



McGILL & CO

CHILDREN AND THEIR RIGHTS TO BRITISH CITIZENSHIP

Children born in the UK

If a child was born in the UK and at the time of their birth either of the parents were British citizens or settled in the UK, then that child is automatically a British citizen in terms of the British Nationality Act 1981 (subject to special provisions regarding children of unmarried fathers born before 1 July 2006).

If a child was born in the UK but at the time of their birth neither parent was British or settled in the UK, then the child is not automatically British BUT the child may be able to register to become British if one of the parents has subsequently become settled or British. The current Home Office fee is £1012 and the child's birth certificate should be produced together with confirmation of the parents' British citizenship or settled status.

If a child has lived in the UK for the first 10 years of their lives, then they can apply for registration at any time using Form T. The current fee is £1012 for children or £1206 for adults (this application can be made even after the child becomes an adult). The good character requirement must be satisfied.

Children born outwith the UK

If a child was born outwith the UK but either parent was a British citizen either through birth themselves in the UK or through registration or naturalisation before the child was born, that child may automatically be a British citizen by descent. If so, the child is entitled to apply for a British passport producing the birth certificate and evidence of the parents' British nationality.

If a child was not born in the UK and neither parent at the time of the birth was a British citizen, registration is still an option if it can be shown that:

- The child is present and settled in the UK & their future lies in the UK
- At least one parent is a British citizen or settled in the UK and applying for British citizenship
- The other parent is not required to leave the UK
- And the child is of good character.

The chart overleaf provides a general outline of the approach but there will be variations dependant upon individual and personal circumstances.

Please contact us at info@mcgillandco.co.uk

CONTINUED »

