



## **CITIZENSHIP RIGHTS FOR MEMBERS OF THE COMMONWEALTH SERVING IN THE BRITISH ARMED FORCES**

Commonwealth soldiers serving in the British Armed Forces abroad can now gain UK citizenship under a change to the rules announced by the Home Office in Nov 2006.

To reflect the commitment and sacrifice made by service personnel from outside the UK in the British forces, they will now be eligible to apply for citizenship despite having been stationed abroad for the majority of their service.

The new rules mean that in future eligible Commonwealth citizens serving in the Regular component of the Army will be able to count their service, at home or abroad, towards the residency criteria for an application for British citizenship *whilst still serving*. Under these new rules they will no longer be required to complete five years residency in the UK (three years if married to, or the civil partner of, a British citizen) before applying to become a British citizen. Instead time spent serving anywhere in the world will be counted towards the five years residency requirement.

Serving members of the Brigade of Gurkhas will continue to be treated in accordance with the British Government's long-standing agreement with the Government of Nepal that they must remain Nepalese citizens until they leave the Brigade of Gurkhas. After they have left the Brigade however they will be able to count their Armed Forces service, at home or abroad, towards their application for UK citizenship.

Any decision to seek UK citizenship is a personal one and individuals will need to consider carefully the impact of the nationality laws of their current citizenship. Applications will need to be made in person and accompanied by the appropriate fee having met all the Home Office criteria for UK citizenship, which includes passing a UK citizenship test. (This test cannot be taken in Germany at the moment. Applicants must sit it in the UK.)

Details of the Home Office guides, Nationality Directorate enquiries telephone help line, application forms and citizenship test centres are published on the Home Office website [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk) .

Individuals who are considering applying for naturalisation as a British citizen should be advised to carefully consider the implications and where appropriate seek qualified legal and/or financial advice from their own embassy, consulate or country of origin before taking a particular course of action. As examples, some nations do not recognise dual citizenship, and acquiring UK citizenship may impact upon the right to remain a citizen of country of origin.

Serving South African citizens may also seek UK citizenship, if eligible. The proposed South African legislation entitled the 'Prohibition of Mercenary Activities and Regulation of Certain Activities in Country of Armed Conflict Bill 2006' is being addressed by MOD officials separately and is unrelated to the new citizenship rights.