STATUTORY INSTRUMENTS

2015 No. 1806

NATIONALITY

The British Nationality (General) (Amendment No. 3) Regulations 2015

Made - - - -	*19th October 2015*
Laid before Parliament	*22nd October 2015*
Coming into force - -	*12th November 2015*

The Secretary of State, in exercise of the powers conferred by section 41(1)(a), (b), and (ba), (1A) and (3) of the British Nationality Act 1981(**1**), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the British Nationality (General) (Amendment No. 3) Regulations 2015 and come into force on 12th November 2015.

Amendments to the British Nationality (General) Regulations 2003

2. The British Nationality (General) Regulations 2003(**2**) are amended in accordance with regulations 3 to 8.

3. In regulation 2(1)(**3**) (interpretation)—

(a) after the definition of "applicant" insert—

> ""document certifying permanent residence" has the same meaning as in regulation 2 of the Immigration (European Economic Area) Regulations 2006(**4**) ("the 2006 Regulations");";

(b) after the definition of "immigration rules" insert—

> ""permanent residence card" has the same meaning as in regulation 2 of the 2006 Regulations;

(**1**) 1981 c. 61; subsection (1)(ba) and (bb) of section 41 was inserted by section 1(3), and subsection (1A) by section 1(4), of the Nationality, Immigration and Asylum Act 2002 (c. 41).
(**2**) S.I. 2003/548, as amended by S.I. 2003/3158, S.I. 2004/1726, S.I. 2004/2109, S.I. 2005/2114, S.I. 2005/2785, S.I. 2007/3137, S.I. 2009/3363, S.I. 2010/785, S.I. 2011/1043, S.I. 2012/1588, S.I. 2013/2541, S.I. 2014/1465, S.I. 2015/681 and S.I. 2015/738.
(**3**) Regulation 2(1) was amended by S.I. 2015/738.
(**4**) S.I. 2006/1003; regulation 2 was amended by S.I. 2009/1117, S.I. 2011/544, S.I. 2012/1547, S.I. 2012/2560, S.I. 2013/3032, S.I. 2014/1976 and S.I. 2015/694.

"residence document issued under the Immigration (European Economic Area) Regulations 2000(**5**)" has the same meaning as in paragraph 1(a) of Schedule 4 to the 2006 Regulations;

"residence permit issued under the Immigration (European Economic Area) Regulations 2000" has the same meaning as in paragraph 1(a) of Schedule 4 to the 2006 Regulations.".

4. In regulation 4(1)(**6**) (authority to whom application is to be made), omit sub-paragraph (d).

5. In regulation 5A(1)(a)(**7**) (knowledge of language and life in the UK), omit "possesses a qualification or".

6. In regulation 9(**8**) (authority to whom declaration of renunciation is to be made), omit paragraph (d).

7.—(1) Schedule 2 (particular requirements as respects applications) is amended as follows.

(2) In paragraph 7 (application under section 4(2)), after sub-paragraph (1) insert—

"(1A) Where the applicant is relying upon a right of permanent residence in the United Kingdom by virtue of an enforceable EU right or any provision made under section 2(2) of the European Communities Act 1972(**9**) to satisfy the requirement in section 4(2)(c) of the Act, the information showing freedom from immigration restrictions mentioned in sub-paragraph (1) must be in the form of—

(a) a permanent residence card,

(b) a document certifying permanent residence,

(c) a residence document issued under the Immigration (European Economic Area) Regulations 2000 which is endorsed under the immigration rules to show permission to remain in the United Kingdom indefinitely, or

(d) a residence permit issued under the Immigration (European Economic Area) Regulations 2000 which is endorsed under the immigration rules to show permission to remain in the United Kingdom indefinitely.".

(3) In paragraph 13 (application under section 6(1)), after sub-paragraph (1) insert—

"(1A) Where the applicant is relying upon a right of permanent residence in the United Kingdom by virtue of an enforceable EU right or any provision made under section 2(2) of the European Communities Act 1972 to satisfy the requirement in paragraph 1(2)(c) of Schedule 1 to the Act(**10**), the information showing freedom from immigration restrictions mentioned in sub-paragraph (1) must be in the form of—

(a) a permanent residence card,

(b) a document certifying permanent residence,

(c) a residence document issued under the Immigration (European Economic Area) Regulations 2000 which is endorsed under the immigration rules to show permission to remain in the United Kingdom indefinitely, or

(**5**) S.I. 2000/2326, as revoked by S.I. 2006/1003 with transitional provisions made in Schedule 4.
(**6**) Regulation 4(1) was amended by S.I. 2012/1588.
(**7**) Regulation 5A was inserted by S.I. 2004/1726, substituted by S.I. 2005/2785 and S.I. 2013/2541, and amended by S.I. 2015/681.
(**8**) Regulation 9 was amended by S.I. 2012/1588.
(**9**) 1972 c. 68; section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3(3) of, and Part 1 of Schedule 1 to, the European Union (Amendment) Act 2008 (c. 7).
(**10**) Paragraph 1(2) has been prospectively substituted by section 39(2) of the Borders, Citizenship and Immigration Act 2009 (c. 11).