STATUTORY INSTRUMENTS

1964 No. 682

BRITISH NATIONALITY

The British Nationality Regulations 1964

Made - - - -	11*th May* 1964
Coming into Operation	25*th May* 1964

In pursuance of the power conferred upon me by section 29(1) of the British Nationality Act 1948(a), as extended by section 3(2) of the British Nationality Act 1964(b), I hereby make with the consent, so far as Regulation 2 is concerned, of the Treasury the following Regulations:—

Applications for registration under section 1 *of the Act of* 1964

1.—(1) An application for registration as a citizen of the United Kingdom and Colonies made under section 1 of the Act of 1964 shall be in the form set out in Annex A to these Regulations.

(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 has such a qualifying connection as is mentioned in section 1 of the Act of 1964 and 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 person to whom the application is made may direct.

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 15 of the Regulations of 1948 (which relates to the variation of forms);

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

(a) 11 & 12 Geo. 6. c. 56. (b) 1964 c. 22.

(*c*) 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;

(*d*) 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).

Replacement of Regulation 11 *and Schedule* 6 *to the Regulations of* 1948

3.—(1) For Regulation 11 of the Regulations of 1948 there shall be substituted the following Regulation:—

"Declaration of renunciation of citizenship.

11.—(1) A declaration of renunciation of citizenship of the United Kingdom and Colonies made under section 19(1) of the Act (including that section as extended by section 2 of the British Nationality Act 1964) shall be in the form set out in Schedule 6 hereto.

(2) A declaration made in accordance with paragraph (1) of this Regulation shall be made—

(*a*) if the declarant is resident in a country mentioned in section 1(3) of this Act 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.

(3) A declaration made in accordance with the said paragraph (1) shall, subject to the provisions of the said section 19(1), be registered at such place as the person to whom the declaration is made may direct.".

(2) For Schedule 6 to the Regulations of 1948 there shall be substituted the Schedule set out in Annex B to these Regulations.

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;

" the Act of 1964 " means the British Nationality Act 1964;

" 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**).

(**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.

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

Citation and commencement

5. These Regulations may be cited as the British Nationality Regulations 1964 and shall come into operation on 25th May 1964.

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

6th May 1964.

We consent to Regulation 2 of these Regulations.

John Peel,
M. A. Hamilton,
Two of the Lords Commissioners of Her Majesty's Treasury.

11th May 1964.

ANNEX A

Regulation 1(1)

BRITISH NATIONALITY ACT 1964, SECTION 1

*Application for registration as a citizen of the United Kingdom and Colonies under section 1 of the Act of 1964 made by a person who has ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation for the purpose of remaining or becoming a citizen of a country mentioned in section 1(3) of the Act of 1948.**

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

2. I made a declaration of renunciation of citizenship of the United Kingdom and Colonies at on
and the declaration was registered on

3. I [had at that time become] [was at that time about to become] a citizen of one of the countries now mentioned in section 1(3) of the British Nationality Act 1948* namely
[*Here state name of country.*]

4. To the best of my knowledge and belief I should have been unable [to become] [to have remained] such a citizen without making a declaration of renunciation of citizenship of the United Kingdom and Colonies by reason of the fact that
[*Here state the grounds on which the applicant claims the renunciation was necessary.*]

(a) 52 & 53 Vict. c. 63.

* The countries so mentioned are Australia, Canada, Ceylon, Cyprus, Ghana, India, Jamaica, Kenya, Malaysia, New Zealand, Nigeria, Pakistan, Sierra Leone, Southern Rhodesia, Tanganyika, Trinidad and Tobago, Uganda and Zanzibar.

5. [I have] [My husband has/had] a qualifying connection with [the United Kingdom and Colonies] [an existing protectorate or protected state] by reason of the fact that

[*Here state the grounds on which a qualifying connection is claimed. To establish a qualifying connection the applicant must show—*

(*a*) *in relation to the United Kingdom and Colonies, that he, his father or his father's father was born, registered as a citizen or naturalised in the United Kingdom or an existing colony, or was registered as a citizen by a British High Commissioner in a Commonwealth country, or became a British subject by reason of the annexation of territory included in an existing colony, or*

(*b*) *in relation to a protectorate or protected state, that he, his father or his father's father was born there and is, or at any time was, a British subject,*

except that a woman may alternatively show that she has been married to a person who has or would, if living, have such a connection.]

†To be completed only by persons not completing paragraph 5.

†6. I wish the following factors to be taken into account in the consideration of my application:—

7. 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.*]

Regulation 3(2) ANNEX B

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 6 TO REGULATIONS OF 1948

Regulation 11 SCHEDULE 6

BRITISH NATIONALITY ACT 1948, SECTION 19

BRITISH NATIONALITY ACT 1964, SECTION 2

Declaration of renunciation of citizenship under section 19 of the Act of 1948 (including that section as extended by section 2 of the Act of 1964) made by a citizen of the United Kingdom and Colonies who is also or is about to become a citizen or national of another country.

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

To be completed only by a woman under 21 years of age.

2. I [have] [have not] been married.

3.—(*a*) I am a [citizen] [national] of
under the law of that country.

Sub-paragraph (*a*) or (*b*) should be completed as appropriate.

(*b*) To the best of my knowledge and belief I am about to become a [citizen] [national] of
under the law of that country by reason of the fact that
[*Here state the grounds on which the applicant believes that he is about to become a citizen or national of that country.*]

4. I hereby renounce my citizenship of the United Kingdom and Colonies.

I, A.B., do solemnly and sincerely declare that the foregoing particulars stated in this declaration 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.*)

Regulations 1 and 2 relate to applications for registration as a citizen of the United Kingdom and Colonies under section 1 of the British Nationality Act 1964 by a person who has ceased to be such a citizen as a result of a declaration of renunciation made with the object of acquiring or retaining the citizenship of a Commonwealth country. Regulation 3 amends the provisions of the British Nationality Regulations 1948 relating to the making of declarations of renunciation of citizenship under section 19 of the British Nationality Act 1948 consequent upon section 2 of the Act of 1964 (which enables citizenship to be renounced under section 19 of the Act of 1948 by a person who, although not a citizen or national of another country, can show that he is about to become one).