descent’](#).

Section 4D ‘otherwise than by descent’

A customer can register as a British citizen under [section 4D of the British Nationality Act 1981](#), if they [meet the criteria](#) and:

- were born outside the UK and overseas territories (on or after 13th January 2010)
- when they were born, their mother or father was a member of the armed forces, serving outside the UK and qualifying territories

Customers who register under this section will always be [‘otherwise than by descent’](#).

Section 4F ‘by descent’ or ‘otherwise by descent’

A customer who meets the [general conditions](#) and makes an application to register under [section 4F of the British Nationality Act 1981](#) will become a British citizen:

- [‘by descent’](#), if they would have been eligible to register under [section 3\(2\)](#) of the British Nationality Act 1981, had their mother been married to their natural father at the time of their birth
- [‘otherwise than by descent’](#), if they would have been eligible to register under sections [1\(3\)](#) or [3\(5\)](#), or paragraphs 4 or 5 of [schedule 2](#), of the British Nationality Act 1981, had their mother been married to their natural father at the time of their birth

To confirm if a customer who registered under section 4F is a British citizen [‘by descent’](#) or [‘otherwise than by descent’](#), you must:

1. Check Atlas case notes to confirm if they qualified for registration because they would have been eligible, had their mother been married to their natural father at the time of their birth, to register under:
 - [section 3\(2\)](#) of the British Nationality Act 1981 (they will be [‘by descent’](#)); or,
 - any other section or schedule of the Act (they will be [‘otherwise than by descent’](#))
2. Raise a guidance referral query to the Quality, Examination Support team (QuEst), who will refer the query to the Citizenship team, if you cannot confirm step 1 (above) from the Atlas record.

Section 4G ‘by descent’ or ‘otherwise than by descent’

A customer who meets the [general conditions](#) and applies to register under [section 4G of the British Nationality Act 1981](#) will become a British citizen:

- '[by descent](#)', if they would have had an automatic claim to British citizenship '[by descent](#)', if their natural father had been married to their mother at the time of their birth
- '[otherwise than by descent](#)', if they would have had an automatic claim to British citizenship '[otherwise than by descent](#)', if their natural father had been married to their mother at the time of their birth

You, the examiner, must refer registrations under section 4G to an appropriately trained caseworker or OTL to assess if the customer would have had an automatic claim to British citizenship '[by descent](#)' or '[otherwise than by descent](#)', had their natural father been married to their mother at the time of their birth.

Section 4H 'by descent' or 'otherwise than by descent'

A customer can register to be a British citizen under [section 4H of the British Nationality Act 1981](#) if they:

- meet the [general conditions](#); and,
- were a BSUKC on 31 December 1982; and,
- would have had an automatic claim to British citizenship, had their natural father been married to their mother at the time of their birth

A customer who registers under section 4H of the British Nationality Act 1981 will be a British citizen:

- '[by descent](#)', if they would have had an automatic claim to British citizenship '[by descent](#)'
- '[otherwise than by descent](#)', if they would have had an automatic claim to British citizenship '[otherwise than by descent](#)'

You, the examiner, must refer registrations under section 4H to an appropriately trained caseworker or OTL, if the customer was born in a:

- colony, protectorate or protected state before independence
- remaining dependent territory

Section 4I 'by descent' or 'otherwise than by descent'

A customer can register to be a British citizen under [section 4I of the British Nationality Act 1981](#) if they:

- meet the [general conditions](#); and,
- would have, had their natural father been married to their mother at the time of their birth:
 - been a BSUKC on 31 December 1982; and,
 - automatically become a British citizen on 1 January 1983

A customer who registers under section 4I of the British Nationality Act 1981 will be a British citizen:

- '[by descent](#)', if they would have automatically become a British citizen '[by descent](#)'
- '[otherwise than by descent](#)', if they would have had automatically become a British citizen '[otherwise than by descent](#)'

You must refer registrations under section 4I to an appropriately trained caseworker or OTL.

Section 4K 'by descent' or 'otherwise than by descent'

The [Nationality and Borders Act 2022](#) created a new British citizenship registration route under [section 4K of the British Nationality Act 1981](#).

This registration route is available for people who are (or would have been) entitled to register as a British overseas territories citizen (BOTC) under section 17A, 17C, 17D, 17E, 17F, or 17H of the British Nationality Act 1981.

A person registered as a British citizen under section 4K will be by descent (BD) or other than by descent (OTBD) depending on the BOTC registration section they could register under. You must check the customer's BD or OTBD status using Atlas and add a case note to show:

- 'BC 4K BNA'81 OTBD' - if Atlas shows the status is other than by descent
- 'BC 4K BNA'81 BD' - if Atlas shows the status is by descent

You must follow Chagossian descent guidance if the customer has registered as BC under section 4K, and:

- Atlas shows they applied to register using 'form BIOT'; or,
- they also registered as BOTC under section 17H of the British Nationality Act 1981

You must refer any other registrations (under section 4K) to a correctly trained caseworker or OTL, if Atlas does not show whether the status is OTBD or BD.

Section 4L 'otherwise than by descent'

The [Nationality and Borders Act 2022](#) created a new discretionary registration route.

A customer can register as a British citizen [under section 4L of the British Nationality Act 1981](#), if both of the following apply:

- the customer is an adult
- in the Secretary of State's opinion, the customer would have been (or been able to become) a British citizen but for any one or more of the following:
 - historical legislative unfairness
 - an act or omission of a public authority
 - exceptional circumstances relating the customer

A person registered under section 4L will be a British citizen otherwise than by descent.

You can use [Registration as a British citizen in special circumstances](#) guidance if you need more information and examples.

Section 5 'by descent'

A customer can register to be a British citizen under [section 5 of the British Nationality Act 1981](#), if they:

- [meet the criteria](#)
- were a British overseas territories citizen (BOTC) who got their status through a connection with Gibraltar

Customers who register under this section will always be ['by descent'](#).

You must refer any registrations (under section 5) to a correctly trained caseworker or OTL, as a person who was a BOTC before 21 May 2002 may also have an 'otherwise than by descent' claim through the British Overseas Territories Act 2002.

Section 7 'otherwise than by descent'

A person could register as a British citizen under [section 7 of the British Nationality Act 1981](#) if they met the requirements and applied to register within 5, 6, or (in special circumstances) 8 years, of:

- 1 January 1983; or,
- their 18th birthday if they were under 18 on 1 January 1983

Customers who registered under this section will always be ['otherwise than by descent'](#).

To register under [section 7\(1\)\(a\) of the British Nationality Act 1981](#), a person must have been living without immigration restrictions (settled) in the UK since the commencement of the Immigration Act 1971. Therefore, a child born in the UK on or after 1 January 1983 to a parent who registered under section 7(1)(a) after their child's birth will have a claim to British citizenship under [section 1\(1\)\(b\) of the British Nationality Act 1981](#).

Section 8 'by descent' or 'otherwise than by descent'

Customers were entitled to register as British citizens under [section 8 of the British Nationality Act 1981](#), if:

- before 1 January 1983 they [met the criteria](#) for registration as a BSUKC under [section 6\(2\) of the British Nationality Act 1948](#)
- they registered as British citizens within 5 years of 1 January 1983

A customer who registered under section 8 will be a British citizen:

- '[by descent](#)', if, at the time of registration her husband was a British citizen '[by descent](#)'
- '[otherwise than by descent](#)' if, at the time of registration, her husband was a British citizen '[otherwise than by descent](#)'

Section 9 'by descent'

Customers were entitled to register as British citizens under [section 9 of the British Nationality Act 1981](#), if they were:

- born outside the UK or a qualifying territory (within 5 years of 1 January 1983)
- registered within twelve months of their date of birth

The customer's father must be born before 1 January 1983 and meet the criteria for BSUKC status under [section 5 of the British Nationality Act 1948](#)

Customers who register under this section will always be '[by descent](#)'.

Section 10 'by descent' or 'otherwise than by descent'

Customers can register as British citizens under [section 10 of the British Nationality Act 1981](#), if they:

- [meet the criteria](#)
- have renounced their BSUKC status

If a customer would have become, but for their renunciation, a British citizen '[by descent](#)', they will become, on registration, a British citizen '[by descent](#)'.

If a customer would have become, but for their renunciation, a British citizen '[otherwise than by descent](#)', they will become, on registration, a British citizen '[otherwise than by descent](#)'.

Section 13 'by descent' or 'otherwise than by descent'

Customers are entitled to register as British citizens under [section 13 of the British Nationality Act 1981](#) if they [meet the criteria](#) and:

- have stopped being a British citizen because of renunciation which was necessary to allow them to keep or get another citizenship or nationality
- have not already claimed British citizen status under section 13 of the British Nationality Act 1981

If the customer would have become (but for their renunciation) a British citizen '[by descent](#)', they will become (on registration) a British citizen '[by descent](#)'.

If a customer would have become (but for their renunciation) a British citizen '[otherwise than by descent](#)', they will become (on registration) a British citizen '[otherwise than by descent](#)'.

Schedule 2 'otherwise than by descent'

Customers who are stateless (do not qualify for British or foreign nationality), may be [entitled to register](#) for British nationality under paragraphs 3, 3A, 4 or 5 of [schedule 2 of the British Nationality Act 1981](#).

Paragraphs [3](#) and [3A](#) explain a person can register as a British citizen or British overseas territories citizen (BOTC), if they:

- were born in the UK or a British overseas territory (BOT) on or after 1 January 1983
- are under 22 at the time of applying
- have always been stateless (and, if they apply on or after 28 June 2022 and are under 18, cannot acquire another nationality)
- did not leave the UK or the BOTs for more than 450 days during the 5-year qualifying period

[Paragraph 4](#) explains a person can register as the same British nationality as their parent if they:

- have always been stateless
- were born outside the UK and the BOTs on or after 1 January 1983
- have a parent who is a British citizen, BOTC, British overseas citizen or British subject.

[Paragraph 5](#) explains how a person born before 1 January 1983 who is stateless can register for British nationality. A person who registers under paragraph 5 will be a British citizen, except where they:

- qualify because their mother was a BSUKC at the time of their birth (this means they will receive the same citizenship their mother acquired on 1 January 1983)
- were born in a BOT (this means they will be registered as a BOTC)

The status of a person who registers as a British citizen under [schedule 2 of the British Nationality Act 1981](#) will be 'otherwise than by descent'.

Schedule 8 'by descent' or 'otherwise than by descent'

A person who applied to [register as a BSUKC](#) before 1 January 1983, but a decision was not made until on or after 1 January 1983, would be registered under [schedule 8 of the British Nationality Act 1981](#) as a British citizen:

- [‘by descent’](#), if they would have become a BSUKC [‘by descent’](#) under the previous Act, had the decision been made before 1 January 1983
- [‘otherwise by descent’](#), if they would have become a BSUKC otherwise than by descent under the previous Act, had the decision been made before 1 January 1983

Related content

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Registrations under British Nationality (Hong Kong) Acts

This section tells His Majesty's Passport Office operational staff how to check a passport application if a customer has registered as a British citizen under the British Nationality (Hong Kong) Acts 1990 and 1997.

Some customers may have registered as British citizens under the [British Nationality \(Hong Kong\) Act 1990](#) or the [British Nationality \(Hong Kong\) Act 1997](#). You, the examiner, must check which section of the relevant Act the customer registered under to determine whether their British citizenship is by descent (BD) or otherwise than by descent (OTBD). You must case note the customer's British status in full as this will affect any future claims to British citizenship for their children.

British Nationality (Hong Kong) Act 1990

Specially chosen people from Hong Kong were invited by the governor of Hong Kong to register as British citizens under the [British Nationality \(Hong Kong\) Act 1990](#) between 1990 and 1997.

Section 1(1) 'otherwise than by descent'

A person registered in their own right, under section 1(1) of the Act, who held '[otherwise than by descent](#)' status, can pass their British citizenship to any child born to them after they have registered.

Section 1(4) 'by descent'

The Act allowed the spouse and existing children of a selected person to register as British citizens under section 1(4). This gave them '[by descent](#)' status, which cannot be passed down to future generations born outside of the UK.

British Nationality (Hong Kong) Act 1997

The [British Nationality \(Hong Kong\) Act 1997](#), allowed people who were British only because of their [connection to Hong Kong](#) to register as British citizens.

Section 1(1) 'by descent' or 'otherwise than by descent'

If a customer registers for British citizenship under [section 1\(1\) of the British Nationality \(Hong Kong\) Act 1997](#), their '[by descent](#)' or '[otherwise than by descent](#)' status depends on their previous British nationality status.

For example, a person born outside Hong Kong, who held British dependent territories citizenship by descent through a parent born in Hong Kong, would be registered under this Act as a British citizen by descent.

Related content

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The British Overseas Territories Act 2002

This section tells HM Passport operational staff how customers who had a connection to a British overseas territory before 21 May 2002 may be entitled to British citizenship. It explains how customers who held British overseas territories citizen status before 21 May 2002 through a connection to a British overseas territory (other than the Sovereign Base Areas of Akrotiri and Dhekelia, Cyprus) are entitled to British citizenship under the British Overseas Territories Act 2002. It also explains how customers with a connection to the Falkland Islands may have a claim to British citizenship under the British Nationality (Falkland Islands) Act 1983.

When the [British Nationality Act 1981](#) (BNA'81) came into force on 1 January 1983, it:

- renamed the existing colonies as dependent territories; and,
- introduced the status of British dependent territories citizen (BDTC)

The British Overseas Territories Act 2002

The [British Overseas Territories Act \(BOTA\) 2002](#) amended the British Nationality Act 1981 when it came into effect on 26 February and 21 May 2002.

Sections 1 and 2 of the BOTA 2002

Sections 1 and 2 of the British Overseas Territories Act (BOTA) 2002 came into effect on 26 February 2002, and renamed:

- the 'British dependent territories' as the 'British overseas territories' ([section 1 of the BOTA 2002](#))
- 'British dependent territories citizens' as 'British overseas territories citizens' (BOTCs) ([section 2 of the BOTA 2002](#))

Section 3 of the BOTA 2002

[Section 3 of the British Overseas Territories Act \(BOTA\) 2002](#) came into effect on 21 May 2002.

Under section 3(1) of the BOTA 2002, anyone who was a BOTC immediately before 21 May 2002 became a British citizen on that date, except for those specified in section 3(2).

Section 3(2) of the BOTA 2002 explains that section 3(1) of the Act does not apply to BOTCs whose status was gained from a connection to the Sovereign Base Areas of Akrotiri and Dhekelia, Cyprus.

Section 3(3) of the BOTA 2002 explains that where a customer was a BOTC 'by descent' before 21 May 2002, their British citizenship status, acquired on that date under section 3(1) of the Act will also be 'by descent'. If the customer already held a status as BC 'otherwise than by descent' they would retain this.

Customers who already held BOTC and BC status before 21 May 2002 may have had their BC status changed from that date (under section 3(1) BOTA '02) to 'otherwise than by descent' if they held:

- BOTC status 'otherwise than by descent'; and
- BC status 'by descent'

This mainly affected BOTCs connected to Gibraltar who had registered as BDTCs 'by descent' under [section 5 of the BNA '81](#). On 21 May 2002, provided their BDTC status was 'otherwise than by descent' they will now be a BC section 3(1) BOTA '02 'otherwise than by descent'.

Section 6 of the BOTA 2002

[Section 6 of the British Overseas Territories Act \(BOTA\) 2002](#) states a person with a link to the British Indian Ocean Territory (the Chagos Islands) may become a British citizen and a BOTC, if they were:

- born on or after 26 April 1969 and before 1 January 1983
- born to a woman, who at the time was a British subject, citizen of the United Kingdom and Colonies because she was born in the British Indian Ocean Territory
- not already a British citizen or BOTC

A person who gets their British citizenship status under section 6 will be 'by descent'.

Schedule 1 of the BOTA 2002

[Schedule 1 of the British Overseas Territories Act \(BOTA\) 2002](#) introduced the 'qualifying territories' (the British overseas territories except the Sovereign Base Areas of Akrotiri and Dhekelia, Cyprus) to [sections 1, 2 and 3 of the British Nationality Act 1981](#), when referring to births or adoptions on or after 21 May 2002.

You must follow [Customers born in the UK or a qualifying territory](#), if you are dealing with a first time British citizen passport application where the intended passport holder was born in a qualifying territory on or after 21 May 2002.

Documents needed for claims under the BOTA 2002

Where a customer previously held a BDTC passport and is applying for their first British citizenship passport, they must send full documents with their application. This is because BDTC passports were not handled by British diplomatic staff but by the Territories' own Governments, whose staff may not have had full training in British nationality law.

The British Nationality (Falkland Islands) Act 1983

The [British Nationality \(Falkland Islands\) Act 1983](#) was introduced on 1 January 1983 and gives details on how people with a connection to the Falkland Islands can claim British citizenship. Sections 1(2) to 1(5) and section 2 of the Act were repealed on 21 May 2002 and replaced by the [British overseas territories Act \(BOTA\) 2002](#).

Section 1(1) British Nationality (Falkland Islands) Act 1983

Customers born before 1983 are entitled to British citizenship under [section 1\(1\) of the British Nationality \(Falkland Islands\) Act 1983](#), if:

- on 1 January 1983, they met the criteria for British dependent territories citizenship under [section 23 of the British Nationality Act 1981](#); and,
- immediately before 1 January 1983:
 - they were (or, in the case of a married woman, their husband was) a British subject, citizen of the UK and colonies (BSUKC) who got that status through their birth, naturalisation or registration in the Falkland Islands; or,
 - their parent or grandparent (or, in the case of a married woman, their husband's parent or grandparent) was a BSUKC through their birth, naturalisation or registration in the Falkland Islands

A customer who qualifies under section 1(1) of the British Nationality (Falkland Islands) Act 1983 will be a British citizen:

- '[otherwise than by descent](#)', if they qualify because they were (or, in the case of a married woman, their husband was) born, naturalised or registered in the Falkland Islands
- '[by descent](#)', if they qualify because their parent or grandparent (or, in the case of a married woman, their husband's parent or grandparent) was born, naturalised or registered in the Falkland Islands

Sections 1(2) to 1(4) British Nationality (Falkland Islands) Act 1983

[Sections 1\(2\) to 1\(4\) of the British Nationality \(Falkland Islands\) Act 1983](#) explain how customers born, found abandoned as an infant, or adopted in the Falkland Islands on or after 1 January 1983 and before 21 May 2002 were entitled to British citizenship.

Customers were entitled to be British citizens '[otherwise than by descent](#)' under section:

- 1(2) of the British Nationality (Falkland Islands) Act 1983, if:
 - they were born in the Falkland Islands on or after 1 January 1983 and before 21 May 2002; and,

- at the time of the birth their mother or father was a British citizen or settled in the Falkland Islands
- 1(3) of the British Nationality (Falkland Islands) Act 1983, if they were found abandoned as an infant in the Falkland Islands on or after 1 January 1983 and before 21 May 2002 (this is because they were considered to meet the conditions of section 1(2) of the Act)
- 1(4) of the British Nationality (Falkland Islands) Act 1983, if:
 - they were not already a British citizen; and,
 - they were adopted while under the age of 18 through a court in the Falkland Islands on or after 1 January 1983 and before 21 May 2002; and,
 - at the time of the adoption at least one of the adoptive parents was a British citizen

Sections 1(2) to 1(4) of the British Nationality (Falkland Islands) Act 1983 ceased to have effect on 21 May 2002. Customers who were British citizens under one of these sections immediately before 21 May 2002 retained their British citizenship status after that date.

Related content

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Claims under schedule 2, British Nationality Act 1981

This section tells HM Passport Office staff about how people who are otherwise stateless may be entitled to British nationality under schedule 2 of the British Nationality Act 1981. The section also tells HM Passport Office operational staff how to deal with claims for British citizenship under paragraph 2 of schedule 2.

People who are otherwise stateless (do not qualify for British or foreign nationality) are entitled to British nationality under paragraphs 1 and 2 of [schedule 2 of the British Nationality Act 1981](#) (BNA'81) under certain circumstances.

A customer is entitled to hold the same British nationality as their parent under [schedule 2, paragraph 1, BNA'81](#), if all the following apply:

- they are born in the UK on or after 1 January 1983
- they are otherwise stateless
- at the time of their birth their parent is a:
 - British overseas territories citizen
 - British overseas citizen
 - British subject

A person is entitled to hold the same British nationality as their parent under [schedule 2, paragraph 2, BNA'81](#), if all the following apply:

- they are born in a British overseas territory on or after 1 January 1983
- they are otherwise stateless
- at the time of their birth their parent is a:
 - British citizen
 - British overseas citizen
 - British subject

If the intended passport holder is otherwise stateless and born in:

- the UK to a parent who, at the time of the customer's birth, was a British overseas territories citizen (BOTC), you must follow BOTC: schedule 2 of the British Nationality Act 1981
- a British overseas territory to a parent who, at the time of the customer's birth, was a British citizen, you must follow British citizenship under [schedule 2, paragraph 2 BNA'81](#)
- the UK or a British overseas territory to a parent who, at the time of the customer's birth was a:
 - British overseas citizen, you must follow BOC status: gained automatically by stateless persons born on or after 1 January 1983
 - British subject, you must follow BS: born in the UK or qualifying territory and otherwise stateless

Cases under these sections are rare. You must refer these cases to a correctly trained caseworker or operational team leader (OTL).

Customers who do not qualify for British nationality under paragraphs 1 and 2, may be eligible for [registration under schedule 2, paragraphs 3, 3A, 4 or 5 of the British Nationality Act 1981](#).

British citizenship under schedule 2, paragraph 2, BNA'81

A customer is entitled to British citizenship under [schedule 2, paragraph 2 BNA'81](#) if all the following apply:

- they were born in a British overseas territory between 1 January 1983 and 21 May 2002
- they are otherwise stateless
- at the time of their birth their mother or father is a British citizen

A customer who qualifies as a British citizen under [schedule 2, paragraph 2](#) will be a British citizen 'by descent'.

Documents to confirm a claim to British citizenship under schedule 2

Customers applying from the UK or a qualifying territory and born on or after 1 January 1983, must support their applications with:

- their full birth certificate
- evidence they are otherwise stateless and hold no British or foreign nationality, for example:
 - evidence of any non-British nationalities held by either of the customer's parents
 - a letter from the authorities of every non-British country the customer's parents hold the nationality of, confirming the customer has never held that country's citizenship or nationality
 - a letter from the authorities of any non-British territory the customer has lived in for 5 years or more, confirming the customer has never held that country's citizenship or nationality
- evidence that, at the time of their birth, their parent was a British citizen. This may be:
 - a parent's full or short UK birth certificate (for parents born before 1 January 1983)
 - a parent's full UK birth certificate, along with evidence of the customer's grandparents' claim to British citizenship (for parents born on or after 1 January 1983)
 - a parent's adoption certificate, if it confirms their British citizenship status
 - a parent's UK naturalisation or registration certificate issued before the customer's birth

- a parent's British passport or passport number, either issued before the customer's birth or, where our records confirm the parent was a British citizen before the customer's birth

If the documents relate to the customer's father, we may need further documents to prove the birth was legitimate. See Legitimacy and domicile.

Related content

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