



NATIONALITY (FEES) REGULATIONS 2020

Index

Regulation	Page
1 Title	3
2 Commencement	3
PART 1: INTRODUCTION	3
3 Interpretation.....	3
PART 2: FEES FOR APPLICATIONS, PROCESSES AND SERVICES IN CONNECTION WITH NATIONALITY	5
4 Nationality	5
5 Documents and administration	5
6 Premium services.....	5
PART 3: MISCELLANEOUS	5
7 Consequences of failing to pay the specified fee.....	5
SCHEDULE 1	7
NATIONALITY	7
SCHEDULE 2	12
DOCUMENTS AND ADMINISTRATION	12
SCHEDULE 3	13
PREMIUM SERVICES	13
ENDNOTES	14
TABLE OF ENDNOTE REFERENCES	14

Statutory Document No. 2020/0074

*Immigration Act 2014***NATIONALITY (FEES) REGULATIONS 2020¹***Laid before Tynwald: 17 March 2020**Coming into Operation: 6 April 2020*

The Governor makes the following Regulations with the consent of Treasury under sections 68(1), (7) to (10), (12) and (13) and 69(1), (2) and (4A) of the Immigration Act 2014 (of Parliament)¹ as that Act has effect in the Island². These Regulations are made pursuant to the Nationality (Fees) Order 2020³.

1 Title

These Regulations are the Nationality (Fees) Regulations 2020.

2 Commencement

These Regulations come into operation on 6 April 2020.

PART 1: INTRODUCTION**3 Interpretation**

(1) In these Regulations, —

“**the 1981 Act**” means the British Nationality Act 1981(of Parliament)⁴ as that Act has effect in the Island⁵;

“**the 1997 Act**” means the British Nationality (Hong Kong) Act 1997⁶ as that Act has effect in the Island⁷;²

“**the 2020 Order**” means the Nationality (Fees) Order 2020⁸;

¹ 2014 c. 22.

² S.I. No 2008/680.

³ SD No 2020/0073.

⁴ 1981 c. 61.

⁵ Extended to the Island by section 53 of that Act.

⁶ 1997 c. 20

⁷ Extended to the Island by section 3 of that Act.

⁸ SD No 2020/0073.

- “**application for naturalisation as a British citizen**” means an application for naturalisation as a British citizen under section 6(1) or (2) of the 1981 Act;
- “**Application for naturalisation as a British overseas territories citizen**” means an application for naturalisation as a British overseas territories citizen under section 18(1) or (2) of the 1981 Act;
- “**application for registration as a British citizen under the 1981 Act**” means an application for registration as a British citizen under sections 1(3), (3A) or (4), 3(1), (2) or (5), 4(2) or (5), 4A, 4B, 4D, 4F, 10(1) or (2), or 13(1) or (3) of, or paragraph 3, 4 or 5 of Schedule 2 to, the 1981 Act;
- “**application for registration as a British citizen under the 1997 Act**” means an application for registration as a British citizen under section 1 of the British Nationality (Hong Kong) Act 1997;³
- “**being looked after by the Department of Health and Social Care**” means being looked after by the Department for Health and Social Care under section 24 of the Children and Young Persons Act 2001;⁴
- “**biometric information**” means information about a person’s physical characteristics;
- “**British citizen**” means a person who has that status in accordance with the provisions of the 1981 Act, or the British Nationality (Hong Kong) Act 1997 (of Parliament)¹⁰ or the British Overseas Territories Act 2002 (of Parliament)¹¹ or the former Nationality Acts as defined in section 50(1) of the 1981 Act;
- “**certificate of registration or naturalisation**” means a certificate of registration or naturalisation as a British citizen issued under the 1981 Act;
- “**child**” means a person under the age of 18;
- “**historical legislative unfairness**”, in relation to the basis on which an application is made under section 4L of the 1981 Act, has the same meaning as it has for the purposes of subsection (1)(a) of that section (see section 4L(2) of that Act);⁵
- “**premium services**” means optional premium services offered in connection with nationality applications;
- “**process used to take a record of a person’s biometric information**” means the process, or combination of processes to which a person may be required to submit in order to enable a record to be taken of that person’s biometric information, where the person is required by regulations made under section 41 of the 1981 Act to provide such information for the purposes of an application or claim in connection with nationality;

⁹ AT 20 of 2001.

¹⁰ 1997 c. 20 (extended to the Island by section 3 of that Act).

¹¹ 2002 c. 8 (extended to the Island by section 8 of that Act).

“**public authority**” has the same meaning as it has for the purposes of section 4L of the 1981 Act (see section 4L(3) of that Act).⁶

PART 2: FEES FOR APPLICATIONS, PROCESSES AND SERVICES IN CONNECTION WITH NATIONALITY

4 Nationality

- (1) Schedule 1 has effect to specify, —
 - (a) the amount of fees for, —
 - (i) specified applications, processes and services in connection with nationality for the purposes of article 5 of the 2020 Order; and
 - (ii) specified applications for certain documents, specified applications, or the process of taking a record of an applicant’s biometric information for the purposes of article 6 of the 2020 Order;
 - (b) an exception to the requirement to pay specified fees referred to in paragraph (a)(i);
 - (c) circumstances in which such fee for arrangement of a citizenship ceremony must be refunded; and
 - (d) the circumstances in which one of the specified fees referred to in paragraph (a)(i) may be waived.

5 Documents and administration

- (1) Schedule 2 has effect to specify the amount of fees for specified applications and requests for the purposes of article 6 of the 2020 Order.

6 Premium services

- (1) Schedule 3 has effect to specify the amount of fees for specified premium services offered in the Isle of Man for the purposes of article 7 of the 2020 Order.

PART 3: MISCELLANEOUS

7 Consequences of failing to pay the specified fee

- (1) Where a person is required to pay a fee in these Regulations for an application, but fails to pay that fee, the Governor may, —
 - (a) reject the applications as invalid; or
 - (b) request the person to pay the outstanding amount.

- (2) Where paragraph (1)(b) applies, —
- (a) the person must pay the outstanding amount within 10 working days beginning with the day on which the request for payment to be made;
 - (b) if the outstanding amount is not paid within the period mentioned in sub-paragraph (a), the Governor must reject the application as invalid.
- (3) The period of 10 working days referred to in paragraph (2)(a) begins, —
- (a) where the request for payment is made in writing, on the day that the request is sent;
 - (b) where the request is made by telephone or in person, on the day that the request is made.

MADE 24 FEBRUARY 2020

SCHEDULE 1

NATIONALITY

Regulation 4

1 Fees for applications relating to nationality

- (1) Tables 1 and 2 specify the amount of fees for the specified applications, processes and services relating to nationality.
- (2) Table 3 provides an exception from the requirement to pay the fees specified in 1.2.1 and 1.3.1 in Table 1 and Table 2 in the specified circumstances.⁷
- (3) Paragraph 4 confers a discretion on the Governor to waive the fee specified in 1.3.1.
- (4) Paragraph 5 confers a discretion on the Governor to waive, in specified circumstances, the fee specified in 1.3.1 and 1.3.2 in Table 1.⁸

Table 1 (Fees for applications relating to nationality)

<i>Number of fee</i>	<i>Type of application</i>	<i>Amount of fee</i>
1.1	Fees for applications for naturalisation.	
1.1.1	Application for naturalisation as a British citizen under the 1981 Act.	£1,250
1.1A⁹	Fee for applications for registration as a British citizen in special circumstances	
1.1A.1 ¹⁰	Application for registration as a British citizen under section 4L of the 1981 Act made on the basis that the applicant would have been able to become a British citizen but for, — <ol style="list-style-type: none"> (a) historical legislative unfairness; (b) an act or omission of a public authority; or (c) exceptional circumstances relating to the applicant. 	£1,126
1.2	Fees for other applications for registration where the applicant is an adult.¹¹	
1.2.1	Application for registration as a British citizen under the 1981 Act, where the applicant is aged 18 or over at the time the application is made.	£1,126
1.2.2 ¹²	Application for registration as a British citizen under the 1997 Act, where the applicant is aged 18 or over at the time the application is made.	£1,126
1.3	Fees for other applications for registration where the applicant is a child¹³	
1.3.1	Application for registration as a British citizen under the 1981 Act where the person in respect of whom an	£1,012

	application is made is a child at the time the application is made.	
1.3.2 ¹⁴	Application for registration as a British citizen under the 1997 Act, where the person in respect of whom the application is made is a child at the time the application is made.	£1,012

Table 2 (Fees for applications, processes and services in connection with nationality)

<i>Number of fee</i>	<i>Type of application, process or service</i>	<i>Amount of fee</i>
2.1	Fees for applications in connection with nationality.	
2.1.1	Application for the amendment of a certificate of registration or naturalisation other than where the amendment is required to rectify an error made by the Governor.	£250
2.2	Fees for processes in connection with nationality.	
2.2.1 ¹⁵	[Revoked]	[Revoked]
2.2.1	The process used to take a record of a person's biometric information for the purposes of an application for registration or naturalisation.	£19.20
2.3	Fees for services in connection with citizenship ceremonies.	
2.3.1	The arrangement of a citizenship ceremony (including the administration of a citizenship oath and pledge at the ceremony).	£80
2.4	Fees for services in connection with nationality.	
	The supply of a certified copy of a notice, certificate, order, declaration or entry given, granted or made under the 1981 Act or any of the former Nationality Acts (within the meaning of section 50(1) of the 1981 Act).	£250

Table 3 (Exceptions in respect of fees for registration and for services in connection with citizenship ceremonies and oaths)¹⁶

<i>Number of fee</i>	<i>Description of exception</i>	<i>Fees to which the exception applies</i>
3.1	Certain applications for registration as a British citizen under section 4F of the 1981 Act.	
3.1.1	No fee is payable in respect of an application for registration as a British citizen under the 1981 Act — (a) the application is made under section 4F of that Act ¹² ; (b) the relevant registration provision (within the meaning given by section 4F(2) of that Act) is paragraph 4 or	Fees 1.2.1 and 1.3.1

¹² Section 4F of the British Nationality Act 1981 (c. 61) was inserted by section 65 of the Immigration Act 2014.

	5 of Schedule 2 to that Act ¹³ ; and (c) the applicant made an application falling within paragraphs (a) and (b) before 25th July 2019 but it was refused because the Secretary of State was not satisfied that the applicant was of good character.	
3.2¹⁷	Children being looked after by a local authority	
3.2.1 ¹⁸	No fee is payable in respect of an application for registration as a British citizen under the 1981 Act or the 1997 Act where, at the time the application is made, the person in respect of whom it is made is a child and, – (a) is being looked after by the Department of Health and Social Care, or (b) is being looked after outside the Isle of Man under an arrangement similar to any of those referred to in the provisions mentioned in the definition of “being looked after by the Department of Health and Social Care” in regulation 3 (interpretation).	Fee 1.3.1, 1.3.2.
3.3¹⁹	Fees for services in connection with citizenship ceremonies and citizenship oaths where no registration fee was payable	
3.3.1 ²⁰	No fee is payable for the arrangement of a citizenship ceremony (including the administration of a citizenship oath and pledge at the ceremony) in relation to the registration of a person as a British citizen under the 1981 Act or the 1997 Act where no fee was payable in respect of the related application for registration of that person because, – (a) the exception at 3.2.1; or (b) the fee in respect of that application was waived under paragraph 5.	Fee 2.3.1

2 Responsibility for paying the fee for the arrangement of a citizenship ceremony

- (1) The specified fee for the arrangement of a citizenship ceremony is fee 2.3.1 in Table 2 and is payable by the person who is required by section 42 of the 1981 Act to make a citizenship oath and pledge at a citizenship ceremony.
- (2) Where the fee for the arrangement of a citizenship ceremony is not paid in accordance with sub-paragraph (1), the Governor may not consider the related application for registration or naturalisation made by the person responsible for paying that fee.

3 Refunds of fees for the arrangement of a citizenship ceremony where an application is refused or the requirement to attend the ceremony is

¹³ Paragraph 4 was amended by sections 1(1)(b) and 2(2)(b) of the British Overseas Territories Act 2002 (c. 8)

disapplied.

Where the fee specified in 2.3.1 is Table 2 for the arrangement of a citizenship ceremony is paid in accordance with paragraph 2(1) it must be refunded if, —

- (a) the Governor refuses to arrange the citizenship ceremony; or
- (b) the Governor decides that the registration is to be effected or the certificate of naturalisation is to be granted, but disapplies the requirement to make a citizenship oath and pledge at a citizenship ceremony because of the special circumstances of the case.

4 Waiver in respect of the fees specified in 1.3.1

The Governor may waive the fee specified in 1.3.1.

5 Fees specified in 1.3.1 and 1.3.2: waiver on grounds of unaffordability

The Governor may waive the fee specified in 1.3.1 and 1.3.2 in a case where the Governor considers that the fee is not affordable, taking into account the financial circumstances of the child in respect of whom the application is being made and of any other person who (in the Governor's opinion) might otherwise reasonably be expected to bear the cost of paying all or part of the fee.²¹

SCHEDULE 2

DOCUMENTS AND ADMINISTRATION

Regulation 5

1 Fees for documents and administration

Table 3 specifies the amount of the fees for the specified applications and requests for and in connection with documents relating to nationality.

Table 3 (Fees for letters or documents confirming nationality status, copy of documents and processing invalid applications or claims)

Number of fee	Type of application, process or service	Amount of fee
3.1	Fees for applications for a letter or document confirming a person's identity and nationality status.	
3.1.1	Application for a letter or document (not a passport) not provided for elsewhere in Table 3, confirming the applicant's identity and providing evidence of nationality status, or confirming that the person is not a British citizen.	£229
3.1.2	Application for a letter or document (not a passport) not provided for elsewhere in Table 3, confirming the applicant's identity and providing evidence of nationality status, or confirming that the person is not a British citizen.	£161
3.1.3	Application for a replacement, copy or amended version of a letter or document (or passport), not provided for elsewhere in Table 3 confirming the applicant's identity and providing evidence of nationality status, or confirming that the person is not a British citizen, and the applicant has limited leave to enter the Isle of Man.	£161
3.1.4	Application for a replacement, copy or amended version of a letter or document (not a passport), not provided for elsewhere in Table 3 confirming the applicant's identity and providing evidence of nationality that a person is not a British citizen, and the applicant has indefinite leave to remain in the Isle of Man.	£229
3.4	Fee for processing an application or claim which is later rejected as invalid.	
3.4.1	Processing an application or claim which is rejected as invalid prior to a decision being issued.	£25

SCHEDULE 3

PREMIUM SERVICES

Regulation 6

1 Fees for the provision of certain premium services in the Isle of Man, including the expedition of nationality applications

Table 4 specifies the amount of the fees for the provision of the specified premium services in the Isle of Man.

Table 4 (Premium services)

<i>Number of fee</i>	<i>Description of request or service provided</i>	<i>Amount of fee</i>
4.1	Fee for expediting nationality applications.	
4.1.1	The expedited arrangement of a citizenship ceremony where the application is made in the Isle of Man.	£510

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

² Definition of “the 1997 Act” inserted by SD2023/0056.

³ Definition of “application for registration as a British citizen under the 1997 Act” inserted by SD2023/0056.

⁴ Definition of “being looked after by the Department of Health and Social Care” inserted by SD2023/0056.

⁵ Definition of “historical legislative unfairness” inserted by SD2023/0056.

⁶ Definition of “public authority” inserted by SD2023/0056.

⁷ Subpara (2) amended by SD2023/0056.

⁸ Subpara (4) inserted by SD2023/0056.

⁹ Entry heading inserted by SD2023/0056.

¹⁰ Entry inserted by SD2023/0056.

¹¹ Entry heading amended by SD2023/0056.

¹² Entry inserted by SD2023/0056.

¹³ Entry heading amended by SD2023/0056.

¹⁴ Entry inserted by D2023/0056.

¹⁵ Entry revoked by SD2021/0036.

¹⁶ Table heading substituted by SD2023/0056.

¹⁷ Entry heading inserted by SD2023/0056.

¹⁸ Entry inserted by SD2023/0056.

¹⁹ Entry heading inserted by SD2023/0056.

²⁰ Entry inserted by SD2023/0056.

²¹ Para 5 inserted by SD2023/0056.