

Chapter 9 annex A

Registration of minors at discretion

Examples of cases described in 9.7.12

1. A couple who were citizens of the United Kingdom and Colonies by birth in Bermuda spend some time living in the United Kingdom and acquire the right of abode under s.2(1)(c) of the Immigration Act 1971. On 1 January 1983 they became BDTCs by reason of their birth in a dependency but also British citizens otherwise than by descent through their past residence in the United Kingdom. The family home is in Bermuda and the couple have children born abroad before 1 January 1983 who were CUKCs and are now BDTCs. However any children born to them on or after 1 January 1983 will be British citizens as well as BDTCs. But this does not justify registering the older children as British citizens unless they meet the normal criteria or there are special circumstances which justify registration.

2. A man was a CUKC by birth in the colony of Kenya of parents from, say, Mozambique. He retained citizenship of the United Kingdom and Colonies on the independence of Kenya because he did not become a citizen of Kenya (neither parent born there). He then spent some time in the United Kingdom and acquired the right of abode in the United Kingdom under s.2(1)(c) of the Immigration Act 1971. On 1 January 1983 he became a British citizen otherwise than by descent. His home is in Mozambique and children born to him there before 1 January 1983 would have been CUKCs but on that date became British Overseas citizens. However, any children born to him on or after 1 January will be British citizens. This does not justify registering the older BOC children as British citizens unless they meet the normal criteria or there are special circumstances which justify registration.