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1. INTRODUCTION

The Nationality Checking Service (NCS) initiative is a partnership between the Home Office, Local Registration Services Association (LRSA) and other local authorities across the United Kingdom.

NCS is aimed at people wishing to apply for British citizenship and is intended to increase the proportion of applications received by the Home Office which may be completed without further enquiry.

In return for an administration fee, local authorities will check citizenship applications for completeness and accuracy before forwarding them to The Home Office. They will also photocopy and certify valuable documents such as passports, before returning the originals to their owners.

Local authorities offering the service are registered with the Office of Immigration Services Commissioner (OISC) to check nationality applications.

Participating local authorities hold stocks of citizenship application forms on behalf of The Home Office or may download the forms directly from the Home Office website:

www.ukvi.homeoffice.gov.uk

It is expected that each applicant requires approximately 45 minutes of Citizenship Officer time. Each local authority is responsible for setting its own fees. The applicant would pay this directly to the local authority. Applications are forwarded to Nationality Group by Secure Delivery.

Following receipt by the Home Office the application is treated in the same way as all other applications. Nationality Group gives no priority to NCS applications. Nationality Group is the part of The Home Office that deals with citizenship applications.
2. BACKGROUND

2.1 Office of the Immigration Services Commissioner (OISC)

The Office of the Immigration Services Commissioner (OISC) is an independent public body set up under the Immigration and Asylum Act 1999.

The OISC is responsible for regulating immigration advisers. Local authorities participating in the NCS are deemed to be immigration advisors by the OISC and must register for that purpose. They may not offer the service until the registration process is complete and the application approved. The OISC recognise the different service offered by NCS and as such provide a level of registration specific to Local Authority applications.

A fee is payable for registration. Participating local authorities should allow ample time for their registration applications to be processed.

Who Is Regulated?

Any person who provides immigration advice or services in the United Kingdom has to be regulated by the OISC except where an exemption applies. All advisers are required to display their certificates of registration or exemption. This, together with the OISC’s "global tick" logo, shows that an organisation has met the standards laid down by the OISC.

Further information can be found on:

www.oisc.org.uk

2.2 Local Registration Services Authority (LRSA)

The LRSAs role is:

- To represent the interests of the Association's members

- To assist and support service managers to lead, manage, strengthen and develop their services by identifying and promoting ways in which services can be delivered to best meet the needs of local communities and demonstrate value for money.

- To assist central government, LGA, and other relevant organisations develop a co-ordinated and user focused approach to the development of policy.

- To utilise the skills and experience of members to contribute to the development of the Association and its aims and objectives.

- To raise the profile of registration and related services and the important part they play in local communities and for society as a whole.

- To provide mutual support, personal development and leadership development, including succession planning to enable members to carry out their roles as efficiently and effectively as possible.
To broaden the scope of the Association's support to all members working within registration and related services

2.3 Nationality Group

Nationality Group (NG) is responsible for the receipt and consideration of applications for British citizenship. NG supports integration and community cohesion objectives as well as management of migration. The closer ties between central and local Government resulting from collaborative working following the introduction of citizenship ceremonies in February 2004, coupled with a drive to improve operational efficiency and enhance customer service and focus, led to the inception of the NCS project.

3. AIMS & OBJECTIVES

NCS is a partnership between Nationality Group and local authorities in England, Scotland and Wales. It is designed to increase the proportion of correctly completed applications submitted to Nationality Group.

In order to improve the processing times for the customer and improve the quality of the application forms submitted, NCS will:

- Provide advice on acquiring blank application forms and leaflets when required.
- Check that application forms have been completed correctly. In particular, they will check that forms have been signed;
- Confirm the identity of the applicant;
- Check that all relevant documents are present;
- Check that the correct fee has been submitted;
- Photocopy valuable documents, such as passports and marriage certificates;
- Certify the copies and return the originals to the applicant;
- Forward original documents relating to the language requirement directly to Nationality Group;
- Forward applications to Nationality Group by Secure Delivery;
- If there is doubt about the documentation required, contact the Nationality Group.

As part of NCS, local authorities will not offer nationality advice, or advice on any other matters such as visas, immigration or asylum. Local authorities will normally refer any such enquiries to:

Email: ukvinationalityenquiries@ukvi.gsi.gov.uk

The Home Office Enquiries Bureau Helpdesk
0870 606 7766
(Minicom: 0800 389 8289)
Benefits

Applicants gain from the fact that their applications proceed efficiently through the nationality process, with minimum disruption and duplication, as no further documentation should be requested. Applicants also retain their original documents after the local authority has copied them.

The local authority is able to offer a value added service to its potential citizens and is able to recover the full cost of providing it. A quicker turnaround of citizenship decisions will enable local authorities to plan citizenship ceremonies more efficiently.

The Home Office receives better quality applications that require less follow up action which means resources can be devoted to making quicker decisions on cases.

4. LEGAL IMPLICATIONS

There is no express provision in legislation regarding citizenship ceremonies that confers a power on local authorities to provide or charge for a service of this kind. While local authorities are responsible for carrying out citizenship ceremonies, it is the Home Office who considers applications for citizenship and grants that citizenship.

Notwithstanding the lack of an express provision in the citizenship legislation, NCS can be provided under the well being power (s2 of the Local Government Act 2000) if provision of such a service is considered likely to achieve the promotion or improvement of the economic, social and/or environmental well being of the area. This power can be exercised in relation to or for the benefit of the whole or part of a local authority’s area, or all or any persons resident or present in a local authority’s area. In exercising this power, a local authority must also have regard to its community strategy.

It is considered that the service will promote the social well being of the area. The acquisition of citizenship has been identified by government as an important aspect in promoting community cohesion and if the local authority is able to make the process of applying for citizenship less problematic it will contribute to this aim.

Section 3(2) of the 2000 Act prohibits the use of the well being power to raise money and this is generally considered to prevent any charge being made for services provided based on the well being power. However, Section 93 of the Local Government Act 2003 has introduced a general power for local authorities to charge for the provision of discretionary (as opposed to mandatory) services.

In order to charge for a discretionary service, certain conditions or requirements must be met. These include:

- The recipient of the service must agree to its provision and payment of it.
- Income from the discretionary service must not (taking one year with another) exceed the costs of provision i.e. no profit is allowed (see financial implications above).
- A change cannot be made if other legislation prohibits the authority from charging for the services or confers a specific power to charge for the service.
Section 93 expressly allows authorities to disregard the restriction on raising money in section 2 in the case of the use of the well being power. This means charges can, subject to the limitations in the 2003 Act, be made for provision of services using the well being power.

The Office of Deputy Prime Minister (ODPM) has issued guidance on the charging for discretionary services provisions. This guidance sets out the reasoning for providing the power which is to “encourage authorities to provide those sorts of services they would otherwise decide not to provide (or improve) at all because they cannot justify or afford to provide them for free or to improve them. The aim is not to provide a new source of income for authorities, but to allow them to cover their costs.”

The local authority must use the power so as to secure that “taking one financial year with another” the income from charges does not exceed the costs of provision of the service. The guidance suggests that the authority set out their methodology for achieving this. As is set out in the financial implications above, the methodology adopted in respect of the service proposed in this report is that of Best Value Accounting Practice. The proposed annual review will be a mechanism for adjusting changes to ensure costs are recovered but no overall profit is made.


The Immigration (European Economic Area) Regulations 2006 came into effect on 30 April 2006.

The Regulations give effect in the UK to new European legislation on the right of free movement and establishment within the territory of the EU. They include new provisions about when, for the purposes of the BNA 1981, a person having such rights may be considered not to be “subject under the immigration laws to any restriction on the period for which he may remain”.

Detailed instructions are contained within Volume 2, General information, Section E.

The most significant change is that from 30 April 2006 any EEA or Swiss national (or their family member) who has been exercising free movement rights in the UK for a continuous period of five years will, at the end of that period, become automatically entitled to permanent residence in the UK. He or she will not need to apply to UKVI for a grant of ILR or similar.

Please note that an applicant’s five years continuous residence will be broken if the individual is out of the United Kingdom for any period of 6 months or more in any single year. The entitlement to permanent residence will be lost following continuous absence from the UK for a period of two or more years (as is normally the case with ILR). Below, in brief, is what these changes mean for nationality casework. The Nationality Instructions have been updated:

Section 6(1)

- An EEA or Swiss National (or their family member) who applies for citizenship on or after 30 April 2006 and who has been exercising EEA free movement rights in the UK for a continuous period of 5 years will be regarded as settled in the UK for Nationality purposes.
• However, these applicants will still need to meet the requirement to have been free from immigration time restrictions for a period of 12 months prior to the date of application.

• In practice, therefore, most EEA nationals will not experience any benefit in terms of eligibility for naturalisation under s.6(1) until 30 April 2007 (subject to the possible exercise of discretion to accept less than the normal 12 months’ freedom from immigration time restrictions – see NIs Chapter 18, Annex B, paragraph 7.4

Section 6(2)

• EEA and Swiss Nationals (or their family member) applying for citizenship under section 6(2), on or after 30 April 2006, who have been exercising EEA free movement rights in the UK for a continuous period of 5 years, will be regarded as settled in the UK for Nationality purposes.

• These applicants do not need to have been free from immigration time restrictions for 12 months prior to the date of application, and so will become immediately eligible for naturalisation.

Automatic acquisition

• Minors born in the UK on or after 30 April 2006 to an EEA or Swiss National (or their family member) parent who has, by the time of the birth, been exercising EEA free movement rights in the UK for a continuous period of at least 5 years will have an automatic claim to British citizenship (under Section 1(1)(b) of the BNA 1981).

Section 1(3)

• Minors born in the UK before 30 April 2006 to an EEA or Swiss National (or their family member) parent who has been exercising EEA free movement rights in the UK for at least 5 years will, from the end of that period (if on or after 30 April 2006), have an entitlement to registration under section 1(3) of the BNA 1981.

These Regulations do not apply retrospectively therefore the earliest date anyone can become settled under these regulations in 30 April 2006.

Staff may receive calls from EEA and Swiss nationals (or their family members) who feel aggrieved that they now need to have been exercising EEA free movement rights in the UK for 5 years before becoming free from immigration time restrictions, and no longer have the facility to apply under the Immigration Rules for a grant of ILR after 4 years of exercising EEA free movement rights. They should be told that the requirements for naturalisation have not changed and that the new situation is the result of changes to UK immigration legislation which is implementing new EU-wide legislation. Any queries about this should be put to INEB (0870 606 7766).
## Criteria for making an application

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Applicants</th>
<th>Form</th>
<th>Fee</th>
<th>Supported By</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Naturalisation</strong></td>
<td>Single adult 6(1)</td>
<td>AN1</td>
<td>£906</td>
<td></td>
</tr>
</tbody>
</table>
- Passport to cover 5 year qualifying period  
- Confirmation of immigration status  
- If applicant has no passport – alternative evidence of residence to cover outstanding qualifying period  
- Original evidence of KoLL |
| **Naturalisation** | Joint adults 6(1) X2 | AN1 | £1812 |  
For each applicant  
- Passport to cover 5 year qualifying period  
- Confirmation of immigration status  
- If applicant has no passport – alternative evidence of residence to cover outstanding qualifying period  
- Original evidence of KoLL  
- Marriage certificate |
| **Naturalisation** | Single adult 6(2) | AN2 | £906 |  
- Passport to cover 3 year qualifying period  
- Confirmation of immigration status  
- If applicant has no passport – alternative evidence of residence to cover outstanding qualifying period  
- Original evidence of KoLL  
- Marriage certificate  
- Evidence of spouse’s BC status |
| **Registration** | Single or Multiple minors 3(1) | MN1 (or part of parents appl). | £669 per minor |  
- Full birth certificate  
- Passport of entry into the United Kingdom  
- Confirmation of immigration status of parents and child  
- Written consent of both parents is required or a written explanation of why this is not possible  
- If claim is through the father, parents marriage certificate  
- Evidence that at least one parent is/or is about to become a British citizen  
If minor is over 13 years of age we need to see evidence of their residence in the UK for the last 2 years, this can be:  
- A valid passport.  
- Letters from schools confirming attendance. |
| **Registration** | Single or Multiple minors 1(3) | MN1 (or part of parents appl). | £669 per minor |  
- Full UK birth certificate  
- Evidence of either parent’s settled status  
- Marriage certificate (if the father is making the application) |
| **Registration** | Single or Multiple minors 3(2) | MN1 (or part of parents appl). | £669 per minor Minor |  
- Full birth certificate  
- Evidence of either parent’s British citizen status  
- Marriage certificate (if the father is making the application)  
Evidence of at least 3 years residence in the United Kingdom (prior to the child’s birth) by the British citizen parent |
| **Registration** | Single or Multiple minors 3(5) | MN1 | £669 per minor |  
- Full birth certificate  
- Evidence of either parent’s British citizen status  
- Marriage certificate (if the father is making the application)  
Evidence of residence for the last 3 years (immediately prior to application date) in the United Kingdom by the both parents. Written consent of both parents is required or a written explanation of why, if it is not possible |
### 5.3 Receiving Applications

You must satisfy yourself that the person presenting the application is the person named on the application form.

### 5.4 Checking the form

When an application for citizenship is received there a number of cursory checks that must be performed.

- Confirm that the applicant is the appropriate age for the application type;
- Ensure that the details on the application form and documents correspond;
- Ensure that the declaration on the application form is completed;
- Confirm that the applicant has completed all sections of the form relevant to the application;
- Confirm that the applicant was present in the United Kingdom at the start of the qualifying period.

If you are suspicious about possible forged documents submitted in support of an application you should alert us to this by annotating the checklist.
5.5 Photocopying documents

- All original documents are separated and noted on the documents checklist;
- Each document should be copied individually. Both sides of any original document should be checked and if any information is shown, a copy should be made. Where two or more copies are made that relate to the same document the copies should be stapled together;
- If the document to be photocopied is a passport or travel document, the front and back covers, the reverse side of the front and back covers and all pages containing personal details, immigration stamps, conditions, visas and details of previous passports should be copied. Blank pages of passports need not be copied;
- The copies relating to each individual passport should be stapled together;
- If the passport to be copied is a British citizen passport submitted in support of a 6(2) application the personal details page only should be copied;
- All documents submitted as alternative evidence of residence apart from correspondence such as employer’s letters or letters from doctor’s etc should be photocopied;
- If the applicant submits a certified photocopy of an original document this should not be photocopied. The certified copy of the document should be attached to the application;
- If the applicant submits a document that appears to be a photocopy (but is not certified) this should not be photocopied. The copy of the document should be placed with the other photocopied documents but should not be certified by NCS staff. A note to that effect that a copy has been supplied should be added to the document checklist together with a brief explanation of why the original document is not available;
- Following completion of the photo copying process the photocopies are placed with the application;
- Original documents and alternative evidence of residence are returned to the applicant;
- All photocopies taken should be certified using the official NCS stamp.

5.6 Alternative evidence of residence

Applicants are required to supply passports to cover the entire qualifying period. If an applicant is unable to provide passports covering the entire period they must produce alternative evidence of residence in the United Kingdom.

There are no hard and fast rules but amongst the acceptable forms of alternative evidence of residence are:

- EMPLOYED APPLICANTS
  - A letter from each employer confirming the dates of employment
  - Wage slips
  - A letter from the DSS confirming payment of National Insurance contributions
  - P60s or a letter from the Inland Revenue confirming payment of taxes

- SELF-EMPLOYED APPLICANTS
  - Letters from the DSS and Inland Revenue confirming payment of National Insurance contributions and taxes
• STUDENTS
  - Letters from schools, colleges, or universities confirming attendance

• EUROPEAN COMMUNITY NATIONALS SEEKING EMPLOYMENT
  - Application acknowledgements
  - Invitations for interview
  - Letters of rejection or appointment at some future date

• OTHER APPLICANTS NOT IN EMPLOYMENT
  - Letters from the DSS confirming receipt of unemployment benefit or income support
  - Letters from the DSS confirming receipt of other benefits, including child benefit

If the local authority is in doubt about the admissibility of alternative evidence of residence they should contact the Nationality Helpdesk.

5.7 European Union Nationals

Please note that for all applications made by European Union nationals, alternative evidence of residence is required together with passports to cover the qualifying period.

5.8 Documents To Ascertain Whether An EEA Or Swiss National Is Considered Settled In The UK on Or After 30 April 2006

Categories of EEA Nationals who may have the right to reside permanently in the UK:
• Workers - this includes:
  - Job seekers
  - Those between jobs (for example, women who have ceased employment on becoming pregnant but who intend to resume employment at some point after the birth)
  - Those undergoing training in their own or another field
  - Sick, injured and retired workers
• Self-employed / Business persons
• Students
• Self-sufficient persons
• Retired persons
• Incapacity – (i.e. people who are incapacitated / permanently incapacitated and thus unable to pursue employment)

Applicants should submit the following:
• Evidence of Nationality
  - They should submit either their valid passport or a valid national identity card as evidence of their nationality.
• Evidence of exercising Treaty Rights for 5 years

If they are workers (as described above):
• A P60 tax certificate covering the relevant period of 5 years
• Employers letter confirming employment over the relevant period
• Benefits letter confirming job seekers allowance claimed throughout the relevant period of 5 years
• Benefits letter confirming incapacity benefit claimed throughout the relevant period of 5 years
• Documentary evidence confirming pension received throughout the relevant period of 5 years.

For individuals who are self-employed / business person:
• Evidence from the Inland Revenue confirming the payment of tax over the relevant period.

For Students:
• Letter from the public or private establishment confirming applicant was enrolled on a course of study, including vocational training, throughout the relevant 5 year period and
• Evidence that the applicant has comprehensive sickness insurance cover for himself and any accompanying family members in the UK
• Evidence of funds in the form of bank accounts covering the relevant period and
• Evidence that the applicant is covered by sickness insurance against all risks in respect of himself and any accompanying family members in the UK.

If they are retired:
• Documents confirming that they have been receiving a pension during the relevant period.

If they have been unable to engage in economic activity due to incapacity:
• Submit a doctor’s letter or medical report as confirmation of this. The doctor’s letter or medical report should state if the incapacity is likely to be permanent.

NOTE
Applicants who have been outside the UK for 6 months or more in any 1 of the 5 years residence period will be seen to have ‘broken’ their residence. However, this does not apply in the following circumstances:

• Period of absence from the UK due to military service

• Any one absence from the UK not exceeding 12 months for an important reason such as pregnancy and childbirth, serious illness, study or vocational training or an overseas posting.

• Family members of EEA Nationals
  - Family members of EEA Nationals who are either EEA Nationals themselves or nationals of other countries may also acquire Permanent Residence if they have lived in the United Kingdom with their European family member for a continuous period of 5 years whilst they have been exercising their Treaty Rights.

• Family members should submit:
  - Evidence of their relationship to the EEA Family member for the relevant 5 year period and
  - Evidence that family member has been exercising his/her Treaty Rights for relevant 5 year period as detailed above.

NOTE
Permanent residence status will be lost if applicant is out of the UK for a continuous period of 2 years or more (as is the case with ILR).
IMPORTANT
Please check the date that the Country concerned joined the EC as Nationals of
countries who joined the EC on 01 May 2004 will not acquire settled status in the
UK on basis of 5 years’ exercise of Treaty rights until 01 May 2009 at the earliest.

EU nationals and family members who have been granted ILR under UK
Immigration Rules, whether pre- or post-30.4.06, continue to be “settled in UK”
provided they have not been away for 2 years or more since receiving ILR.

Registration of Minors

- If an applicant for registration as a British citizen under section 3(5) or
  section 17(5) (i.e. the equivalent provision for registration as a British
  overseas territories citizen) was born illegitimate on or after 1 July 2006, the
  consent of any man who is regarded as the “father” must now be obtained.

Legitimation

- As from 1 July 2006, section 47 no longer has any effect. However, a child
  born before 1 July 2006 may still be legitimated if his or her parents later
  marry.

Reduction of Statelessness

- Paragraphs 1 and 2 of Schedule 2 (persons born in the UK or in a British
  overseas territory) have been amended to allow for an illegitimate child to
  claim British nationality from the father.

Modification of Policy on Discretionary Registration

- The policy on discretionary registration will become largely redundant so far
  as children born on or after 1 July 2006 are concerned. It will, however,
  need to continue in force for the benefit of children born illegitimately before
  that date. In addition, it will normally be appropriate to use discretionary
  powers to confer British nationality in cases where there is compelling
  evidence that a man other than the mother’s husband fathered a child born
  on or after 1 July 2006 and where, had that man been married to the
  mother, a nationality claim or entitlement would have automatically accrued
  to the child.
5.10 Knowledge of Life and Language (KoLL)

With effect from 28th October 2013, those applying for naturalisation as a British citizen will satisfy the revised knowledge of language and life in the UK requirement if they:

1. have passed the Life in the UK test; **AND EITHER**

2. a) have a speaking and listening qualification in English at B1 CEFR or higher, or an equivalent level

   b) have obtained an academic qualification deemed by UK NARIC to meet the recognised standard of a Bachelor’s or Master’s degree or PhD in the United Kingdom and (i) UK NARIC has confirmed that the qualification was taught or researched in English or (ii) the qualification was taught or researched in the UK or a majority English speaking country **other than Canada**; **OR**

   c) are a national of a majority English speaking country.

**ACCEPTABLE QUALIFICATIONS**

We will accept a range of English language qualifications as evidence that an applicant has met the requirement to hold a B1 level speaking and listening qualification. This will help ensure that all those needing to take a test will be able to find one suitable for their needs and, so far as possible, that no one who already has an English language qualification at B1 level or above will be required to take another one.

The following qualifications will be accepted:

- Qualifications in English for Speakers of Other Languages (ESOL) at Entry level 3, Level 1 or Level 2, that include speaking and listening and that have been regulated by the Office of Qualifications and Examinations Regulation (Ofqual). The qualification must be listed as an ESOL qualification on the Ofqual Register of Regulated Qualifications and have been taken in England, Wales or Northern Ireland. The Ofqual register is available at: [http://register.ofqual.gov.uk/](http://register.ofqual.gov.uk/)

- A National Qualification in ESOL at Scottish Qualifications Framework (SCQF) levels 4, 5 or 6 awarded by the Scottish Qualifications Authority (SQA).

- Qualifications or tests specified in the table on page 6 which is at a level equivalent to level B1 CEFR or above.

**ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL)**

ESOL qualifications used to demonstrate knowledge of language must be at Entry level 3, Level 1 or Level 2. The qualification must include speaking and listening and have been regulated by the Office of Qualifications and Examinations Regulation (Ofqual).

The qualification must be listed as an ESOL qualification on the Ofqual Register of Regulated Qualifications and have been taken in England, Wales or Northern Ireland. The Ofqual register is available at: [http://register.ofqual.gov.uk/](http://register.ofqual.gov.uk/)
A National Qualification in ESOL at Scottish Qualifications Framework (SCQF) levels 4, 5 or 6 awarded by the Scottish Qualifications Authority (SQA) are also acceptable to show an applicant's knowledge of language.

It is not necessary for applicants to study for their qualification at an accredited college however, they may still prefer to study at an institution which is a member of an accreditation scheme.

THOSE WHO HAVE OBTAINED AN ACADEMIC QUALIFICATION

Those who have obtained an academic qualification deemed by UK NARIC to meet the recognised standard of a Bachelor's or Master's degree or PhD in the United Kingdom and either:

- UK NARIC has confirmed that the qualification was taught or researched in English; or
- the qualification was taught or researched in the United Kingdom or a majority English speaking country as listed below (other than Canada)

will not be required to show a formal speaking and listening qualification.

However, these applicants will still be required to pass the Life in the UK test to demonstrate their knowledge of life in the UK.

NATIONALS OF MAJORITY ENGLISH SPEAKING COUNTRIES

Nationals of majority English speaking countries will not be required to show a formal speaking and listening qualification. Nationals of majority English speaking countries are considered automatically to meet the English language component of the Knowledge of language and life in the UK requirement.

However, they will still be required to pass the Life in the UK test to demonstrate their knowledge of life in the UK.

Nationals of the following countries are accepted as majority English speakers:

- Antigua and Barbuda
- Barbados
- Dominica
- Jamaica
- St Kitts and Nevis
- Trinidad and Tobago
- Australia
- Belize
- Grenada
- New Zealand
- St Lucia
- The Bahamas
- Canada
- Guyana
- Rep of Ireland
- St Vincent & the Grenadines
- The United States of America

EXEMPTION

Applicants will be exempt from meeting the knowledge of Language and Life in the UK requirement if:

- they are aged 65 or over; or
they have a long term physical or mental condition that prevents them from meeting the knowledge of language and life in the UK requirement.

Physical or mental illness will not automatically give an exemption from this requirement. If the illness responds to treatment then we will expect the applicant to prepare to meet this requirement. Only if the condition prevents the applicant permanently from meeting this requirement should we consider an exemption. Temporary illnesses, such as depression or stress, would not normally be grounds for exemption.

There are no other grounds for exemption from this requirement for citizenship purposes.

Therefore, if an applicant was exempt from the KOLL requirement for a reason other than age or physical/medical reasons they will still be required to satisfy the requirement when applying for British citizenship.

Support for local authorities is available in the usual way through the dedicated NCS number to the Casework Advise Line 0151 213 2972
This number must not be given to applicants.

Useful Websites

The following links may also be helpful:

A question and answer document for applicants can be found on the Home Office Website at:

http://www.ukvi.homeoffice.gov.uk/britishcitizenship/aboutcitizenship/

Information is also available from the Learndirect website at:

www.learndirect.co.uk

Or from the Life in the UK helpline on 0800 015 4245

Further information on sitting ‘a Knowledge of life in the UK’ test can be found at:
www.lifeintheuktest.gov.uk

Life in the United Kingdom – A Journey to Citizenship

Copies of Sir Bernard Crick’s book can be ordered from:

http://www.tsoshop.co.uk/bookstore.asp?FO=1160008&DI=544914&trackid=000579
PassNotificationLetter - Example

Life in the UK Test

Test Instance ID: 1

Following your test today in knowledge of life in the United Kingdom this is to certify that you have reached the level required for the purposes of Naturalisation as a British citizen under section 6 of the British Nationality Act 1981. This also confirms that your success at this test demonstrates that your level of competence in English meets the required standard for Naturalisation. No further proof of this is needed. We shall notify the Home Office of this result electronically but please also submit this letter to them with your Naturalisation application form and fee.

Surname/Family Name: N*ta
Other Names: Cl**a C***on De C***ta P***to
Present Nationality: Brazil
Date of Birth: 27 March 1959
Town of Birth: Salvador Bahia
Country of Birth: Brazil
Current Postcode: NW2 5DL

Supplier ID: 9999
Supplier Name: Ufi Ltd
Test Centre ID: 1
Test Centre Name: Learn Fast Test Centre
Test Supervisor ID: 1
Test Supervisor Name: Dave Wilkins
Method of Verification: Photo Driving License
Test Date: 17/09/2005
Test Fee Paid: £00.00
5.11 The Application Fee

Home Office

The fees that the Home Office charges in relation to various citizenship applications are shown on pages 10 – 12 of this guidance document. Each application submitted to the Home Office via the NCS must be accompanied by the appropriate fee and a completed payment slip.

- The payment slip is to be attached to the document checklist.
- Under NO circumstances should CASH be sent through the post.
- The envelope should be marked on the outside with the number of applicants enclosed.
- Please do not send more than x15 application in one special delivery envelope.

5.12 CONTACTING THE HOME OFFICE

Performance and Standards

The NCS Helpdesk will provide a comprehensive interface for all service users answering call politely and efficiently and will try to answer 95% of all calls within 3 Rings.

NCS Helpdesk will provide up to date contact numbers for all local authorities. These numbers are for Local Authority use only and under no circumstances should they be given to an applicant.

The Home Office will respond to all emailed and on-line enquiries within 5 working days.

The Home Office will provide all Helpdesk staff with customer care and telephone skills training. This will include specific training on equalities and special needs awareness.

Relevant staff will be trained to provide timely and accurate information and advice on Citizenship applications.

The Home Office will provide or arrange regular refresher training to ensure skills and product knowledge is kept up to date.

All staff dealing with Citizenship applications will be capable of providing up to date, accurate information for all customers and should therefore be aware of organisational changes, initiatives and current contact details.

All staff dealing with Citizenship applications will be trained in new IT systems and procedures.
Information Technology

All staff dealing with Citizenship applications will work within the guidelines of the Data Protection Act when providing customers with the information contained on computerised files and screens.

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Contact information

Casework

Mick Cain
Mick.Cain@ukvi.gsi.gov.uk
Casework Advice
0151 213 4972

Please note that none of the above details should be given to the public for any reason.

Enquiries from members of the public should be directed to the Nationality Contact Centre and on no account should they be given contact information intended for local authority use

5.13 Progressing the Application

Transferring the Application to the Home Office

Applications submitted to the Home Office must contain the completed application form(s), relevant copies of documents, original documents where appropriate and a copy of the Nationality Checking Service checklist. The package should also include the nationality fee and a completed fee slip.

Each package must be sent using Royal Mail Special Delivery. A record of the Special Delivery reference number should be kept for reference purposes should the applicant wish to confirm delivery with the Royal Mail.

All new applications dispatched to the Home Office should be addressed to the following location:

Applications sent using Royal Mail Special or Recorded delivery should be sent to:

UK Visas and Immigration
5.14 What Happens Next

The package is received by the Home Office. Managed Migration Support Team (MMST) identify the package via the specific NCS address label. The package is opened and the number of applicants noted.

The applications are placed in bundles and are allocated to a MMST staff member.

The application is placed in a white file jacket and the applicant’s personal details are added to the various computer systems.

An acknowledgement letter is produced and is sent to the applicant or their representative.

A police check is completed on the application and the results are noted on the file.

The application is transferred to the casework team and is allocated to a caseworker.

Consideration of the application is begun and any further documents that may be required in support of the application are requested. Details on the application form are checked against the information contained in the photocopied documents and any internal enquiries are begun.

Consideration on the application is completed and a decision is actioned on the computer system if no further information is required.

If the decision is to refuse the application a letter outlining the reasons for the refusal is sent to the applicant or their representative.

Supplementary original documents requested by the caseworker are returned to the applicant using 1st Class Recorded Delivery.

Following the decision to grant the application a citizenship certificate is generated in Citizenship Ceremonies Support Team (CCST). Supporting documentation is produced including a ceremony invitation letter.

CCST send the ceremony invitation letter to the applicant and the citizenship certificate and supporting documentation to the relevant local authority.

Following confirmation that the applicant has attended the citizenship ceremony CCST update the computer system with a record of the date that British citizenship was conferred.
6. STAMP SECURITY PROCEDURES

6.1 Receipt

Stamps will be dispatched by secure mail to the service co-ordinator in each area.

6.2 Daily Use

When not in use stamps should always be held securely and they should never be left unattended in interview suites. Stamps should be signed in and out at the beginning and end of the day. The records should be held by a Team Leader. It is expected that each time a stamp is used by an advisor there is a record kept for audit purposes. These records should be kept for 1 month and then can be destroyed. A copy of the record sheet is included at the end of this section. You should stamp the sheet and sign the stamp out when you take it for your 1st appointment of the day, and repeat this for signing it back in at the end of the day. The template for the record sheet is found on page 39.

6.3 Loss/Theft

Upon discovery of the loss of theft of one of your stamps the local Authority should alert the Home Office by e-mail to:

- Mick.Cain@ukvi.homeoffice.gsi.gov.uk

6.4 Replacement Stamps

Should a stamp be damaged and need replacing you should return the stamp by secure mail to Mick Cain as above
NCS Stamp Record sheet

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FREQUENTLY ASKED QUESTIONS

This section details some of the questions that you may be asked by applicants.

(Q) What is the Nationality Checking Service (NCS)?

(A) The Nationality Checking Service is a partnership between the Home Office Nationality Group and some local authorities in the United Kingdom. It is designed to increase the proportion of applications submitted that may be completed without further enquiry.

For a modest fee, applications for British nationality are checked to ensure they have been completed correctly and are submitted with all the necessary supporting documents and the correct fee.

Valuable documents such as passports are photocopied and certified and the copies are forwarded to the Home Office together with the application by Special Delivery.

Applications of this type can be dealt with more efficiently than those which are incomplete and applicants using the service retain their passports and other important documents.

(Q) Why is NCS not available in my town?

(A) Provision of the Nationality Checking Service is optional for local authorities, however more local authorities are starting to offer the service all the time.

(Q) Can I go to another local authority other than the one I live in to submit my application?

(A) Yes, you can submit your application to any participating local authority.

(Q) Why has the NCS been introduced?

(A) NCS helps to submit complete applications; it enables applicants to keep important documents and reduces the number of requests for further information from the Home Office.

NCS means that applications are dealt with more quickly than before and with improved levels of customer service.

(Q) Will my application be processed quickly if I use the NCS?

(A) The time it takes us to deal with an application varies according to individual circumstances and other factors, including the number of applications under consideration at a particular time. Complete applications are dealt with, on average, more quickly than those that are incomplete or in which further enquiries need to be made.

(Q) Do I have to use the NCS?

(A) No, the service is optional. You may continue to apply directly to the Home Office Nationality Group or use a solicitor or registered immigration adviser.

(Q) Does using NCS help me to jump the queue?

(A) No, but using the service increases the likelihood of making an application that can be completed without further enquiry. Applications of this type tend to be dealt with more efficiently than those requiring requests for further evidence from the applicant.
(Q) Why isn’t NCS a priority service?

(A) NCS has been developed purely to help applicants provide complete applications and ensure that their important documents are retained.

(Q) What happens if I use NCS?

(A) An appointment is made with the relevant Local Authority NCS team. When you visit, staff will help you to check that you have completed the application form properly; they will check that you have paid the correct fee and that all necessary accompanying documents have been enclosed.

They will photocopy any valuable documents that need to be considered by the Home Office, certifying that they are true copies. They will then send the application, fee and copies to the Home Office for consideration.

Your valuable documents such as passports are returned to you straight away.

(Q) Do the local authorities accept photocopy documents?

(A) No, original documents must be taken to your appointment at the local authority.

(Q) If I use the service will my application be granted?

(A) Using the service cannot guarantee that your application will be successful. The service is provided to check that the application is completed correctly. The consideration of the application is done by trained nationality caseworkers.

(Q) Do I have to submit my application in person?

(A) Yes, any person aged over 18 years of age submitting an application for citizenship must attend the local authority in person. Ask your nearest participating local authority for details. Most will ask you to make an appointment to visit their office to check your application.

(Q) How do I apply for citizenship?

(A) Application forms and advice leaflets can be obtained from the Home Office website:

www.ukvi.homeoffice.gov.uk

Or from any participating local authority or from the Nationality Group direct.

(Q) Do I have to pay for Nationality Checking Service?

(A) Yes, the local authority will charge an administrative fee to cover the cost of providing the service. This is in addition to the normal fee payable to the Home Office for processing an application for citizenship.

(Q) Why isn’t the NCS a free service?

(A) The local authority charges a fee to cover the administrative costs incurred.

(Q) Why do fees differ between the participating local authorities?

(A) Operating costs vary in different local authorities and the fees charged for the Nationality Checking Service reflect this. Local authorities provide this service on a non-profit making basis.
Isn’t the extra fee a tax on nationality?

No, the service is provided as an alternative way for applicants to submit applications and is entirely optional.

Will the local authority act as my agent?

No, the local authority provides a checking service only and will not give advice or act for you after the point of application.

If the Home Office needs to contact you about your application, they will do so using the contact details given on the application form.

How can I find out where to use NCS?

Details of the participating local authorities can be found on the Home Office website: http://www.ukvi.homeoffice.gov.uk/britishcitizenship/applying/checkingservice/

Participating local authorities also advertise the service on their Websites and within the local community.

Is the local authority competent to offer the Nationality Checking Service?

All participating local authorities will be registered with the Office of the Immigration Services Commissioner, an independent body established by Parliament to regulate organisations offering services of the kind on offer.

How do I make a complaint about the service provided by the local authority?

Any complaints on the local authority service must be directed to the Office of the Immigration Service Commissioner (OISC).

Where can I get advice about Nationality?

The Home Office website offers nationality advice at: www.ukvi.homeoffice.gov.uk

Residence

The applicant has been in the country for 4 years and 9 months (they are applying under the 5 year section) can they apply now?

No, they need to have been in the UK 5 years prior to the date of application (even if we don’t start consideration for a few months)

Is the date of the checking service appointment the date of application?

No, the date of application is the date the form is received here at the Home Office.

The applicant has not provided evidence that they have been legally employed during the qualifying period, is this OK?

Yes, they do not need to provide evidence of employment/receipt of benefits unless they do not have a passport and are providing alternative evidence of residence.
Immigration History

(Q) The applicant has only had ILR for 2 years, can they apply now, as it doesn’t cover the whole 5 years?

(A) Yes, if they are applying under the five year residence section they only need to have ILR for 12 months prior to the date of application, as well as legal residence throughout the qualifying period of course!

(Q) The applicant is married to a British Citizen but they have only had ILR for three months, can they apply now?

(A) Yes, if the applicant is married to a British Citizen they just need to have ILR on the date of application, as well as legal residence throughout the qualifying period of course!

(For both the examples above you should tell the applicant that they must not have been in breach of the immigration rules during the 3/5 year qualifying period. The onus is on the applicant to ensure they meet this requirement, although they do not need to provide evidence)

(Q) The applicant has changed the type of visa they were on from student to work permit although they now have ILR is this OK?

(A) Yes, the criteria is for the applicant not to have been in breach of the immigration laws during the 3/5 year qualifying period, it doesn’t matter what type of visa they held.

(Q) The applicant is European but does not have ILR, can they apply?

(A) From 30th April 2006 the rules regarding EEA nationals changed. Any EEA or Swiss national applying after this date can be regarded as being free from Immigration time restrictions if they can prove that they have been exercising a treaty right throughout the last five years – applicants who are married to British Citizens can apply immediately, but applicants who are applying under the five year residence sections will need to wait until 30th April 2007 unless they already have/had ILR for a year

(Q) Is this the same for Irish nationals?

(A) No, Ireland is part of the Common Travel Area (which includes the territories and islands of the British Isles), so Irish nationals are regarded as being free from Immigration time restrictions.

Marriage

(Q) The applicants do not have a marriage certificate, what do I do?

(A) Check the Immigration letters, if the applicants have the same reference we can accept the relationship, also if either spouse is named in the other spouses passport (in the back or on a visa) we can also accept the relationship. If they were married in the UK they will be able to get a copy certificate. Ask the applicant(s) to say why they are not able to supply their marriage certificate. This explanation can be placed in the ‘special circumstances’ part of the AN form and noted by yourselves on the document checking sheet.

(Q) The applicant has said she is separated from her BC spouse; can she still apply under the 3 year residence section?
(A) Provided the applicant is not divorced from her husband then she is still legally married to him and can apply under this section.

(Q) The applicant cannot provide the evidence that her husband is a BC as they are separated, what do I do?

(A) Ask the applicant to write in the special circumstances why she cannot submit the required document. In certain circumstances the Home Office can contact the passport office to confirm that he is a British Citizen.

Life in the UK

(Q) Does the Life in the UK certificate have an expiry date?

(A) No, it remains valid

(Q) Do I return the original certificate to the applicant?

(A) No, the original certificate needs to be sent to the Home Office. A copy can be given to the applicant upon request.

(Q) The applicant’s name on their certificate has been spelt slightly wrong (one letter out) do they need to re take the test?

(A) No. If it is a minor error then we will be able accept the certificate, if the registrars are happy that it is the same person, if it is a big error ask the applicant to go back to the college and ask the college to amend it if they will. We should, though, always confirm spellings of names with the applicants.

(Q) I think the certificate is a fraud, what do I do?

(A) Accept the certificate but highlight the fact that you think it is fraudulent (after the applicant has left), and state the reasons why, i.e. the applicant clearly couldn’t speak English etc. Some LAs have already done this with great success.

Foreign Documents

(Q) The children’s birth certificates are in a foreign language, can we accept them?

(A) Same as above

Asylum Seekers

(Q) The applicant has a Travel Document but no other evidence of residence, what should I do?

(A) The applicant has probably previously claimed asylum, if so then find out the date the asylum application was granted/refused (the applicant should have the letter with them). As an applicant cannot travel out of the UK while their asylum is being considered, we do not need to see any evidence of residence during these dates (also check they applied for asylum before the start of our
3/5 year residence criteria). If the Travel Document has been issued within one year of the date of asylum grant or refusal we do not need to see any other evidence of residence.

**Applicants with UK Born Mother**

**(Q)** I have an applicant here who says she is eligible to apply as her mother is a British Citizen, she has only been in the UK 9 months and does not have ILR?

**(A)** If the applicant was born outside the United Kingdom and her mother is a British Citizen Otherwise Than By Descent (usually by birth or Naturalisation in the UK) then she is eligible to register under section 4c of the Act. There is no residence requirement in this circumstance.

**Applicants with Other Types of British Citizenship**

**(Q)** I have an applicant that appears to have a British passport although they say they are a British National (Overseas), can they apply for British Citizenship?

**(A)** Yes, any applicant that is a British National (Overseas), British Overseas Citizen or British Subject is not a British Citizen and therefore may apply. They need to complete a BOS form (green) and submit the same documents as for the five year section. They will also need to meet the same requirements as for that section although they don’t need to declare any convictions and pay the adult registration fee (currently £823)

**Minors**

**(Q)** The applicant says that the children don’t have any birth certificates, what do I do?

**(A)** If the children have the same immigration reference as their parents we will accept the relationships as immigration have already done so. They will not then need to supply birth certificate but you will need to ask the applicants to explain in the special circumstances section why they are not submitting the certificates. If any child was born in the UK they will be able to get a copy and will need to submit that.

**(Q)** A call comes from someone who would like to apply for their child to become British but not themselves, is this ok?

**(A)** If the child was born in the UK then they can apply on their own however if the child was born outside the UK then at least on parent must already be a British Citizen or be applying to become a British Citizen, otherwise such an application will not normally succeed.

**(Q)** If a child is applying on their own what form do the parents need to complete?

**(A)** An MN1 form.

**(Q)** The applicant has not brought the passport for the child, can I accept the application?

**(A)** If the child was born in the UK the only documents that need submitting are the child’s full birth certificate and the parents’ ILR letter (or visa in passport). For children born outside the UK, evidence of at least the last two years residence in the UK will be needed, i.e. school letters, as well as confirmation of ILR.
Joint Applications

(Q) The husband has arrived for the appointment without his wife, can we accept both applications?

(A) No, it is a requirement that all adult applicants attend the checking service appointment. There is no exception to this.

Website: www.ukvi.homeoffice.gsi.gov.uk
E mail: ukbanationalityenquiries@ukvi.gsi.gov.uk

7. IMPORTANT NOTES

- Using the NCS does not mean that your application will receive preferential treatment at the Home Office. However, if your application is complete in every detail, it is more likely to be quickly completed.
- Fees charged by the local authorities for administering the NCS are a matter for them rather than the Home Office. Any complaint or comments about the service or the fees should be directed to your local authority in the first instance.
- Use of the NCS does not guarantee that an application will be successful. Nor does it guarantee that further enquiries will not have to be made. The Home Office reserves the right to make any enquiries it sees fit in considering a nationality application.