SCHEDULE 1 Regulation 3

General requirements for applications

PART 1

All applications

1. An application shall be made in writing and shall state the name, address and date and place of birth of the applicant.

2. An application shall contain a declaration that the particulars stated in the application are true.

PART 2

Applications made by persons not of full age or capacity

3. An application in respect of someone not of full age or capacity made by another person on his behalf shall—

(a) state that the application is made on behalf of a person who is not of full age or capacity;

(b) state the name and address of the person who is making the application;

(c) indicate the nature of the connection between the person making the application and the person on whose behalf the application is made; and

(d) where the person making the application has any responsibility, other than as a parent, for the person on whose behalf the application is made, the nature of that responsibility and the manner in which it was assumed.

SCHEDULE 2 Regulation 3

Particular requirements for applications

Application under section 15(3) of the Act

1. The application shall contain information showing—

(a) that the applicant's father or mother became a British overseas territories citizen, or became settled in a British overseas territory, after the applicant's birth; and

(b) where the applicant is aged 10 or over, that he is of good character.

Application under section 15(4) of the Act

2. The application shall contain information showing—

(a) that the applicant possesses the requisite qualifications in respect of residence; and

(b) that he is of good character.

3. If the applicant was absent from the British overseas territory in which he was born for more than 90 days in any one of the first 10 years of his life and it is desired that the application should

nevertheless be considered under section 15(7) of the Act (acquisition of citizenship by birth or adoption)(**1**), the application shall specify the special circumstances to be taken into consideration.

Application under section 17(2) of the Act

4. The application shall contain information showing—

(a) that the applicant's father or mother ("the parent in question") was a British overseas territories citizen by descent at the time of the applicant's birth;

(b) that the father or mother of the parent in question—

(i) was a British overseas territories citizen otherwise than by descent at the time of the birth of the parent in question; or

(ii) became a British overseas territories citizen otherwise than by descent at commencement; or

(iii) would have become a British overseas territories citizen otherwise than by descent at commencement but for his or her death; and

(c) either—

(i) that the parent in question possesses the requisite qualifications in respect of residence; or

(ii) that the applicant was born stateless.

5. If the application is not made within 12 months after the applicant's birth and it is desired that the application should nevertheless be considered under section 17(4) of the Act (acquisition of citizenship by registration: minors), the application shall specify the special circumstances to be taken into consideration.

Application under section 17(5) of the Act

6. The application shall contain information showing—

(a) that the applicant's father or mother was a British overseas territories citizen by descent at the time of the applicant's birth;

(b) that the applicant and his father and mother possess the requisite qualifications in respect of residence (as required by section 17(5)(b) and (6) of the Act (acquisition by citizenship by registration: minors)(**2**)) and, if only one parent possesses the requisite qualifications, the reason for that fact;

(c) that the consent of the applicant's father and mother (as required by section 17(5)(c) and (6) of the Act (acquisition of citizenship by registration: minors)) has been signified in accordance with regulation 11 and, if the consent of one parent only has been signified, the reason for that fact; and

(d) where the applicant is aged 10 or over, that he is of good character.

Application under section 18(1) of the Act

7. The application shall contain information showing that the applicant—

(a) possesses the requisite qualifications in respect of—

(i) residence or Crown service;

(**1**) Section 15(7) of the 1981 Act has been amended by section 1 of the British Overseas Territories Act 2002.

(**2**) Section 17(5) and (6) of the 1981 Act has been amended by: sections 1 and 2 of the British Overseas Territories Act 2002; sections 9 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002; and section 261 of, and paragraph 75 of Schedule 27 to, the Civil Partnership Act 2004 (c. 33).

(ii) freedom from immigration restrictions;

(iii) compliance with the immigration laws;

(iv) good character; and

(v) knowledge of language;

(b) has the requisite intention with respect to residence or occupation in the event of a certificate of naturalisation being granted to him; and

(c) is of full capacity.

8. If the applicant does not possess the requisite qualifications in respect of residence, freedom from immigration restrictions, compliance with the immigration laws or knowledge of language and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(1)), the application shall specify the special circumstances to be taken into consideration.

9. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity)(**3**), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Application under section 18(2) of the Act

10. The application shall contain information showing that the applicant—

(a) is married to, or is the civil partner of, a British overseas territories citizen;

(b) possesses the requisite qualifications in respect of—

(i) residence;

(ii) freedom from immigration restrictions;

(iii) compliance with the immigration laws;

(iv) good character; and

(v) knowledge of language; and

(c) is of full capacity.

11. If the applicant does not possess the requisite qualifications in respect of residence, compliance with the immigration laws or knowledge of language and it is desired that the application should nevertheless be considered under paragraph 8 of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(2))(**4**), the application shall specify the special circumstances to be taken into consideration.

12. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 8(d) of Schedule 1 to the Act (naturalisation as a British overseas territories citizen under section 18(2)) on the grounds of marriage to, or civil partnership with, a person who is serving in Crown service under the government of a British overseas territory or other designated service, the application shall specify the nature of the service and contain information showing that recruitment for that service took place in a British overseas territory.

13. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the

(**3**) Section 44A of the 1981 Act was inserted by section 49 of the Immigration, Asylum and Nationality Act 2006.

(**4**) Paragraph 8 of Schedule 1 to the 1981 Act has been amended by: section 1 of the British Overseas Territories Act 2002; sections 2 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002; and section 261 of, and paragraph 78 of Schedule 27 to, the Civil Partnership Act 2004.

application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Application under section 22(1) of the Act

14. The application shall contain information showing—

(a) that the applicant has renounced citizenship of the United Kingdom and Colonies before commencement;

(b) that at the time when he renounced it, the applicant was, or was about to become, a citizen of a country mentioned immediately before commencement in section 1(3) of the British Nationality Act 1948(**5**);

(c) that the applicant could not have remained or become such a citizen but for renouncing it or had reasonable cause to believe that he would be deprived of his citizenship of that country unless he renounced it;

(d) that the applicant possessed the requisite qualifying connection with a British overseas territory immediately before commencement or was married before commencement to a person who possessed the requisite qualifying connection with a British overseas territory immediately before commencement or who would if living have possessed such a connection;

(e) that the applicant has not previously been registered under section 22(1) of the Act (right to registration replacing right to resume citizenship of UK and Colonies)(**6**); and

(f) where the applicant is aged 10 or over, that he is of good character.

Application under section 22(2) of the Act

15. The application shall contain information showing—

(a) that the applicant has renounced citizenship of the United Kingdom and Colonies before commencement and his reason for doing so;

(b) that the applicant possesses the requisite qualifying connection with a British overseas territory or has been married to, or has been the civil partner of, a person who has, or would if living have, such a connection;

(c) where the applicant is aged 10 or over, that he is of good character; and

(d) that the applicant is of full capacity.

16. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Application under section 13(1) of the Act as applied by section 24 of that Act

17. The application shall contain information showing—

(a) that the applicant has renounced British overseas territories citizenship;

(b) that, at the time when he renounced it, the applicant had or was about to acquire some other citizenship or nationality;

(**5**) 1948 c. 56. Section 1 of the British Nationality Act 1948 was repealed by section 52(8) of, and Schedule 9 to, the 1981 Act.

(**6**) Section 22(1) of the 1981 Act has been amended by: sections 1 and 2 of the British Overseas Territories Act 2002; and sections 5 and 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002.

(c) that the renunciation of British overseas territories citizenship was necessary to enable him to retain or acquire that other citizenship or nationality;

(d) that the applicant had not previously been registered under section 13(1) of the Act (resumption of citizenship) as applied by section 24 of that Act (renunciation and resumption of British overseas territories citizenship)(**7**);

(e) where the applicant is aged 10 or over, that he is of good character; and

(f) that the applicant is of full capacity.

18. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Application under section 13(3) of the Act as applied by section 24 of that Act

19. The application shall contain information showing—

(a) that the applicant has renounced British overseas territories citizenship and his reason for so doing;

(b) where the applicant is aged 10 or over, that he is of good character; and

(c) that the applicant is of full capacity.

20. If the applicant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the application shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

Application under paragraph 3 of Schedule 2 to the Act

21. The application shall contain information showing—

(a) that the applicant is and always has been stateless;

(b) that the applicant seeks British overseas territories citizenship and possesses the requisite qualifications in respect of residence.

22. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 2 to the Act, the application shall specify the special circumstances to be taken into consideration.

Application under paragraph 4 of Schedule 2 to the Act

23. The application shall contain information showing—

(a) that the applicant is and always has been stateless;

(b) that the father or mother of the applicant was a British overseas territories citizen at the time of the applicant's birth; and

(c) that the applicant seeks British overseas territories citizenship and possesses the requisite qualifications in respect of residence.

24. If the applicant does not possess the requisite qualifications in respect of residence and it is desired that the application should nevertheless be considered under paragraph 6 of Schedule 2 to the Act, the application shall specify the special circumstances to be taken into consideration.

(**7**) Section 24 of the 1981 Act has been amended by section 2 of the British Overseas Territories Act 2002.

Application under paragraph 5 of Schedule 2 to the Act

25. The application shall contain information showing—

(a) that the applicant is and always has been stateless;

(b) if he was not born at a place which is, at the date of the application, within the United Kingdom and British overseas territories—

(i) that the applicant's mother was a citizen of the United Kingdom and Colonies at the time of his birth; or

(ii) that he possesses the requisite qualifications in respect of parentage or residence and parentage; and

(c) that the applicant seeks British overseas territories citizenship and that that citizenship is available to the applicant in accordance with paragraph 5(2) of Schedule 2 to the Act.

SCHEDULE 3 Regulation 6(2)

Administration of citizenship oath or pledge

1. Subject to paragraph 2, a citizenship oath or pledge shall be administered by one of the following persons—

(a) in England and Wales or Northern Ireland, any justice of the peace, commissioner for oaths or notary public;

(b) in Scotland, any sheriff principal, sheriff, justice of the peace or notary public;

(c) in the Channel Islands, the Isle of Man or any British overseas territory—

(i) any judge of any court of civil or criminal jurisdiction;

(ii) any justice of the peace or magistrate; or

(iii) any person for the time being authorised, by the law of the place where the applicant, declarant or deponent is, to administer an oath for any judicial or other legal purpose;

(d) in any country mentioned in Schedule 3 to the Act of which Her Majesty is Queen, or in any territory administered by the government of any such country—

(i) any person for the time being authorised, by the law of the place where the deponent is, to administer an oath for any judicial or other legal purpose;

(ii) any consular officer; or

(iii) any established officer of the Diplomatic Service of Her majesty's Government in the United Kingdom;

(e) elsewhere—

(i) any consular officer;

(ii) any established officer of the Diplomatic Service of Her Majesty's Government in the United Kingdom; or

(iii) any person authorised by the Secretary of State for that purpose.

2. If the deponent is serving in Her Majesty's naval, military or air forces, the oath or pledge may be administered by any officer holding a commission in any of those forces, whether the oath or pledge is made in the United Kingdom or elsewhere.

SCHEDULE 4

Regulation 8

Requirements for declaration of renunciation

1. A declaration shall be made in writing and shall state the name, address, date and place of birth of the declarant.

2. A declaration shall contain information showing that the declarant—

(a) is a British overseas territories citizen;

(b) is of full age or, if not, has been married or has been a civil partner;

(c) is of full capacity; and

(d) will, after the registration of the declaration, have or acquire some citizenship or nationality other than British overseas territories citizenship.

3. If the declarant is not of full capacity and it is desired that the requirement of full capacity be waived in accordance with section 44A of the Act (waiver of requirement for full capacity), the declaration shall specify why it would be in the applicant's best interests for the requirement to be waived in his case.

4. A declaration shall contain a declaration that the particulars stated are true.