EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Section 1 of the British Nationality Act, 1958, provides for the inclusion of the Federation of Rhodesia and Nyasaland in place of Southern Rhodesia in section 1 (3) of the British Nationality Act, 1948, which contains the list of Commonwealth countries citizenship of which, equally with citizenship of the United Kingdom and Colonies, confers the status of a British subject. Section 1 (5) of the Act of 1958 provides that that section shall come into operation on a date to be appointed by statutory instrument made at the request of the Government of the Federation of Rhodesia and Nyasaland. This Order appoints 1st March, 1958, for the purpose.

1958 No. 655

The British Nationality Regulations, 1958

Made - - - - 17*th April*, 1958
Coming into Operation 20*th April*, 1958

In pursuance of the power conferred upon me by subsection (1) of section twenty-nine of the British Nationality Act, 1948(a), as extended by subsection (2) of section five of the British Nationality Act, 1958(b), I hereby make with the consent, so far as Regulation 6 is concerned, of the Treasury the following Regulations:—

Form of application for registration as a citizen of the United Kingdom and Colonies by virtue of section 3 (1) (*a*) *or* (*b*) (*i*) *or* (*ii*) *of the Act of* 1958

1. An application for registration as a citizen of the United Kingdom and Colonies made by virtue of paragraph (*a*) or sub-paragraph (i) or (ii) of paragraph (*b*) of subsection (1) of section three of the Act of 1958 shall be in the form set out in the First Schedule hereto.

Form of application for registration as a citizen of the United Kingdom and Colonies by virtue of section 3 (1) (*b*) (*iii*) *of the Act of* 1958

2. An application for registration as a citizen of the United Kingdom and Colonies made by virtue of sub-paragraph (iii) of paragraph (*b*) of subsection (1) of section three of the Act of 1958 shall be in the form set out in the Second Schedule hereto.

Form of application for registration as a citizen of the United Kingdom and Colonies by virtue of section 3 (2) *of the Act of* 1958

3. An application for registration as a citizen of the United Kingdom and Colonies made by virtue of subsection (2) of section three of the Act of 1958 shall be in the form set out in the Third Schedule hereto.

Authority to whom application for registration as a citizen of the United Kingdom and Colonies under the Act of 1958 *is to be made*

4.—(1) An application made in accordance with Regulation 1 of these Regulations shall be made—

(*a*) if the applicant is resident in a country mentioned in subsection (3) of section one of the Act of 1948 in which there is a High Com-

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(a) 11 & 12 Geo. 6. c. 56. (b) 6 & 7 Eliz. 2. c. 10.

missioner for Her Majesty's government in the United Kingdom, to the High Commissioner in that country;

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

(2) An application made in accordance with Regulation 2 of these Regulations shall be made—

(*a*) if the applicant is resident in any of the Channel Islands, the Isle of Man, a colony, a protectorate (except Northern Rhodesia or Nyasaland), a protected state to which the provisions of paragraph (*c*) of subsection (1) of section three of the Act of 1958 relating to protectorates are extended by Order in Council made under section thirty of the Act of 1948, or a United Kingdom trust territory, to the Governor;

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

(3) An application made in accordance with Regulation 3 of these Regulations on the ground of service in the employment of a society, company or body of persons, whether or not it is also made on the ground of service under an international organisation, shall be made—

(*a*) if the society, company or body is established in the United Kingdom and the applicant is serving in its employment in a country mentioned in subsection (3) of section one 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;

(*b*) if the society, company or body is established in the United Kingdom and the applicant is serving as aforesaid elsewhere than as mentioned in sub-paragraph (*a*) of this paragraph, to the Secretary of State at the Home Office in London;

(*c*) if the society, company or body is established in any of the Channel Islands, the Isle of Man, a colony, a protectorate (except Northern Rhodesia or Nyasaland), a protected state to which the provisions of subsection (2) of section three of the Act of 1958 relating to protectorates are extended by Order in Council made under section thirty of the Act of 1948, or a United Kingdom trust territory, to the Governor.

(4) An application made in accordance with Regulation 3 of these Regulations on the ground solely of service under an international organisation shall be made—

(*a*) if the applicant is serving as aforesaid in a country mentioned in subsection (3) of section one of the British Nationality Act, 1948, in which there is a High Commissioner for Her Majesty's government in the United Kingdom, to the High Commissioner in that country;

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

Place of registration of citizens of the United Kingdom and Colonies

5.—(1) The registration of a person as a citizen of the United Kingdom and Colonies in accordance with the foregoing provisions of these Regulations shall be effected as follows:—

(*a*) if the application is made to the Secretary of State, at the Home Office in London;

(*b*) in any other case, at such place as the person to whom the application is made may direct.

(2) If a person is entitled to be registered as a citizen of the United Kingdom and Colonies by virtue of an application made by him to a person other than the Secretary of State under section six of the Act of 1948, and the Secretary of State is satisfied that it is impracticable for the registration to be effected at a place directed by the person to whom the application was made, the registration shall be effected at such place as the Secretary of State may direct.

Miscellaneous

6. Regulations 15 and 17 (which relate to the variation of forms and to the witnessing of applications) and, so far as it relates to the fee for witnessing the signing of an application, paragraph (1) of Regulation 19 of the British Nationality Regulations, 1948(a), shall apply to applications made in accordance with these Regulations as they apply to applications made in accordance with the said Regulations of 1948.

Interpretation

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

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

" the Act of 1958 " means the British Nationality Act, 1958 ;

" Governor " has, in relation to a protected state to which provisions of the Act of 1958 are extended by Order in Council made under section thirty of the Act of 1948, the same meaning as in the Order.

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

Title, commencement and revocation

8.—(1) These Regulations may be cited as the British Nationality Regulations, 1958, and shall come into operation on the twentieth day of April, 1958.

(2) Regulation 4, paragraph (4) of Regulation 5 and the Third Schedule to the British Nationality Regulations, 1948, are hereby revoked.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

17th April, 1958.

We consent to Regulation 6 of these Regulations.

Martin Redmayne,
R. Brooman-White,
Two of the Lords Commissioners of Her Majesty's Treasury.

17th April, 1958.

(a) S.I. 1948/2721 (Rev. III, p. 209 : 1948 I, p. 261) ; and *see* S.I. 1951/423, 1952/582 (1951 I, p. 86; 1952 I, p. 434). (b) 52 & 53 Vict. c. 63,

Regulation 1.

FIRST SCHEDULE

BRITISH NATIONALITY ACT, 1948, SECTION 12(6)

BRITISH NATIONALITY ACT, 1958, SECTION 3(1)(*a*) AND (*b*)(i) AND (ii)

Application for registration as a citizen of the United Kingdom and Colonies under section 12(6) *of the Act of* 1948 *as amended by section* 3(1) *of the Act of* 1958 *made on the ground of birth, naturalisation or descent by a person who, but for his citizenship or potential citizenship of a country mentioned in section* 1(3) *of the Act of* 1948 *as originally enacted*, would have become a citizen of the United Kingdom and Colonies under section* 12(4) *of that Act.*

1. I, A.B., of [*here insert address of applicant*], am of full age and capacity and was born at
on

2. [*If the applicant is a woman who has been married*] My maiden name was

3. I was a British subject immediately before the first day of January, 1949, by reason of the fact that

[*Here state the grounds on which the applicant claims to have been a British subject at the time mentioned.*]

4. I was on the first day of January, 1949, (a citizen) (potentially a citizen) of the following country, being one of the countries mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, namely, , by reason of the fact that

[*Here state the grounds on which the applicant claims to have been such a citizen or potentially such a citizen*]

and but for my (citizenship) (potential citizenship) of that country I would on the said first day of January, 1949, have become a citizen of the United Kingdom and Colonies by virtue of subsection (4) of section twelve of the British Nationality Act, 1948.

Delete sub-paragraphs which do not apply.

5 (*a*) I am descended in the male line from C.D. [*here state full name and relationship*] who possesses or possessed one of the qualifications mentioned in subsection (1) of section twelve of the British Nationality Act, 1948, that is to say,

(*b*) (i) I was born at
which is in the Republic of Ireland.

(ii) I am descended in the male line from C.D. [*here state full name and relationship*] who was born at
which is in the Republic of Ireland.

(*c*) (i) I became a British subject by virtue of a certificate of naturalisation granted under section eight of the British Nationality and Status of Aliens Act, 1914(a), by the government of a country mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, as follows:—

[*Here state full details of the naturalisation.*]

(ii) I am descended in the male line from [*here state full name and relationship*] who became a British subject by virtue of a certificate of naturalisation granted under section eight of the British Nationality and Status of Aliens Act, 1914, by the government of a country mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, as follows:—

[*Here state full details of the naturalisation.*]

(a) 4 & 5 Geo. 5. c. 17.

* The countries so mentioned were Canada, Australia, New Zealand, the Union of South Africa, Newfoundland, India, Pakistan, Southern Rhodesia and Ceylon.

6. I intend to make my ordinary place of residence within the United Kingdom and Colonies, namely, within [*here insert the name of the territory.*]

7. I have a close connection with the United Kingdom and Colonies for the following reasons:—

8. I intend this application to relate to the following of my children who are under twenty-one years of age:—

Name in full	Date of birth	Place of birth

9. I hereby apply for registration of myself (and my said children) as (a citizen) (citizens) of the United Kingdom and Colonies.

I, A.B., do solemnly and sincerely declare that the foregoing particulars stated in this application are true, and I make this solemn declaration conscientiously believing the same to be true.

(Signed) A.B.

Made and subscribed this day of , 19 , before me,

(Signed) X.Y.,

[*Justice of the Peace, Commissioner or other official title.*]

SECOND SCHEDULE

Regulation 2.

BRITISH NATIONALITY ACT, 1948, SECTION 12(6)

BRITISH NATIONALITY ACT, 1958, SECTION 3(1)(*b*)(iii) AND (*c*)

Application for registration as a citizen of the United Kingdom and Colonies under section 12(6) *of the Act of* 1948 *as amended by section* 3(1) *of the Act of* 1958 *made by a person who, but for his citizenship or potential citizenship of one of the countries mentioned in section* 1(3) *of the Act of* 1948 *as originally enacted*, would have become a citizen of the United Kingdom and Colonies under section* 12(4) *of that Act and who, having been on* 1*st January*, 1949, *a citizen of such a country or having been made one by the coming into operation of any law of such a country, has lost that citizenship otherwise than by his own act done for the purpose, and has thereby ceased to be a British subject.*

1. I, A.B., of [*here insert address of applicant*], am of full age and capacity and was born at
on

2. [*If the applicant is a woman who has been married*] My maiden name was

3. I was a British subject immediately before the first day of January, 1949, by reason of the fact that

[*Here state the grounds on which the applicant claims to have been a British subject at the time mentioned.*]

4 (*a*) I was on the first day of January, 1949, a citizen of the following country, being one of the countries mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, namely, , by reason of the fact that

Either sub-paragraph (*a*) or (*b*) should be completed.

[*Here state the grounds on which the applicant claims to have been such a citizen*]

and but for my citizenship of that country I would on the said first day of January, 1949, have become a citizen of the United Kingdom and Colonies by virtue of subsection (4) of section twelve of the British Nationality Act, 1948.

* The countries so mentioned were Canada, Australia, New Zealand, the Union of South Africa, Newfoundland, India, Pakistan, Southern Rhodesia and Ceylon.

(*b*) I was on the first day of January, 1949, potentially a citizen of the following country, being one of the countries mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, namely, , by reason of the fact that

[*Here state the grounds on which the applicant claims to have been potentially such a citizen*]

and but for my potential citizenship of that country I would on the said first day of January, 1949, have become a citizen of the United Kingdom and Colonies by virtue of subsection (4) of section twelve of the British Nationality Act, 1948. After that date I was made a citizen of the following country, being one of the countries mentioned in subsection (3) of section one of the British Nationality Act, 1948, as originally enacted*, namely, , by the coming into operation of a law of that country, as follows:—

[*Here state the grounds on which the applicant claims to have been made such a citizen.*]

5. I have lost the citizenship of [*here insert the name of the country of which the applicant was a citizen on 1st January, 1949, as stated in paragraph 4 (a) or the country of which he was afterwards made a citizen by the coming into operation of a law of that country as stated in paragraph 4 (b), as the case may be*] otherwise than by my own act done for the purpose, as follows:—

[*Here state full details of the circumstances in which citizenship was lost*]

and I have thereby ceased to be a British subject.

6. I have a close connection with the United Kingdom and Colonies for the following reasons:—

Delete this paragraph if not applicable.

7. I intend this application to relate to the following of my children who are under twenty-one years of age:—

Name in full	Date of birth	Place of birth

8. I hereby apply for registration of myself (and my said children) as (a citizen) (citizens) of the United Kingdom and Colonies.

I, A.B., do solemnly and sincerely declare that the foregoing particulars stated in this application are true, and I make this solemn declaration conscientiously believing the same to be true.

(Signed) A.B.

Made and subscribed this day of , 19 , before me,

(Signed) X.Y.,

[*Justice of the Peace, Commissioner or other official title.*]

Regulation 3.

THIRD SCHEDULE

BRITISH NATIONALITY ACT, 1948, SECTION 6(1)
BRITISH NATIONALITY ACT, 1958, SECTION 3(2)

Application for registration as a citizen of the United Kingdom and Colonies under section 6(1) of the Act of 1948 as extended by section 3(2) of the Act of 1958 made by a British subject or citizen of the Republic of Ireland on the ground of service under an international organisation of which the United Kingdom or Her Majesty's government therein is a member or service in the employment of a society, company or body of persons established in the United Kingdom or in any of the Channel Islands, the Isle of Man, a colony, a protectorate, a protected state to which section 3(2) of the Act of 1958 has been applied or a United Kingdom trust territory.

* The countries so mentioned were Canada, Australia, New Zealand, the Union of South Africa, Newfoundland, India, Pakistan, Southern Rhodesia and Ceylon.

1. I, A.B., of [*here insert address of applicant*], am of full age and capacity and was born at
on

2. My father's full name (is) (was)
and he was born at
on

3. I am (single) (married) (a widower) (a widow) (divorced from my wife/husband).

4. My (wife's) (husband's) full name (is) (was)
and (he) (she) was born at
on

5. I am (a citizen of the following countries mentioned in subsection (3) of section one of the British Nationality Act, 1948*, that is to say,) (a citizen of the Republic of Ireland) (a British subject without citizenship under section thirteen of the British Nationality Act, 1948) by reason of the fact that

[*Here state the grounds on which the applicant claims to be such a citizen or British subject without citizenship.*]

6 (*a*) I am serving under an international organisation of which the United Kingdom or Her Majesty's government therein is a member and have been so serving throughout the past (twelve months) ( )† as follows:—

[*Here give the name of the organisation together with full details of service thereunder during the past twelve months and the total duration of service thereunder.*]

(*b*) I am serving in the employment of a society, company or body of persons established in [*here insert* " the United Kingdom " *or, if the society, company or body is established in one of the Channel Islands, the Isle of Man, or a colony, a protectorate, a protected state to which section* 3 (2) *of the British Nationality Act*, 1958, *has been applied or a United Kingdom trust territory, the name of the island, colony, etc.*] and have been so serving throughout the past (twelve months) ( )† as follows:—

[*Here give the name of the society, company or body together with full details of service thereunder during the past twelve months and the total duration of service thereunder.*]

Either or both of sub-paragraphs (*a*) and (*b*) should be completed.

† If applicant has been serving for less than twelve months delete first ( ) and complete second ( ).

7 (*a*) I have been ordinarily resident during the past twelve months as follows:—

[*Here state the addresses at which the applicant was ordinarily resident during the past twelve months, with dates in each case.*]

(*b*) Immediately before I entered into the service mentioned in paragraph 6 I was ordinarily resident at:—

[*Here state the address.*]

8. The special circumstances in which I desire that the period of service shorter than twelve months which is mentioned in paragraph 6 should be accepted are as follows:—

To be completed if applicable.

9. I have a close connection with the United Kingdom and Colonies for the following reasons:—

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* The countries so mentioned are Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, the Federation of Rhodesia and Nyasaland, Ceylon, Ghana and the Federation of Malaya.

10. I (have) (have not) previously renounced or been deprived of citizenship of the United Kingdom and Colonies.

[*If the applicant has renounced his or her citizenship of the United Kingdom and Colonies, here state the date on which the declaration of renunciation was made; and if he or she has been deprived of his or her citizenship, state the date on which, and the authority by whom, the order of deprivation was made.*]

11. I hereby apply to be registered as a citizen of the United Kingdom and Colonies.

I, A.B., do solemnly and sincerely declare that the foregoing particulars stated in this application are true, and I make this solemn declaration conscientiously believing the same to be true.

(Signed) A.B.

Made and subscribed this day of , 19 , before me,

(Signed) X.Y.,
[*Justice of the Peace, Commissioner or other official title.*]

EXPLANATORY NOTE

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

These Regulations prescribe the procedure for the registration of persons as citizens of the United Kingdom and Colonies on application under section 3 of the British Nationality Act, 1958, and provide that if registration as such a citizen under the British Nationality Acts, 1948 and 1958, cannot be effected at a place directed by the authority to whom the application for registration was made it shall be effected at a place directed by the Secretary of State.