



SABLE
INTERNATIONAL

Internationalising yourself,
your wealth and your business

Claims to British Nationality





Our Presentation

- Introduction
- Claims to British Nationality
- Further Research
- Q&A





WhatPassport





Our Business

Internationalising yourself, your wealth
and your business

SABLE
INTERNATIONAL



Forex

Transfer of one currency
into another



Wealth

Safe-keeping and managing
your wealth in the UK



Accounting & Tax

UK company formation,
accounting and tax returns



Immigration

Immigration and family visas
to the UK and Australia



Citizenship

British, Irish and Portuguese
citizenship applications





SABLE
INTERNATIONAL

Citizenship and Immigration Seminars

Johannesburg: Mon, Tues & Wed

Cape Town: Thurs, Fri & Sat

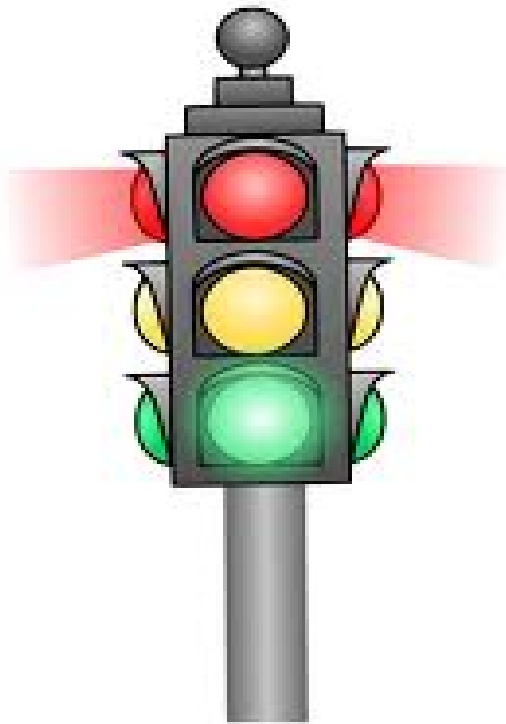
- ✓ **Claims to British Nationality**
- ✓ Children under 18
- ✓ Relocation to the UK and Australia
- ✓ Citizenship by Investment





Can I claim British Nationality?

SABLE
INTERNATIONAL



We'll use three classifications:

No

Not sure

Yes





Alert!

- ✓ Time to concentrate
- ✓ This might be you!





**Take
note!**

✓ **Here is an interesting consequence
in British Nationality law!**





What you will learn today

✓ Whether you are British

OR

✓ How to get the answer





Complexity in British Nationality Law

SABLE
INTERNATIONAL

Fixing gender discrimination in the past: Defining who the father is:

The father is the married partner of the birth mother

Australian
Born in UK
55 years old

Philippine-Born
25 years old

Indian-Born
Former Husband



2 young
Children
Born in Thailand



127 territories where birth can lead to British Nationality

These include ...

- ✓ Transvaal
- ✓ Nyasaland
- ✓ Northern Rhodesia
- ✓ (Southern) Rhodesia
- ✓ Bechuanaland
- ✓ South West Africa
- ✓ South Africa
- ✓ Tanganyika
- ✓ Kenya
- ✓ Uganda
- ✓ St Helena
- ✓ Seychelles
- ✓ Mauritius
- ✓ India





Can I claim British Nationality?

Yes

Standard

British
Nationality

Circumstances where you have **DEFINITE** claim to British Nationality:

- ✓ Born in UK before 1 Jan 1983
- ✓ Parent (mother or father*) born in UK before 1 Jan 1983
- ✓ Parent naturalised in UK before your birth
- ✓ Residency and naturalisation in UK

** Married at time of birth*



Can I claim British Nationality?

Circumstances where you have a **REMOTE** claim to British Nationality:

- × 3rd generation country of birth and nationality (you, parents & grandparents)
- ✓ You or your mother were **Previously Married**
- ✓ You or parent were **Adopted**
- ✓ You or parent worked in **Federal Rhodesia**

No

UK Visa?
Other Passport?



Can I claim British Nationality?

**Not
Sure
?**

Non Standard

**Complexity &
Research**

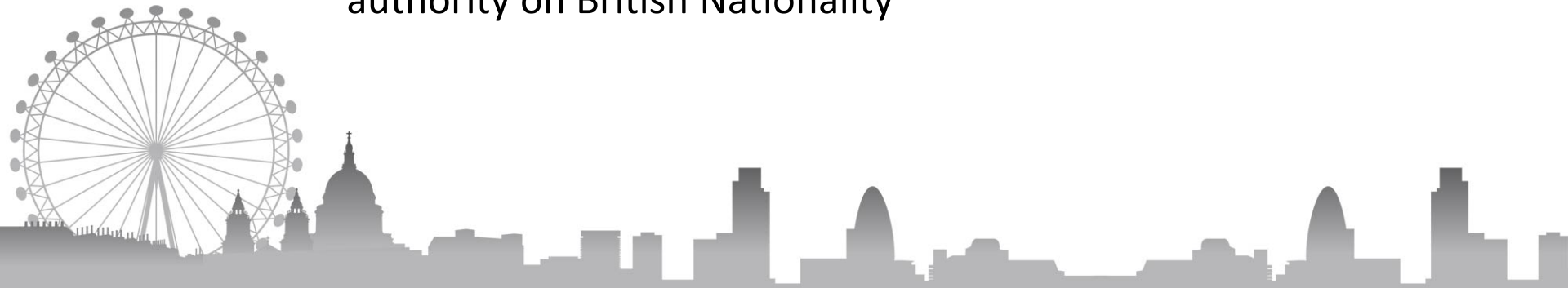
Circumstances where you have a **POSSIBLE** claim to British Nationality:

- ✓ Your country of birth is different to that of either parent or any grandparent
- ✓ UK-born Grandparent
- ✓ British parent / grandparent
- ✓ You (or a parent) were born in a former British territory



Introducing Philip Gamble

- ✓ Former Home Office Executive
- ✓ Senior Partner of Nationality and Immigration at Sable International
- ✓ 25 years of British Nationality law experience
- ✓ Widely regarded as world-leading authority on British Nationality





**Paternal Great
Grandparent**
Born in Hong Kong



Paternal Grandparent
Born in Swaziland



Father
Born in Northern
Rhodesia



Applicant
Born before 1983

SABLE
INTERNATIONAL

How do we deal with
complexity?

Undertake a Status Trace

This person qualifies for
British Nationality!



Born in the UK

SABLE
INTERNATIONAL

Born before 1 Jan 1983

Qualifies for British Nationality

Born after 1 Jan 1983

Qualifies for British Nationality only if:

- ✓ parent held British Nationality
- ✓ parent was “Settled” in UK
- ✓ under 18 and parent later became “Settled” in UK
- ✓ born “Stateless”; OR
- ✓ resident in UK for first 10 years

✓ **Can pass British Nationality to children**



Citizenship through UK Residence



- Naturalisation after holding Indefinite Leave to Remain (ILR)
 - ✓ 5 years Residence
 - ✓ 3 years Residence if married to British Citizen
- UK English & Culture Test required
- Absences from UK limited to 90 days per annum

- ✓ **British Nationality after Naturalisation in UK**
- ✓ **Can pass British Nationality to children**



Passing British Nationality to a child

SABLE
INTERNATIONAL

Grandparent

Born in UK

Grandparent is British BY BIRTH

Parent

Born outside UK

Parent is British BY DESCENT

Grandchild

Born outside UK

Grandchild is not normally British

Grandchild could be British by
DOUBLE DESCENT



Born outside of UK to British Parent

SABLE
INTERNATIONAL

Not enough to know that parent was “British”

**Must determine HOW they acquired that status
and whether they can pass it on**

British otherwise than by Descent

✓ **Passes Nationality from parent**

British by Descent

× **Does NOT pass Nationality from parent**

**But lots of
exceptions!**



Alert!

- ✓ Mother born in UK; or
- ✓ Grandmother born in UK, and parent born before 1 Jan 1983





Parent Born in UK British by Descent

SABLE
INTERNATIONAL

Born after 1 Jan 1983

Automatic Nationality from either parent
(mother or father*)

Born before 1 Jan 1983

Automatic Nationality from father*

Applications for Nationality from mother

Alert!

✓ Those registered between 7 Feb 1979 and 1 Jan 1983
can pass British Nationality to children

** Must have been legally married to mother*



SABLE
INTERNATIONAL

Grandfather

Born outside of UK

Grandmother

Born in UK



Parent

Born between 7 Feb 1961 and 31 Dec 1982

Registered as British between 7 Feb 1979 and 31 Dec 1982



Grandchildren

✓ **Children to born this parent
have a claim to British
nationality**



Marriage to British Citizen

- Women married before 1949
 - ✓ **British Nationality**
- Women married between 1949 and 1983
 - ✓ **Right of Abode**
- Currently married
 - ✓ **Spousal Visa**





Alert!

- ✓ UK-born Paternal Grandfather
(i.e. father's father)
- ✓ You were born after 1948
- ✓ Parents married before 1949





Grandfather

Born in UK

SABLE
INTERNATIONAL

Father

Married
Before 1949

Mother

Applicant

Born after 1948

Alert!

- ✓ Your mother acquired British Nationality
- ✓ British Nationality could be passed down to children



SABLE
INTERNATIONAL

Alert!

✓ Your mother was previously married





Father
Born in UK



**Previous
Husband**

Marriage before 1949

SABLE
INTERNATIONAL

Mother

Father

Second Marriage



Applicant
Born after 1948

Alert!

✓ British Nationality passes to children of second marriage!



SABLE
INTERNATIONAL

Alert!

✓ Woman married before 1983





SABLE
INTERNATIONAL

Father
Born in UK



Husband

Married
1949 to 1983

Wife

- ✓ Woman must be Commonwealth citizen on 1 Jan 1983
- ✓ Woman acquires Right of Abode
- ✓ Next best thing to a British Passport

Alert!



British Nationality from UK-born Grandfather*

- ✓ Crown Service
- ✓ Former British Territories
- ✓ Exceptions

*** UK-born Grandmother
under review**



SABLE
INTERNATIONAL

Alert!

✓ Grandfather* or parent
worked in Crown Service

* Under review (could be Grandmother)





Crown Service

SABLE
INTERNATIONAL

Crown Service is meant as work in:

- ✓ War Service
- ✓ British Military
- ✓ Overseas Civil Service
- ✓ Colonial Service
- ✓ Diplomatic Service
- ✓ Police and Defence Force
- ✓ Public Utilities (power, water, telecoms, mail)
- ✓ Railways



Born before 1 Jan 1983

- ✓ **UK-born Grandfather with parent in Crown Service at time of your birth**

Born after 1 Jan 1983

- ✓ **UK-born Grandfather was in Crown Service at time of your parent's birth**



SABLE
INTERNATIONAL

Alert!

- ✓ You (or a parent) born in former British Territory





You or Parent born in former British Territory

- ✓ British Protectorate
- ✓ British Protected State
- ✓ UK Trust Territory
- ✓ UK Mandated Territory
- ✓ Post 1949 British Colony
- ✓ Foreign country where British exercised Extra-Territorial Jurisdiction (ETJ) over British Subjects



- ✓ **UK-born Grandfather (sometimes Grandmother) gives British Nationality**



Grandfather*

Born in UK



Parent

Born in British Territory



Applicant

SABLE
INTERNATIONAL

Parent



Applicant

Born in British Territory

✓ British Nationality depends on Dates and
Places of Birth of parent and applicant

* Under review – could be Grandmother



Alert!

- ✓ Grandfather* born in UK
- ✓ You born in South Africa between 31 May 1962 and 1 Jan 1983

**Test Case: awaiting Home
Office decision**

*** Under review (could be grandmother)**



Grandfather*

Born in UK



Parent



Applicant

Born in South Africa
Between 31 May 1962
and 1983

SABLE
INTERNATIONAL

Parent

Born in South Africa
After 31 May 1962



Applicant

Born before 1983

✓ Based on “Foreign Country” status of South Africa with ETJ

* Under review (could be grandmother)

Test Case: awaiting Home Office decision



Alert!

- ✓ Family link to:
 - Rhodesia
 - Northern Rhodesia
 - Transvaal





Federation of Rhodesia & Nyasaland

SABLE
INTERNATIONAL

- ✓ You (or parent) born outside Federal Rhodesia (now Zambia, Malawi and Zimbabwe)
- ✓ Moved to Federation between 1950 and 1963
- ✓ To work, had to be Registered as “Federal Citizen” if not born there.
- ✓ Upon dissolution, those registered became British if they didn’t become Rhodesian citizens

Alert!

- ✓ You (or your parent) became British Citizen on 1 Jan 1983 provided that you did NOT get citizenship of Southern Rhodesia
- ✓ British Nationality passes to children



Grandfather*

Born in UK



Parent



Applicant

Born in Northern
Rhodesia or Nyasaland
After 1948

SABLE
INTERNATIONAL

Parent

Born in Northern
Rhodesia or Nyasaland



Applicant

Between 1948 and 1983

✓ British Nationality based on Northern Rhodesia
and Nyasaland being a British Protectorate

* Under review (could be Grandmother)



Grandfather*
Born in UK



Father
Born in Transvaal
Before 1900



Applicant
Born between 1948 and 1983



✓ British Nationality based on Transvaal
being a British Protectorate

* Under review (could be Grandmother)



Grandfather*

Born in UK



Parent

Born in Rhodesia
Before 23 Sep 1923



Applicant

Born between 1948 and 1983

SABLE
INTERNATIONAL

Alert!

✓ British Nationality based on ETJ with
Southern Rhodesia

* Under review (could be grandmother)



Grandfather*

Born in UK



Parent



Applicant

Born in Rhodesia
Between 2 Mar 1970 and
18 Apr 1980

SABLE
INTERNATIONAL

**Test Case: awaiting
Home Office decision**

Alert!

✓ British Nationality based on definition of
“Rhodesia” and “Southern Rhodesia”

* Under review (could be grandmother)



SABLE
INTERNATIONAL

Alert!

- ✓ Parent or Grandparent born in Ireland or Northern Ireland





Irish Nationality

- Parent or grandparent born* in:
 - ✓ Republic of Ireland, or
 - ✓ Northern Ireland

✓ **Application for Irish Nationality**



Alert!

✓ **Registration of your foreign birth BEFORE birth of children conveys Irish Nationality to children**

** Does not apply in cases of adoption*



Adoption

Adoption In UK

- ✓ Nationality follows adopted parents

Adoption Outside UK

- ✓ Nationality follows natural (biological) parents
- ✓ Exceptions can apply

UK Immigration

- ✓ Visa rights as a minor flow from adopted parents
- ✓ Ancestry Visa from adoptive grandparent

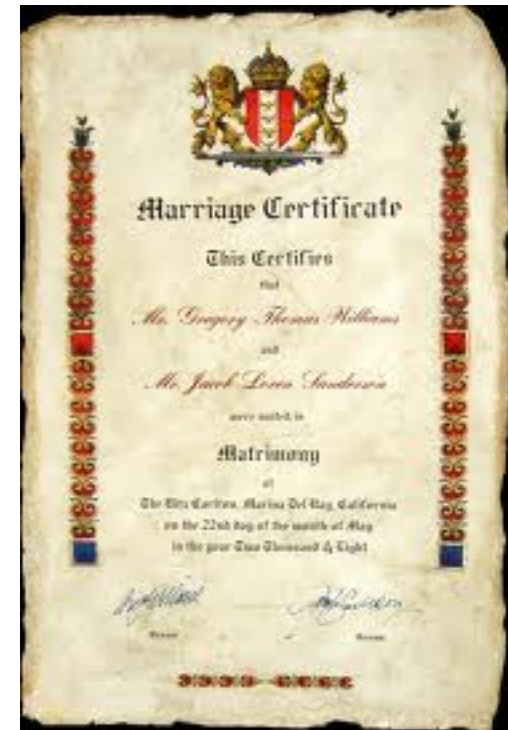




Exceptions and Anomalies

SABLE
INTERNATIONAL

- ✓ **Included** in parent's British Passport
- ✓ You (or parent) was **Previously British**
- ✓ Your (or parent's) birth was **Registered**
- ✓ **Abandoned or Refused** nationality claims
- ✓ **Illegitimacy** (laws changed in 2016)





6 Forms of British Nationality

SABLE
INTERNATIONAL

- **British Citizen**
- **British National Overseas (BNO)** – Hong Kong
- **British Overseas Territories Citizen (BOTC)** – Island Territories
- **British Protected Person (BPP)** – Protectorates & Protected States
- **British Overseas Citizen (BOC)** – Former Colonies
- **British Subject** – India & Ireland

Alert!

✓ **These can be upgraded to full British Citizenship in some circumstances**



Proving your Claim

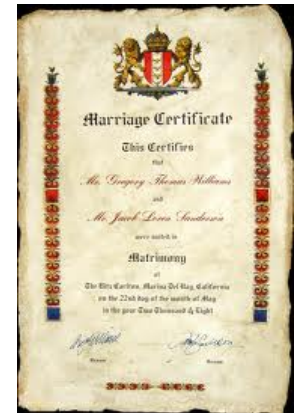
SABLE
INTERNATIONAL

“Balance of Probabilities”, not “Beyond Reasonable Doubt”

- ✓ Circumstantial evidence is accepted
Old Photographs and Letters, last Will & Testament, Baptism Documents, old Passports, signed Affidavits, etc.
- ✓ Home Office approval required first

Lost Documents

- ✓ Sable International can assist with locating documents in:
 - UK
 - Ireland
 - South Africa
 - Zimbabwe





Submitting your Application

SABLE
INTERNATIONAL

Four key requirements

- Addressed to correct authority
- Signed by applicant as being correct
- Application fee
- Evidence to prove claim



Nationality Application form

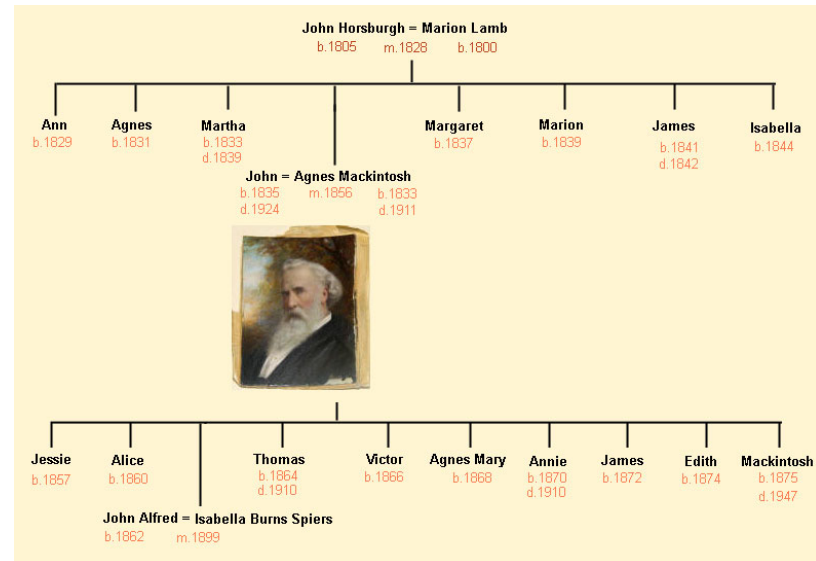
- One form covers all Nationality applications
- All complex claims will require explanations, including:
 - ✓ Copies of relevant Nationality Law
 - ✓ Detailed reasoning as to how nationality is gained



Summary

SABLE
INTERNATIONAL

If your FAMILY TREE has ANY differences in places of birth...



... it MIGHT BE POSSIBLE to claim British Nationality!





I'm still not sure!

SABLE
INTERNATIONAL



- Do your own research ...
- Call the British Embassy ...
- Ask an expert ...





Philip Gamble's 4 Step Process

SABLE
INTERNATIONAL

- ✓ Designed to avoid fees for rejected applications
- ✓ Steps 1 - 3 are FREE (4th step has costs)





STEP 1 What Claim Do You Have?

SABLE
INTERNATIONAL

Standard

**Non
Standard**

**No
Claim**

**British
Nationality
Application**

Step 2

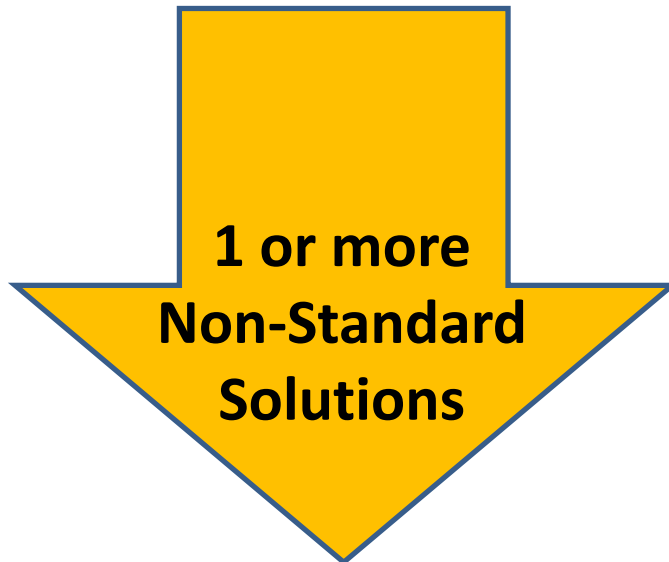
**UK Visa
Other Nationality**



STEP 2

SABLE
INTERNATIONAL

Complete our FREE Online Assessment



Step 3



**UK Visa
Other Nationality**



STEP 3

SABLE
INTERNATIONAL

Philip Gamble

reviews your Family Tree

**BRITISH PASSPORT
REVIEW**

**Definite
> 95%**

**Remote
< 5%**

**Likely
(75% – 95%)**

**Possible
(10% - 75%)**

**Unlikely
(5% - 10%)**



STEP 4

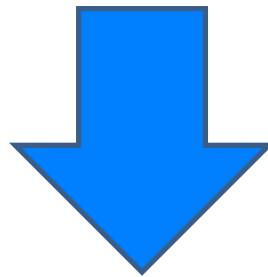
SABLE
INTERNATIONAL

**Philip Gamble gives
a Yes/No answer**

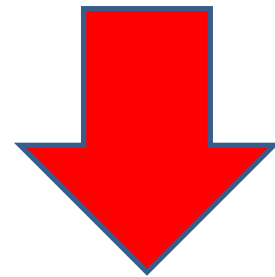
**Research your claim
STATUS TRACE**



**British
Nationality**



**No Claim
UK Visa**



**No
Claim**



Status Trace

What & why?

SABLE
INTERNATIONAL

- ✓ Research and Report by Nationality Specialist
- ✓ ONLY way to accurately answer the question “Am I British?” if claim is Non-Standard
- ✓ Positive Status Trace is necessary step before non-standard application for British Nationality
- ✓ Status Trace used to justify and explain to Home Office how you qualify

3 months to Oct 2016*:

- ✓ **243 Status Traces written**
- ✓ **53% Success Rate**

** Accurate as of October 2016*



Standard Route to British Nationality

SABLE
INTERNATIONAL

- ✓ Born in UK before 1983
- ✓ Married Parent born in UK pre 1983
- ✓ Naturalisation through UK residency



Direct Application for Nationality

Sable International acts on your behalf

Fees apply



Non-Standard Route to British Nationality

SABLE
INTERNATIONAL

All other situations have complexity,
and classified as:

- ✓ Likely
- ✓ Possible
- ✓ Unlikely



Status Trace = £350

Fast Track (48 hours) = £650





What are your next steps?

- ✓ FREE online Nationality Assessment
- ✓ FREE British Passport Review
- ✓ Status Trace (if Likely or Complex)
- ✓ Email or call our team of specialists to start the Status Trace process





SABLE
INTERNATIONAL

citizenship@sableinternational.com

Cape Town: 27 (0)21 657 2180

London: 44 (0) 20 7759 7581

www.sableinternational.com

- ✓ Slide Show on our website and can be emailed to you (for FREE!)





SABLE
INTERNATIONAL

A FINAL WORD of advice....

If you want good tax advice, DON'T ask
the tax man...

If you want good nationality advice,
DON'T ask your Embassy!





SABLE
INTERNATIONAL



We hope you enjoyed our presentation 😊





Philip Gamble

SABLE
INTERNATIONAL

reviews your Family Tree

**BRITISH PASSPORT
REVIEW**

**Definite
> 95%**

**Remote
< 5%**

**Likely
(75% – 95%)**

**Possible
(10% - 75%)**

**Unlikely
(5% - 10%)**