



Home Office

Border & Immigration Agency

GUIDE S1 - REGISTRATION OF A STATELESS PERSON AS A BRITISH CITIZEN, BRITISH OVERSEAS TERRITORIES CITIZEN OR A BRITISH OVERSEAS CITIZEN

A guide for those born before 1 January 1983

This guide and the application form S1 apply to a stateless person born before 1 January 1983 who wishes to acquire one of the following three citizenships - British citizenship, British overseas territories citizenship or British overseas citizenship.

The guide will help you to decide whether you qualify, or your child qualifies, to apply for registration and it tells you how to do so.

If you have any questions please write to or telephone:

Border and Immigration Agency
Department 2
PO Box 306
Liverpool
L2 0QN

Telephone 0845 010 5200

If you are in the Channel Islands or Isle of Man you should contact the Lieutenant Governor's office.

If you are in a British overseas territory, contact the governor's office.

If you are elsewhere overseas, contact the nearest British consulate or high commission.

Please quote any Home Office reference number from a previous application or correspondence.

WHAT THIS GUIDE CONTAINS

1. explains the requirements you or your child must meet
2. explains which citizenship you or your child may acquire
3. tells you about the application form and what to send with it
4. tells you where to send the form and what happens afterwards

The law covering registration is contained in the British Nationality Act 1981 and the regulations made under it. The information given here is meant only as a brief guide to the law and to the Home Secretary's policy. It is not a comprehensive statement of either the law or policy.

1. THE REQUIREMENTS YOU OR YOUR CHILD HAVE TO MEET

To apply, you or your child MUST:

- be stateless;
- AND
- have always been stateless;
- AND
- have been born before 1 January 1983;
- AND
- come within one of the sections A to O below.

Section A

A person will come within this section if:

	Notes
he/she was born on or after 1 January 1949	1 January 1949 is the date the British Nationality Act 1948 came into force, and introduced the status of citizens of the United Kingdom and Colonies
and	
his/her mother was a citizen of the United Kingdom and Colonies at the time of the birth	

Section B

A person will come within this section if:

	Notes
he/she was born on/at a place which is at the time of application;	
within the United Kingdom;	The United Kingdom means England, Scotland, Wales, Northern Ireland, the Channel Islands and the Isle of Man.
within a British overseas territory	The British overseas territories are currently Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St Helena and Dependencies, South Georgia and the South Sandwich Islands, the Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus, Turks and Caicos Islands and Virgin Islands.

Section C

A person will come will come within this section if:

	Notes
he/she was born on or after 5 October 1965;	5 October 1965 is the date the British Nationality Act 1965, came into force.
and	
on the date of birth his/her mother was a British subject by registration under section 1(1) of the British Nationality Act 1965;	Under section 1(1) of the British Nationality Act 1965, an alien woman had a right to registration if she had been married to: a British subject under section 2 of the British Nationality Act 1948 (this is explained in the note in section G), or a British subject without citizenship (this is explained in the note in section F)
and	
he/she has been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before the application.	United Kingdom and British overseas territories are explained in the notes in section B.

Section D

A person will come within this section if:

Either	Notes
his/her mother or father became a citizen of the United Kingdom and Colonies under section 13(2) of the British Nationality Act 1948, or would have become such a citizen but for his or her death.	Section 13(2) provided that a person who was a British subject before 1 January 1949 and did not become a citizen of another Commonwealth country should, in certain circumstances, become a citizen of

	the United Kingdom and Colonies (see notes in section F).
or	
his/her mother or father became a citizen of the United Kingdom and Colonies under section 16(2) of the British Nationality Act 1948.	Section 16(2) benefited a child who would otherwise have become a citizen of the United Kingdom and Colonies on 1 January 1949 but who had previously lost British nationality because his or her father (or widowed mother) lost it. This section enabled that person to make a declaration of intention to become such a citizen by 1 January 1950 or within a year of his or her twenty-first birthday, whichever was the later.

Section E

You will come within this section if:

	Notes
you were born before 1 January 1949;	1 January 1949 is the date the British Nationality Act 1948 came into force.
and	
your mother was a British subject on your date of birth;	Before 1 January 1949, everyone born within the Commonwealth (or whose father was born there) was simply a British subject.
and	
your mother became a citizen of the United Kingdom and Colonies on 1 January 1949.	Under the 1948 Act, a British subject became, on 1 January 1949, a citizen of the United Kingdom and Colonies if he or she was primarily connected with the United Kingdom and Colonies.

Section F

You will come within this section if:

	Notes
you were born before 1 January 1949;	see notes in section E.
and	
your mother was a British subject on your date of birth;	
and	
your mother became a British subject without citizenship on 1 January 1949 (or would have done so if she had lived until that date);	When the British Nationality Act 1948 came into force on 1 January 1949, some Commonwealth countries which had become independent had not yet enacted citizenship laws. British subjects connected primarily with those countries were given the status of British subject without citizenship under section 13 of the Act, and a number of persons connected with former British India still retain this status. Certain British subjects without citizenship have that status not under section 13 but under section 16 of the 1948 Act. Under this latter section, persons who had lost British nationality under the nationality law in force prior to the 1948 Act (because their parents lost it through a declaration of alienage or otherwise) were enabled to recover their British nationality and acquire, in certain cases, the status of British subject without citizenship.
and	

your mother has not since become a citizen of any other;	
and	
you have been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before your application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section G

You will come within this section if:

	Notes
you were born before 1 January 1949;	see the first and second notes in section E
and	
your mother was a British subject when you were born;	
and	
your mother remained a British subject from 1 January 1949, under section 2 of the British Nationality Act 1948;	Section 2 of the 1948 Act applied to British subjects who were also citizens of Eire (the Republic of Ireland) on 31 December 1948 if they had certain connections with the United Kingdom and had given notice to the Home Secretary claiming to remain a British subject.
and	
you have been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before your application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section H

You will come within this section if:

	Notes
you were born before 1 January 1949;	1 January 1949 is the date the British Nationality Act 1948 came into force.
and	
your mother was regarded as a British subject on 31 December 1948, under section 14 of the British Nationality Act 1948;	Section 14 of the British Nationality Act 1948 restored British nationality to women who had lost it by marriage to an alien or otherwise during the continuance of her marriage.
and	
your mother became a citizen of the United Kingdom and Colonies on 1 January 1949 (or would have done so if she had lived until that date).	The note in section E explains how this could happen.

Section I

You will come within this section if:

	Notes
you were born before 1 January 1949;	see the note in section H.
and	
your mother was regarded as a British subject under section 14 of the British Nationality Act 1948;	This section refers to those who became British subjects without citizenship (not citizens of the United Kingdom and Colonies) on 1 January 1949.
and	
your mother became a British subject without citizenship on 1 January 1949;	How this could happen is explained in the note in section F.

and	
your mother has not since become a citizen of a Commonwealth country;	Commonwealth countries - see list in section F.
and	
you have been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before your application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section J

You will come within this section if:

	Notes
you were born before 1 January 1949;	1 January 1949 is the date the British Nationality Act 1948 came into force.
and	
your mother or your father was regarded as a British subject either: under section 15 of the British Nationality Act 1948, or under section 17 of the British Nationality Act 1948.	Section 15 of the British Nationality Act 1948 restored British nationality to any person whose birth had been registered at a British Consulate but who had failed to make a declaration asserting his or her British nationality when he or she reached his or her majority. Section 17 provided for the registration of children born abroad before 1 January 1949 whose birth had not been registered at a British Consulate.
That parent became a citizen of the United Kingdom and Colonies on 1 January 1949 (or would have done so if he or she had lived until that date).	The note in section E explains how this could happen.

Section K

You will come within this section if:

	Notes
You were born before 1 January 1949;	See the first 3 notes in section J
and	
your mother or father was regarded as a British subject under section 15 or section 17 of the British Nationality Act 1948;	
and	
the parent became a British subject without citizenship on 1 January 1949 (or would have done so if he or she had lived until that date);	How this could happen is explained in the notes in section F
and	
that parent has not since become a citizen of any other Commonwealth country;	Commonwealth countries - see list in section F
and	
you have been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before your application.	United Kingdom and British overseas territory are explained in the notes in section B

Section L

You will come within this section if:

	Notes
you were born before 1 January 1949;	1 January 1949 is the date the British Nationality Act 1948 came into force.
and	

your mother or father became a British subject without citizenship under section 16(2) of the British Nationality Act 1948;	Section 16(2) of the British Nationality Act 1948 is explained in the second note in section D.
and	
that parent has not since become a citizen of any other Commonwealth country;	Commonwealth countries - see list in section F.
and	
you have been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before your application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section M

A person will come within this section if:

	Notes
he/she was born between 1 January 1949 and 31 December 1982;	1 January 1949 to 31 December 1982 is the period during which the British Nationality Act 1948 was in force.
and	
his/her mother or father was a British subject without citizenship at the time of the birth;	British subject without citizenship is explained in the notes in section F.
and	
he/she has been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before the application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section N

A person will come within this section if:

	Notes
he/she was born between 1 January 1949 and 31 December 1982;	1 January 1949 to 31 December 1982 is the period during which the British Nationality Act 1948 was in force
and	
his/her mother or father became a British subject without citizenship under section 16(2) of the British Nationality Act 1948 after the birth;	Section 16(2) of the British Nationality Act 1948 is explained in the notes in section D.
and	
he/she has been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before the application.	United Kingdom and British overseas territory are explained in the notes in section B.

Section O

A person will come within this section if:

	Notes
he/she was born between 1 January 1949 and 31 December 1982;	1 January 1949 to 31 December 1982 is the period during which the British Nationality Act 1948 was in force.
and	
his/her mother or father was a British subject under section 2 of the British Nationality Act 1948 at the time of the birth;	Section 2 of the 1948 Act is explained in the note in section G. It does not matter if the parent's claim was made after the birth.
and	
he/she has been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before the application.	United Kingdom and British overseas territory are explained in the notes in section B.

Kingdom or a British overseas territory throughout the three years before the application.	explained in the notes in section B.
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2. WHICH CITIZENSHIP WILL YOU OR YOUR CHILD ACQUIRE?

The British Nationality Act 1981 replaced citizenship of the United Kingdom and Colonies with three separate citizenships:

- British citizenship, for people closely connected with the United Kingdom, including the Channel Islands and Isle of Man;
- British Dependent Territories citizenship, for people connected with the dependent territories (but see Note below);
- British overseas citizenship, for those citizens of the United Kingdom and Colonies who do not have these connections with either the United Kingdom or the dependent territories.

If a person meets the requirements he/she will be registered as a British citizen, EXCEPT that:

- if he/she qualifies on the grounds that his/her mother was a citizen of the United Kingdom and Colonies at the time of the birth (see Section A), he/she will receive the same citizenship that the mother acquired under the 1981 Act on 1 January 1983. (If the mother died before 1 January 1983, he/she will receive the same citizenship that the mother would have acquired if she had lived until that date); AND
- if he/she was born in a British overseas territory (see Section B), he/she will be registered as a British overseas territories citizen.

Note

British Dependent Territories citizenship and the dependent territories are what British overseas territories citizenship and the British overseas territories were called before 26 February 2002.

3. THE APPLICATION FORM

If the requirements are met and you wish to apply for citizenship, please:

- fill in form S1 to the end of part 8; and
- sign and date the declaration at part 9.

An application which has not been declared will be invalid.

If the applicant is under 18, the application form should normally be filled in by a parent or guardian. But a person aged 16 or 17 may make his or her own application.

What to send with the form

The fee

The fee must be sent with the application form. Details of the current fee are available from our website or by calling 0845 010 5200.

Documents

With the application form, you should send evidence:

that the applicant has been stateless from birth, for example, a letter from the authorities of the country in which he/she was born, stating that he/she is not, and never has been, a citizen of that country.

of the citizenship or status of the applicant's mother or father, if the requirement that is met is based on a parent's citizenship or status. This may include, for example:

- the parent's birth certificate
- any certificates of registration or naturalisation

- any official letters which show the parent's citizenship or status at any time.

Please note that any person whose claim is based upon the citizenship or status of his or her father must show that he/she is the legitimate child of the father, e.g. by sending his/her birth certificate and the parents' marriage certificate.

that the applicant has been ordinarily resident in the United Kingdom or a British overseas territory throughout the three years before the application, if the requirement that is met includes this condition.

- Please send the passport or passports (including stateless persons travel documents) which cover the whole of the qualifying period. If you cannot do this, please explain why and send as much as you can of the following:
 - letters from your employers during the qualifying period;
 - letters from schools or other educational establishments which were attended during the qualifying period;
 - a letter from Inland Revenue National Insurance Contributions Office showing that you have paid National Insurance contributions during the qualifying period;
 - P60 forms or a letter from the Inland Revenue showing that you have paid tax during the qualifying period;
 - any other documents which show that you lived in the United Kingdom or the British overseas territories during the qualifying period.

Please note that if the application is made by a guardian for a person under 18, proof of authority to act as a guardian (for example, a court order) is needed.

NOTE: Information you give us will be treated in confidence, but may be disclosed to other Government Departments and agencies and local authorities to enable them to carry out their functions.

4. WHERE TO SEND THE APPLICATION

If you are applying in England, Wales, Scotland or Northern Ireland, send the form with the fee and supporting documents to:

Border and Immigration Agency
 Department 1
 PO Box 306
 Liverpool
 L2 0QN

If you are in the Channel Islands or the Isle of Man, you should send them to the Lieutenant Governor.

If you are in a British overseas territory, you should send them to the governor.

If you are elsewhere, you should send them to the nearest British consulate, embassy or high commission.

WHAT HAPPENS AFTERWARDS?

Oath of Allegiance - If you are aged 18 or over and your application is successful, you will be asked to take an oath of allegiance. Full instructions on taking the oath will be sent.

Certificate of Registration - If the application is successful, you or your child will receive a certificate of registration. But citizenship may be withdrawn if it has been obtained by fraud, false representation or the concealment of any material fact.

NB. Place and country of birth names shown on the certificate will be names in current acceptable use (and will be in English where English versions exist).