



Home Office

Tony McNulty MP
MINISTER OF STATE
2 Marsham Street, London SW1P 4DF
www.homeoffice.gov.uk

HOUSE OF COMMONS
LOCATION HDEP 2006/153
ACCESS POINT I

Lord Avebury
House of Lords
London
SW1A 0PW

06 FEB 2006

Dear Sir

As you are aware we sent a Note Verbale to the Indian authorities in April last year seeking clarification on a number of points of Indian citizenship law. We have now received a formal reply to the questions posed, please find a copy of this attached. The response will clearly have an impact on our application of a number of provisions of British nationality law, under both the British Nationality Act 1981 and the British Nationality (Hong Kong) Act 1997.

- see
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We will take steps to publicise this development to ensure that any applicants residing in Hong Kong and elsewhere, who may have been wrongly refused under the 1997 Act, are made aware of their entitlement. We plan to post details on both the Immigration and Nationality Directorate's website and the website of the British Consulate-General in Hong Kong. We will also place an advertisement in the South China Morning Post and inform the Indian Resources Group in Hong Kong of the change.

You will appreciate that it would not be appropriate for us to simply re-open and reconsider applications without first having the applicants contact us to confirm that they still wish to acquire British citizenship (for example where an applicant now holds another nationality or citizenship this might be put at risk if we suddenly thrust British citizenship upon them). Cases in which the applicant signifies his or her desire to have the application reconsidered will be re-opened and processed as quickly as possible.

The IND will write to you separately to provide you with a copy of the revised version Annex H to Chapter 14 of the Nationality Instructions and detailed answers to your previous Parliamentary Questions on this subject.


TONY MCNULTY