

2005 No. 2785

BRITISH NATIONALITY

**The British Nationality (General) (Amendment) Regulations
2005**

Made - - - - - *10th October 2005*

Laid before Parliament *11th October 2005*

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 41(1)(ba) and (bb), (1A) and (3) of the British Nationality Act 1981(a):

1.—(1) These Regulations may be cited as the British Nationality (General) (Amendment) Regulations 2005.

(2) Subject to paragraph (3), these Regulations shall come into force on 1st November 2005.

(3) These Regulations shall come into force in the Islands(b) on 1st May 2006.

2. The British Nationality (General) Regulations 2003(c) shall be amended as follows.

3. For regulation 5A, substitute:

“Knowledge of language and life in the United Kingdom

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

- (a) he has attended a course which used teaching materials derived from the document entitled “Citizenship Materials for ESOL Learners” (ISBN 1-84478-5424) and he has thereby attained a relevant accredited qualification; or
- (b) he has passed the test known as the “Life in the UK Test” administered by an educational institution or other person approved for this purpose by the Secretary of State; or
- (c) in the case of a person who is ordinarily resident outside the United Kingdom(d), a person designated by the Secretary of State certifies in writing that he has sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom for this purpose.

(2) In this regulation, a “relevant accredited qualification” is—

(a) 1981 c. 61; section 41(1)(ba) and (bb) and (1A) were inserted by section 1(3) and (4) of the Nationality, Immigration and Asylum Act 2002 (c. 41).

(b) By section 50(1) of the British Nationality Act 1981, “the Islands” means the Channel Islands and the Isle of Man.

(c) S.I. 2003/548; regulation 5A was inserted by S.I. 2004/1726 and amended by S.I. 2004/2109.

(d) By section 50(1) of the British Nationality Act 1981, “the United Kingdom” is defined for the purposes of the Act as Great Britain, Northern Ireland and the Islands.

- (a) an ESOL “Skills for Life” qualification in speaking and listening at Entry Level approved by the Qualifications and Curriculum Authority; or
- (b) two ESOL Units at Access Level under the Scottish Credit and Qualifications Framework approved by the Scottish Qualifications Authority.”.

4. In Schedule 2—

- (a) in paragraph 13(1)(a), after “knowledge of language” insert “, knowledge about life in the United Kingdom”; and
- (b) in paragraph 14(1)(b)(a), for the words from “immigration laws” to the end, substitute “immigration laws, good character, knowledge of language and knowledge about life in the United Kingdom”.

5. The British Nationality (General) (Amendment) Regulations 2004(b) and the British Nationality (General) (Amendment No. 2) Regulations 2004(c) are revoked.

Home Office
10th October 2005

Tony McNulty
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 1st November 2005 (and from 1st May 2006 in the Channel Islands or the Isle of Man) to make new provision for determining whether a person has sufficient knowledge of the English language for the purposes of an application for naturalisation under section 6 of the British Nationality Act 1981. The Regulations also make provision for the first time for determining whether a person has sufficient knowledge about life in the United Kingdom for the purposes of such an application.

Copies of the Citizenship Materials for ESOL Learners pack referred to in regulation 3 can be obtained from www.esolcitizenship.org.uk or from DfES Publications, Prolog, PO Box 5050, Annersley, Nottingham NG15 0DJ (tel: 0845 6022260; email: dfes@prolog.uk.com).

(a) Paragraph 14(1)(b) of Schedule 2 was amended by S.I. 2004/1726.

(b) S.I. 2004/1726.

(c) S.I. 2004/2109.

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