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STATUTORY INSTRUMENTS

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**2004 No. 1726**

**BRITISH NATIONALITY**

**The British Nationality (General)  
(Amendment) Regulations 2004**

<i>Made</i>	- - - -	<i>7th July 2004</i>
<i>Laid before Parliament</i>		<i>7th July 2004</i>
<i>Coming into force</i>	- -	<i>28th July 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by section 41(1)(b), (ba) and (1A) of the British Nationality Act 1981<sup>(1)</sup> hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the British Nationality (General) (Amendment) Regulations 2004 and shall come into force on 28th July 2004.

(2) Nothing in these Regulations shall affect any application for naturalisation as a British citizen made before the coming into force of these Regulations.

2. The British Nationality (General) Regulations 2003<sup>(2)</sup> shall be amended as follows.

3. After regulation 5, there is inserted:

**“Knowledge of language**

**5A.—**(1) A person has sufficient knowledge of the English language for the purpose of an application for naturalisation as a British citizen under section 6 of the Act if—

- (a) he possesses a certificate showing that he has attained an ESOL skills for life Entry 3 qualification approved by the Qualifications and Curriculum Authority; or
- (b) the person designated by the Secretary of State under paragraph (2) below certifies in writing that he has a sufficient knowledge of the English language for this purpose.

(2) The Secretary of State may designate a person to determine sufficiency of knowledge of the English language for the purpose of an application for naturalisation under section 6 of the Act where an applicant—

- (a) does not possess the certificate described in paragraph (1)(a) above; but

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(1) 1981 c. 61. Section 41(1)(ba) and (1A) are inserted by section 1(3) and (4) of the Nationality, Immigration and Asylum Act 2002 (c. 41).  
(2) S.I.2003/548; as amended by S.I. 2003/3158.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (b) possesses a different qualification granted by an educational institution, whether in the United Kingdom or elsewhere, which the applicant claims to be equivalent to, or to exceed, the level of proficiency in the English language referred to as ESOL Entry 3 in the document published in 2001 by the Department for Education and Skills entitled “Adult ESOL core curriculum” (ISBN 1-84185-640-1).”.

4. In Schedule 2, in paragraph 14(1)(b), for “and good character” substitute “, good character and knowledge of language”.

Home Office  
7th July 2004

*Des Browne*  
Minister of State

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the British Nationality (General) Regulations 2003 with effect from 28th July 2004 to make provision for determining whether a person has sufficient knowledge of the English language for the purpose of an application for naturalisation as a British citizen under section 6 of the British Nationality Act 1981.

Copies of the document entitled “Adult ESOL core curriculum” referred to in regulation 3 can be obtained from DfES Publications, Prolog, PO Box 5050, Annersley, Nottingham NG15 0DJ (tel: 0845 6022260; email: [dfes@prolog.uk.com](mailto:dfes@prolog.uk.com)).