STATUTORY INSTRUMENTS

# 1964 No. 1391

# BRITISH NATIONALITY

## The British Nationality (No. 2) Regulations 1964

*Made* - - - - 31*st August* 1964
*Coming into Operation* 16*th September* 1964

In pursuance of the power conferred upon me by section 29(1) of the British Nationality Act 1948(a), as extended by section 6(2) of the British Nationality (No. 2) Act 1964(b), I hereby make with the consent, so far as Regulations 2 and 3 are concerned, of the Treasury the following Regulations:—

*Applications for registration under section* 1 *of the British Nationality (No.* 2) *Act* 1964

**1.**—(1) An application for registration as a citizen of the United Kingdom and Colonies made under section 1 of the British Nationality (No. 2) Act 1964 shall be made in writing, and shall include the following, that is to say:—

(*a*) in the case of any application, sufficient information to satisfy the authority to whom the application is made that the person in respect of whom it is made is and always has been stateless and is qualified for registration under the said section 1;

(*b*) in the case of an application made in respect of a minor by his parent or guardian, a statement whether the applicant is a parent or guardian of the minor and, if he is a guardian, how he became a guardian.

(2) An application made in accordance with paragraph (1) of this Regulation shall be made—

(*a*) if the applicant is resident in any of the Channel Islands, the Isle of Man, a colony, a protectorate or a protected state to which the provisions of section 8 of the Act of 1948 relating to protectorates are extended by Order in Council made under section 30 thereof, to the Governor;

(*b*) if the applicant is resident in a country mentioned in section 1(3) of the Act of 1948 in which there is a High Commissioner for Her Majesty's government in the United Kingdom, to the High Commissioner in that country;

(*c*) in any other case, to the Secretary of State at the Home Office in London.

(3) The registration of a person as a citizen of the United Kingdom and Colonies in pursuance of an application made in accordance with paragraph (1) of this Regulation shall be effected at such place as the authority to whom the application is made may direct.

(a) 11 & 12 Geo. 6. c. 56. (b) 1964 c. 54.

*Application of the Regulations of* 1948 *and* 1958

**2.**—(1) The provisions of the Regulations of 1948 and of the Regulations of 1958 which are mentioned in paragraph (2) of this Regulation shall apply in relation to applications made in accordance with Regulation 1 of these Regulations as they apply in relation to applications made in accordance with the Regulations of 1948 under section 6 of the Act of 1948.

(2) The provisions referred to in paragraph (1) of this Regulation are—

(*a*) Regulation 17 of the Regulations of 1948 (which relates to the witnessing of applications);

(*b*) Regulation 19(1) of the Regulations of 1948, in so far as it relates to the fees for witnessing the signing of an application and for supplying a certified copy of a document;

(*c*) Regulation 5(2) of the Regulations of 1958 (which provides that in certain circumstances the registration of a person as a citizen of the United Kingdom and Colonies under section 6 of the Act of 1948 shall be effected at such place as the Secretary of State may direct).

*Registration fee*

**3.**—(1) A fee of one pound ten shillings may be taken in the United Kingdom in respect of registration as a citizen of the United Kingdom and Colonies under section 1 of the British Nationality (No. 2) Act 1964; and in any country mentioned in section 1(3) of the Act of 1948, the like fee (or a fee of the corresponding amount in the local currency) may be taken in respect of registration as aforesaid effected in that country in accordance with Regulation 1(3) of these Regulations.

(2) Any fee taken in pursuance of paragraph (1) of this Regulation shall be paid into the Exchequer in accordance with Treasury directions.

*Interpretation*

**4.**—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively ascribed to them, that is to say:—

"the Act of 1948" means the British Nationality Act 1948;

"Governor" has, in relation to a protected state to which the provisions of section 8 of the Act of 1948 relating to protectorates are extended by Order in Council made under section 30 of that Act, the same meaning as in the Order;

"the Regulations of 1948" means the British Nationality Regulations 1948(**a**), as amended (**b**);

"the Regulations of 1958" means the British Nationality Regulations 1958(**c**), as amended (**d**);

(2) The Interpretation Act 1889(**e**) shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

(**a**) S.I. 1948/2721 (Rev. III, p. 209: 1948 I, p. 261).
(**b**) The relevant amending instruments are S.I. 1951/423, 1960/1150, 1962/561 (1951 I, p. 86; 1960 I, p. 419; 1962 I, p. 533).
(**c**) S.I. 1958/655 (1958 I, p. 237).
(**d**) There is no amendment which relates to the subject matter of these Regulations.
(**e**) 52 & 53 Vict. c. 63.

*Citation and commencement*

**5.** These Regulations may be cited as the British Nationality (No. 2) Regulations 1964 and shall come into operation on 16th September 1964.

*Henry Brooke,*
One of Her Majesty's Principal Secretaries of State.

21st August 1964.

We consent to Regulations 2 and 3 of these Regulations.

*M. A. Hamilton,*
*Martin McLaren,*
Two of the Lords Commissioners of Her Majesty's Treasury.

31st August 1964.

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## EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations relate to applications for registration as a citizen of the United Kingdom and Colonies under section 1 of the British Nationality (No. 2) Act 1964 by a person who has been stateless since birth.