

## THE BRITISH NATIONALITY REGULATIONS

1. A brief outline of the Regulations from 1948 to 1982 is given below.
2. Under the supplementary provisions of the **BNA 1948 (s.29)** the Secretary of State had the power to make Regulations by Order in Council for carrying out the terms of that Act. Each succeeding Nationality Act prior to 1981 allowed for an extension of the supplementary provisions to cover its own needs. Most of the Regulations made before 1975 were consolidated in the **British Nationality Regulations 1975 (No 225)**.
3. **The British Nationality Regulations 1948 (No 2721)**
  - 3.1 Came into operation on 1 January 1949 and prescribed:
    - the forms of application under **ss.6(1), 6(2), 7(1) and 12(6)** of the **BNA 1948**
    - the authority to whom, and the place where, the registration should be effected
    - the forms of declaration of resumption and renunciation of citizenship
    - the forms of application and the certificates for naturalisation
    - oaths of allegiance
    - notices of deprivation of citizenship and cancellation of registration
    - certificates of doubt
4. **The British Nationality Regulations 1949 (No 278)**
  - 4.1 Prescribed the manner in which a naturalised person living abroad should register annually. Came into operation on 1 March 1949.
5. **The British Nationality Regulations 1951 (No 423)**
  - 5.1 Added notaries public to the people authorised to administer the oath of allegiance, and increased the preliminary fee for naturalisation from £1 to £2. Came into operation on 2 April 1951.
6. **The British Nationality Regulations 1952 (No 582)**

- 6.1 Increased fees (e.g. from 10s 0d to £1 for registration under **s.6(2)**, and from £15 to £20 for the naturalisation of an alien). Came into effect on 1 April 1952.

7. **The British Nationality Regulations 1958 (No 655)**

- 7.1 Prescribed the procedure for registration under **s.3** of the **BNA 1958** and the place where the registration should be effected. Came into operation on 20 April 1958.

8. **The British Nationality Regulations 1959 (No 1895)**

- 8.1 Extended the period during which naturalised persons residing abroad could register their intention to retain citizenship of the United Kingdom and Colonies.

9. **The British Nationality Regulations 1960 (No 1150)**

- 9.1 Came into operation on 11 July 1960, and:

- raised the fee for witnessing declarations and oaths of allegiance from 2s 6d to 5s 0d
- discontinued the authority for charging a fee when the service is performed by a justice of the peace
- authorised the collection of registration fees by United Kingdom High Commissioners in Commonwealth countries

10. **The British Nationality Regulations 1961 (No 202)**

- 10.1 Prescribed forms for the recovery of citizenship of the United Kingdom and Colonies for use by people who lost that status under the **British Nationality (Cyprus) Order in Council 1960** and as a result became aliens. Came into operation on 16 February 1961.

11. **The British Nationality Regulations 1962 (No 561)**

- 11.1 Increased fees (e.g. from £1 to £1 10s 0d for registration under **s.6(2)**, and from £20 to £25 for the naturalisation of an alien). Came into effect on 2 April 1962.

12. **The British Nationality Regulations (No 2) 1962 (No 1105)**

- 12.1 Amended forms R1 and R7 to allow for the change made by the **Commonwealth Immigrants Act 1962** to the period of ordinary residence etc required for registration under **s.6(1)** of the **BNA 1948** and **s.3(2)** of the **BNA 1958** (from one to 5 years). It also prescribed new forms for the registration of South Africans (R14 and R15). Came into operation on 31 May 1962.

13. **The British Nationality Regulations (No 3) 1963 (No 2806)**

- 13.1 Provided that United Kingdom consular officers should be the only people authorised to witness declarations and administer the oath of allegiance in South Africa, as in other foreign countries. Came into operation on 1 January 1963.

14. **The British Nationality Regulations 1964 (No 682)**

- 14.1 Came into operation on 25 May 1964, and:

- prescribed the form of application for registration under **s.1** of the **BNA 1964** (R16)
- amended the **British Nationality Regulations 1948** to allow renunciation of citizenship of the United Kingdom and Colonies by a person who is about to become a citizen of another country

15. **The British Nationality (No 2) Regulations 1964 (No 1391)**

- 15.1 Prescribed the requirements for an application under **s.1** of the **British Nationality (No 2) Act 1964** by a person who has been stateless since birth. Came into operation on 16 September 1964.

16. **The British Nationality Regulations 1965 (No 1753)**

- 16.1 Came into operation on 5 October 1965 and consolidated the **British Nationality Regulations 1948** and the amending regulations. They:

- prescribed the form for application under **s.1** of the **BNA 1965**
- laid down the rule that an application under **s.7(1)** must be made to the authority in the country in which the applicant (i.e. the parent or guardian making the application - not the child) is resident
- made alterations in the fees charged for the registration of alien and BPP minors

- cancelled the fee for renunciation if the declaration is made within the meaning of **s.1(1)(a)** of the **BNA 1964**

17. **The British Nationality (No 2) Regulations 1965 (No 1969)**

17.1 Prescribed the form of application for registration under **s.12(6)** of the **BNA 1948**, as amended by **s.3(1)** of the **BNA 1958** for Southern Rhodesians (form R8). Came into force on 18 November 1965.

18. **The British Nationality (Amendment) Regulations 1968 (No 448)**

18.1 Came into force on 1 April 1968, and:

- authorised increases in fees from 1 April 1968
- revoked the provision for the giving of notice under **paragraph 2** of **Schedule 1** to the **South Africa Act 1962** (form SA1)
- extended references to colonies to include references to associated states

19. **The British Nationality Regulations 1969 (No 760)**

19.1 Came into operation on 1 June 1969. They:

- consolidated the **British Nationality Regulations 1965** and the **British Nationality (Amendment) Regulations 1968**. (Did not revoke the **British Nationality (No 2) Regulations 1965** regarding South Rhodesians.)
- prescribed information required of applicants, instead of giving full details of the form

20. **The British Nationality (Amendment) Regulations 1970 (No 120)**

20.1 Provided that the **British Nationality Regulations 1969** should apply equally to associated states as to colonies. Came into operation on 16 February 1970.

21. **The British Nationality Regulations 1972 (No 2061)**

21.1 Came into operation on 1 January 1973, and consolidated the **British Nationality Regulations 1969** and the **British Nationality (Amendment) Regulations 1970**. They provided for:

- the changes made by the **Immigration Act 1971** (i.e. insertion of **s.5A** and the abolition, except in transitional cases, of the right to registration under **s.6(1)**)
- the taking of the oath of allegiance by citizens of countries where Her Majesty is The Queen

21.2 They did not revoke the temporary provision for the registration of Southern Rhodesians.

22. **The British Nationality (Amendment) Regulations 1973 (No 1491)**

22.1 Came into operation on 1 September 1973, and:

- amended the **British Nationality Regulations 1972** to allow for the effects of the **Pakistan Act 1973** on applications for registration
- provided that citizens of Pakistan who are registered under **ss.6(2)** and **7** of the **BNA 1948** may not be charged a fee

23. **The British Nationality Regulations 1975 (No 225)**

23.1 **Regulation 28(3)** came into operation on 25 February 1975, and the remainder on 4 April 1975. They consolidated the **British Nationality Regulations 1972** and the **British Nationality (Amendment) Regulations 1973**, and:

- increased fees (e.g. from £2 to £10 for registration under **s.6(2)**, and from £30 to £40 for the naturalisation of an alien)
- introduced fees for the registration of adult Commonwealth citizens and abolished them for alien minors

24. **The British Nationality (Amendment) Regulations 1976 (No 1520)**

24.1 Came into operation on 1 October 1976. They:

- increased the fees payable for naturalisation and the registration of adults (e.g. from £10 to £25 for registration under **ss.6(1)** and **6(2)**, from £10 to £35 for registration under **s.5A(2)**, and from £40 to £70 for naturalisation)
- abolished the fee for the registration of a declaration of renunciation

25. **The British Nationality (Amendment) Regulations 1978 (No 91)**

- 25.1 Increased the fees payable for naturalisation and the registration of adults (e.g. from £25 to £35 for registration under **ss.6(1)** and **6(2)**, from £35 to £65 for registration under **s.5A(2)**, and from £70 to £85 for the naturalisation of an alien). Came into operation on 1 March 1978.

26. **The British Nationality (Amendment) Regulations 1979 (No 240)**

- 26.1 Increased the fees payable for naturalisation and the registration of adults (e.g. from £35 to £37.50 for registration under **ss.6(1)** and **6(2)**, from £65 to £90 for registration under **s.5A(2)**, from £85 to £90 for the naturalisation of an alien and from £65 to £90 for the naturalisation of BPPs). Came into force on 4 April 1979.

27. **The British Nationality (Amendment) Regulations 1980 (No 197)**

- 27.1 Amended the **British Nationality Regulations 1975** to take account of the transitional provisions for registration of Zimbabwean citizens as citizens of the United Kingdom and Colonies under **s.12(6)** of the **BNA 1948**. Came into force on 18 April 1980.

28. **The British Nationality (Amendment) (No 2) Regulations 1980 (No 358)**

- 28.1 Came into force on 1 April 1980, and:

- increased the fees payable for naturalisation and the registration of adults (e.g. from £37.50 to £50 for registration under **ss.6(1)** and **6(2)**, and from £90 to £150 for registration under **s.5A(2)** and naturalisation of an alien or a British protected person
- re-introduced a fee (£25) for the registration of a minor under **s.7** or under **s.19** of the **British Nationality (No 2) Act 1964**

29. **British Nationality (Amendment) Regulations 1981 (No 1571)**

- 29.1 Amended the **1975 Regulations** in consequence of **s.49** of the British Nationality Act 1981 which provided, among other things, that on and after 30 October 1981 a person should not be registered or naturalised under the **1948-65 Acts** unless the oath of allegiance, if required, had been taken. Also reduced to £50 the fee for registration under **s.5A(2)** or the naturalisation of a BPP, where the application is made on or after 30 October 1981 by a person who would have been entitled to registration under **s.4** of the British Nationality Act 1981 had it been in force at the

time of the application. The Regulations came into force on 30 October 1981.

30. **British Nationality (Amendment) Regulations 1982 (No 283)**

30.1 Increased all the registration and naturalisation fees and amended the **1975 Regulations** so as to require these fees to be paid at the time of application. Came into force on 1 April 1982.

31. **Chapter 6** of Volume 1 of the Staff Instructions contains a list of the principal Regulations made under the 1981 Act.