

GENERAL SYNOD

The Cost of Applying for Citizenship

A note from the Secretary General

Introduction – Naturalisation and registration as a British citizen

1. There is a range of fees for services from the Home Office for applications for citizenship and for the right of abode¹. Fee amounts in this paper are for an adult applying for naturalisation, unless otherwise stated.
2. *Naturalisation* is the acquisition of British citizenship by someone who held (or continues to hold) foreign citizenship. There are several routes to naturalisation. Adults may qualify for British citizenship through at least five years of residence in the UK, or through marriage to a British citizen (with three years' residence in the UK as a spouse or civil partner). In addition to residency requirements, naturalising citizens must meet requirements of 'good character', ability to communicate in English (or Welsh or Scottish Gaelic), and 'knowledge of life in the UK' (as assessed by a Life in the UK test, also required for those applying for settlement). Children may qualify for either automatic or discretionary "registration" as British citizens depending on the country of their birth and nationalities of their parents².
3. *Registration* is possible for those with various specified kinds of prior connection with the UK. In general, registration is recognition of a right to citizenship which is conferred on the person by existing law; while naturalisation is the outcome of a Home Office decision to grant citizenship based on application of criteria established from time to time by regulation.

Who receives citizenship?

4. The main groups are migrants fulfilling the five-year residency requirement, spouses and civil partners of British citizens, and underage children being registered as citizens. About half of grants overall come from residency requirements (51% in 2015). The two family routes (marriage/civil partnership and children) account for slightly less than half combined (marriage/civil partnership made up 21% in 2015; children made up 24% in 2015). The remaining 4% were "other" bases for citizenship, including, for example, transfers from British overseas territories citizenship to full citizenship status.
5. Nationals of EU countries made up only 11% of citizenship grants in 2015, in that year 51% of adults receiving citizenship were female. Including children, the distribution was 44% adult women, 42% adult men, and 14% children.³

¹ The current schedule of fees is at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/607005/NationalityFeesLeaflet_2017.pdf. These are also found within the wider table of Home Office Immigration and Nationality Charges 2017 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/607212/Fees_table_April_2017.pdf

² A report in December 2014 by the Independent Chief Inspector of Borders and Immigration, *An inspection of nationality casework?*, gives an account of how nationality applications are processed in UK Visas and Immigration (a Home Office department), with recommendations for improvement. <http://icinspector.independent.gov.uk/wp-content/uploads/2014/12/Nationality-Report-web.pdf>

³ This information is from an August 2016 report by the Migration Observatory at Oxford University, <http://www.migrationobservatory.ox.ac.uk/resources/briefings/naturalisation-as-a-british-citizen-concepts-and->

Current fees

6. The current fee for naturalisation as an adult British citizen is £1282. The ceremony fee is £80 – this is included in the total fee figure, and is the only part to be refunded if the application is rejected. The fee for registration is £1163. Some other costs will be incurred. For example, applicants are required to pass the ‘Life in the UK’ test, costing £50, and travel to one of 60 test centres. The Handbook containing all the information on which the test is based is only available in hard copy⁴.
7. Local authorities provide a nationality checking service for applications forms for citizenship. These fees vary considerably between LAs, typically between £60 and £100 for an adult, between £30 and £65 for a child.
8. The fee for a child is £973. There is no ceremony fee unless the child should turn 18 during the application process.

Level of fees – the context

9. For 2017/18, fees for naturalisation and registration rose by approx. 4% from the previous year. This contrasted with levels of fees for some types of application in relation to immigration: for example, visas for spouses and for dependent relatives, and applications for indefinite leave to remain, all increased by over 20% on 2016-17. See Table 1 for changes over time.

Value rather than cost as the basis of charging

10. The Home Office gave £272 as the current cost for processing an application in the Impact Assessment for the relevant statutory instrument in 2016 (the 2017 Order was on a different basis and did not contain an impact assessment). In 1991, the fee for naturalisation was £170, reduced to £150 in 1996. From this time, there was no refundable element in case of a refusal. S42 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 prescribed that the fee may exceed the administrative costs of determining the application or undertaking the process, and reflect benefits that the Secretary of State thinks are likely to accrue to the person in question. In March 2007 the government published a consultation response in which they announced the decision to raise the level of nationality fees so that they are ‘priced above the administrative costs of reaching a decision to reflect the value to the migrant of a successful application’. Half of the respondents to the consultation had said that applications should be priced at cost, and a quarter that they should be priced according to value⁵.

Application volumes

11. In 2016, 149,457 foreign citizens naturalised as British citizens. This was down from a peak of almost 208k in 2013, when citizenship grants reached almost

trends/. For background on citizenship in relation to other issues such as immigration and settlement, see their slightly dated 2011 briefing at <http://www.migrationobservatory.ox.ac.uk/resources/primers/citizenship-what-is-it-and-why-does-it-matter/>

⁴ Issues have persistently been raised about the ‘Life in the UK’ test, which has evolved from difficult beginnings. Members of the Churches Refugee Network have recently questioned the accuracy or relevance of some of the current information on faith traditions in the UK, for example. The amount of information in the Handbook was substantially increased in 2013 (from 30 dates to 210, for example). These issues are not dealt with further here, not being directly related to the content of the motion.

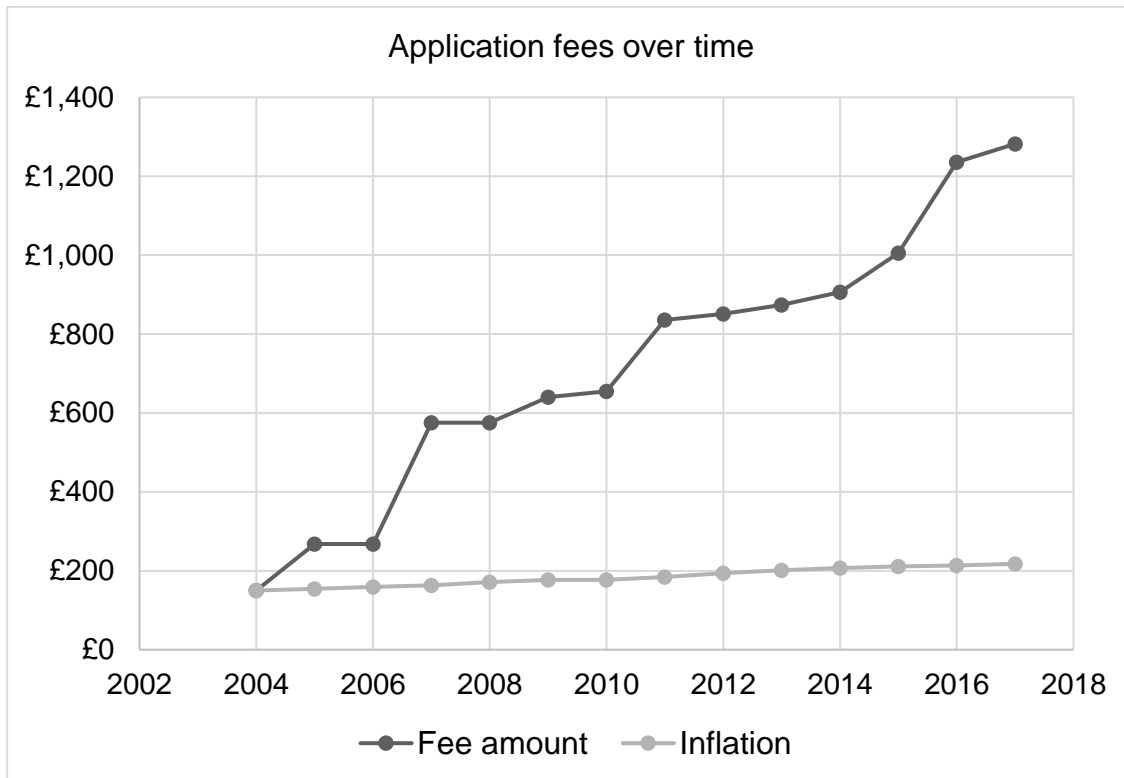
⁵ See Fransman’s *British Nationality Law*, London: Bloomsbury 2011, pp698ff.

208,000, the largest annual number since records began in 1962, but a substantial increase on 118k in 2015. From 2009 to 2013, citizenship grants had averaged 195,800 per year. Changes to language requirements in 2013 may have triggered a peak before the changes came in, and there are other possible reasons for the post-2013 decline, including better pre-submission checks reducing the number of failed applications, and decreasing numbers of grants of settlement or indefinite leave to remain reducing the number of people becoming eligible to apply for naturalisation.. There is no clear evidence of the impact of fee levels on rates of application.

Children

12. A child is a British citizen by birth if born in the UK to a mother or father who is a British citizen or has indefinite leave to remain in the UK. Other children born in the UK have a right to register as British if (a) either of the child’s parents become British or gain indefinite leave to remain, or (b) if the child is stateless and has completed 5 years of residence or (c) if the child spends the first 10 years of their life in the UK. The fee is £973, of which the cost to the Home Office is £386. The right is lost in the first of these scenarios if the child does not apply to register before turning 18. In the second scenario, turning 22 is the cut off point. In the third scenario, no cut off point applies and the child may register at any age. Once the person has turned 18, the fee is £1163. Children not born in the UK may apply to register as British at the discretion of the Secretary of State, who considers factors such as future intentions and length of residence.⁶

Table 1



⁶ The legal rights summarised here are contained in sections 1(1), 1(3), paragraph 3 of Schedule 2, sections 1(4) and 3(1) of the British Nationality Act 1981. From age 10 good character is a mandatory consideration in all citizenship applications, save for registration under section 36 of the Act based on statelessness.

Table 2⁷



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⁷ The fees are for an adult seeking citizenship through naturalisation. Calculated at exchange rates 1st June 2017. Conditions for naturalisation vary (e.g. length of residence) between countries.