



24 July 2009 version

## Explanation Notes and Guide on the provision made in the Borders, Citizenship and Immigration Bill

Please note that this document is produced by BritishHongKong for the benefits of BN(O) passport holders and does not represent HM Home Office. We strongly advise you to visit their websites for further information.

### Who are to benefit from this provision?

Those who are solely British Nationals (Overseas) are allowed to register as British Citizens without living in the UK for 5 years and meeting certain residence requirements.

You must be a British National (Overseas). **And**

You must have no other citizenship or non-British-nationality.

\*\*please note that the person has not after 19<sup>th</sup> March 2009 renounced, voluntarily relinquished or lost through action or inaction any citizenship or nationality.

Also, this provision **does not** benefit those BN(O) passport holders of Chinese ancestry born in HK or China.

### Which form can I use if I am eligible to apply?

Currently, there are no available forms for the above eligible applicants.

Some people might have queries about whether the form B(OS) be the right one, since this is the only form for de-facto stateless British nationals to register as British Citizens. However, this form does not include "British National (Overseas)," so, therefore, this form is not acceptable for the above registration.

It probably will be no forms and processing resources available until the Commencement Order is issued.

And please note that the British Consulate-General in Hong Kong has made such statement, "**The Borders, Citizenship and Immigration Act 2009 has now received royal assent. One of its provisions regards the extension of Section 4B of the British Nationality**

**Act (BNA) 1981, on the entitlement to register as a British Citizen, to include British Nationals (Overseas) who do not hold any other citizenship or nationality. We will not have any further practical information on the application of this provision until January 2010. Potential applicants under this extension should not contact the Consulate for guidance/advice before that time."**

## What should I do?

There are two types of applicants:

**Non-urgent cases** (for those who are residing in HK)

Please wait in the meantime for the appropriate form to become available, probably in January 2010.

**Urgent cases** (for those who are residing in the UK and who need to move to the UK in a short time)

To apply by letter: it is possible to apply by letter, providing all the evidence you need to prove you have no other citizenship or non-British-nationality.

You may contact your local Citizen Advice Bureau or your local MPs.

Citizen Advice Bureau: <http://www.citizensadvice.org.uk/>

MPs: <http://www.writetothem.com/>

## Evidence

A person of Indian, Nepalese, Pakistani ancestry, please point out that as s(he) has reached adulthood and hasn't renounced BN(O) status.

A person of Malaysian or Singaporean ancestry, please point out that the nationality law of the two countries does not allow dual nationality.

For further information, please contact the relevant embassy/consulate:

### Indian Consulate

Consul General's office and Chancery  
16 D, United Centre,  
95 Queensway  
Hong Kong Tel: (852) 31646188

Consulate General of Nepal,  
Unit 715 Concordia Plaza,  
No. 1 Science Museum Road,  
Tsim Sha Tsui (East) Kowloon,  
Tel: (852) 2369 7813

### Consulate General of Pakistan

3505-9 Two Chinachem Exchange  
Square.  
338 King's Road, North Point,  
Hong Kong.  
Tel: (852)28270295/28270245/

Consulate General of Malaysia  
24th Floor, Malaysia Building,  
47-50 Gloucester Road,  
Wanchai, HONG KONG SAR  
Tel : (852) 2821-0800

### Indonesian Consulate General

127-128 Leighton Road, Causeway  
Bay, Hong Kong

Consulate-General of Singapore  
Unit 901, 9th floor,  
Admiralty Centre Tower  
18 Harcourt Road, Hong Kong  
Tel : (852) 2527-2212

For those eligible applicants who are of Chinese ancestry born outside of Hong Kong or China and not recognised as Chinese nationals in Hong Kong. You may have to make a request for a document prove that you do not have Chinese nationality.

You will have to contact the Hong Kong Immigration Department:

2nd Floor, Immigration Tower,  
7 Gloucester Road, Wan Chai,  
Hong Kong  
(852) 2824 6111

If you have further queries and questions, please contact BritishHongKong at

Email: [info@BritishHongKong.com](mailto:info@BritishHongKong.com) or use our [contact form](#)

Phone us

- 01312081008 UK
- 81913221 Hong Kong
- 00441312081008 (calls from outside HK and the UK)

Do leave a message if no-one is able to take your call and we will get back to you.

We will be very grateful if could also send it to those whom you think may benefit from this provision, thank you.

Please take note that this guide will be updated periodically as we receive more information, so we strongly recommend you all keep track on the [official BritishHongKong website](#).