

Thank you for your recent passport application.

We issue British passports mainly to British citizens, British Overseas Territories citizens and British Overseas citizens, as defined by the British Nationality Act 1948, which came into force on 1<sup>st</sup> January 1949 (BNA 48), and the British Nationality Act 1981 (BNA 81) which came into force on 1<sup>st</sup> January 1983. As a result, citizenship is a matter of law, and is decided mainly by a persons place and date of birth and their parent's places and dates of birth.

Unfortunately from the information and documentation provided you do not appear to be a British citizen.

To explain, your father was a British Subject by birth under the British Nationality and Status of Aliens 14 Act, through his birth in British India in 1945.

This Act was replaced by the British Nationality Act 1948.

Under Section 12 (transitional) of the BNA 48 your father's status was re-classified as a British Subject Citizen of the United Kingdom and Colonies (BSUKC) Section 12(2). He would have lost his claim by birth when India became a self-governing country within the Commonwealth and become a BSUKC by descent (through his father's birth in the UK).

As your father gained his British nationality by descent, he is unable to pass this on to a further generation who is also born outside of the United Kingdom.



You may want to make enquiries about the possibility of making a formal application for British citizenship, if so, you should write to the Home Office Nationality Enquiry Team, UK Visas and Immigration, PO Box 306, Liverpool, L2 0QN (Phone – 00 44 845 010 5200, [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk)). They will advise on whether you are eligible and the procedure to follow. However, before doing so, you may want to consult the Australian authorities to see whether gaining British citizenship would have any effect on your citizenship of that country.

If you are successful in making an application for British citizenship then you will be eligible to re-apply for a British passport [on production of the relevant certificate of citizenship]. In the meantime, this application has been withdrawn and I enclose your supporting documents.

The fee, which is non refundable has been retained to cover processing costs of the application.