

2003 No. 3157

BRITISH NATIONALITY

The British Nationality (Fees) Regulations 2003

Made - - - - - *8th December 2003*

Laid before Parliament *9th December 2003*

Coming into force - - *1st January 2004*

The Secretary of State, in exercise of the powers conferred on him by section 41(2) and (3) of the British Nationality Act 1981(a), with the consent of the Treasury, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the British Nationality (Fees) Regulations 2003 and shall come into force on 1st January 2004.

(2) In these Regulations—

“the 1981 Act” means the British Nationality Act 1981; and

“the 1997 Act” means the British Nationality (Hong Kong) Act 1997(b).

2.—(1) The British Nationality (Fees) Regulations 1996(c) and the British Nationality (Fees) (Amendment) Regulations 1997(d) are hereby revoked.

(2) Nothing in these Regulations shall affect the amount of any fee payable under those Regulations in respect of anything done in pursuance of an application or declaration of renunciation made before the coming into force of these Regulations.

3.—(1) Subject to paragraph (2) and regulations 5, 6 and 7 below, the fees specified in the right-hand column of the table in the Schedule to these Regulations are payable in connection with the applications made to the Secretary of State, and the things done in Great Britain and Northern Ireland, which are specified in the left-hand column of that table.

(2) No fee is payable in connection with the administration of a citizenship oath, or oath and pledge (item 8 in the table) in a case where the oath, or oath and pledge, is administered by a justice of the peace.

4.—(1) The fee payable in respect of—

(a) an application for the registration of a person as a British citizen, British overseas territories citizen, British Overseas citizen or British subject; or

(b) an application for naturalisation as a British citizen or British overseas territories citizen;

shall be payable on the submission of the application.

(a) 1981 c. 61; the powers in section 41(2) and (3) were extended by section 2(3) of the British Nationality (Hong Kong) Act 1997 (c. 20). Section 41(2)(c) is amended by paragraph 5 of Schedule 1 to the Nationality, Immigration and Asylum Act 2002 (c. 41).

(b) 1997 c. 20.

(c) S.I. 1996/444.

(d) S.I. 1997/1328.

(2) On an application for registration or for a certificate of naturalisation by an applicant who is required by section 42 of the 1981 Act to make a citizenship oath and pledge at a citizenship ceremony, the fee payable in respect of the arrangement of a citizenship ceremony shall also be payable on the submission of the application.

(3) Where the fee payable in respect of the arrangement of a citizenship ceremony is paid in accordance with paragraph (2) above and—

- (a) the Secretary of State refuses the application; or
- (b) the Secretary of State decides that the registration should be effected or the certificate should be granted, but disappplies the requirement to attend a citizenship ceremony because of the special circumstances of the case;

the fee paid in respect of the arrangement of a citizenship ceremony shall be refunded.

(4) The fee payable in respect of the registration of a declaration of renunciation of British citizenship, British overseas territories citizenship, British Overseas citizenship or British subject status shall be payable on the submission of the declaration of renunciation.

5.—(1) Subject to paragraph (2), where a husband and wife apply at the same time for naturalisation as British citizens or British overseas territories citizens and are residing together at the time of the applications, the total fee payable in respect of the applications shall be the same as that for a single application.

(2) Paragraph (1) does not apply to any fee which is payable in respect of the arrangement of a citizenship ceremony.

6.—(1) Where an application for the registration of a minor as a British citizen, British overseas territories citizen, British Overseas citizen or British subject is made at the same time as an application under the same or any other provision of the 1981 Act or the 1997 Act for the registration of some other minor having the same parent, the total fee payable in respect of the applications shall be the same as that for a single application.

(2) In this regulation, “parent” includes a step-parent and an adoptive parent.

7. Where a declaration of renunciation of British citizenship, British overseas territories citizenship, British Overseas citizenship or British subject status is made by a person at the same time as a declaration of renunciation by him of another such citizenship or status, the total fee payable in respect of the registration of the declarations shall be the same as that for the registration of a single declaration.

8.—(1) Except as provided by paragraph (2) below, or where a fee is refunded under regulation 4(3) above, or where the Secretary of State otherwise directs, fees paid under these Regulations shall be paid into the Consolidated Fund in accordance with Treasury directions.

(2) Fees paid in respect of the administration of a citizenship oath, or oath and pledge (item 8 in the table in the Schedule to these Regulations) shall be paid—

- (a) in England, Wales or Northern Ireland, if the oath, or oath and pledge, is administered by a commissioner for oaths or notary public, to the commissioner or notary public;
- (b) in Scotland, if the oath, or oath and pledge, is administered by a sheriff principal or sheriff, to the sheriff clerk or to any of his deputes, and, if by a notary public, to the notary public.

Home Office
8th December 2003

Beverley Hughes
Minister of State

We consent to these Regulations

8th December 2003

Jim Murphy
John Heppell
Two of the Lords Commissioners of Her Majesty’s Treasury

SCHEDULE
TABLE OF FEES

Regulation 3

<i>Matter in respect of which fee is payable</i>	<i>Amount of fee (£)</i>
<i>Applications made to the Secretary of State</i>	
1. Application under the 1981 Act, except an application under section 5, for registration as a British citizen, British overseas territories citizen, British Overseas citizen or British subject—	
(a) by a person of full age	85
(b) by a minor	144
2. Application for naturalisation as a British citizen or British overseas territories citizen under section 6(1) or 18(1) of the 1981 Act	150
3. Application for naturalisation as a British citizen or British overseas territories citizen under section 6(2) or 18(2) of the 1981 Act	146
4. Application for registration as a British citizen under section 1 of the 1997 Act—	
(a) by a person of full age	85
(b) by a minor	144
<i>Things done in Great Britain and Northern Ireland</i>	
5. Arrangement of a citizenship ceremony (including the administration of a citizenship oath and pledge at the ceremony)	68
6. Registration of a declaration of renunciation of British citizenship, British overseas territories citizenship, British Overseas citizenship or British subject status under sections 12, 24, 29 or 34 of the 1981 Act	81
7. Supply of a certified copy of a notice, certificate, order, declaration or entry given, granted or made under the 1981 Act, any of the former nationality Acts or the 1997 Act	20
8. Administration of a citizenship oath, or oath and pledge (where not administered at a citizenship ceremony)	5

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate, with amendments, the Regulations revoked by regulation 2(1). They prescribe the fees payable in connection with nationality applications under the British Nationality Act 1981 (“the 1981 Act”) and the British Nationality (Hong Kong) Act 1997 (“the 1997 Act”), and related matters, with effect from 1st January 2004. The fees are set out in the table in the Schedule to the Regulations.

The fee for an application under the 1981 Act (except for an application under section 5) for registration as a British citizen, British overseas territories citizen, British Overseas citizen or British subject is now £85 for an adult and £144 for a minor (formerly the fee was £120 for any applicant). The fee for an application for naturalisation as a British citizen or British overseas territories citizen under section 6(1) or 18(1) of the 1981 Act remains at £150. Where the application is for naturalisation as a British citizen or British overseas territories citizen under section 6(2) or 18(2) of the 1981 Act, the fee is now £146 (formerly £120). The fee for an application for registration as a British citizen under section 1 of the 1997 Act is now £85 for an adult and £144 for a minor (formerly the fee was £250 for any applicant). By regulations 5 and 6, in certain multiple applications for registration or naturalisation the total fee payable is the same as that for a single application.

There is a new fee of £68 for the arrangement of a citizenship ceremony. (This fee includes the administration of a citizenship oath and pledge at the ceremony.)

By regulation 4, the fee payable in respect of an application is payable on submission of the application. Where an applicant is required by section 42 of the 1981 Act to make a citizenship oath and pledge at a citizenship ceremony, the fee payable in respect of the arrangement of a ceremony is also payable on the submission of the application. In the event that the application is refused, or the Secretary of State disapplies the requirement to attend a citizenship ceremony, the fee paid for the arrangement of a ceremony will be refunded.

The fee payable in respect of the registration of a declaration of renunciation of British citizenship, British overseas territories citizenship, British Overseas citizenship or British subject status under section 12, 24, 29 or 34 of the 1981 Act is now £81 (formerly £20). By regulation 4(4), the fee is payable on the submission of the declaration of renunciation. By regulation 7, where a person makes a declaration of renunciation of one such citizenship or status at the same time as a declaration of renunciation by him of another such citizenship or status, the total fee payable for the registration of the declarations is the same as that for the registration of a single declaration.

The fee payable in respect of supplying a certified copy of a notice, certificate, order, declaration or entry given, granted or made under the 1981 Act, any of the former nationality Acts or the 1997 Act remains at £20.

The fee payable in respect of administering the citizenship oath, or oath and pledge (where not administered at a citizenship ceremony) remains at £5. By regulation 3(2), no fee is payable where the oath, or oath and pledge, is administered by a justice of the peace.

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