



MONTSERRAT

CHAPTER 13.06

BRITISH NATIONALITY (FEES,

Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

BRITISH NATIONALITY (FEES, OFFENCES AND PENALTIES) ACT

Act 21 of 1985 .. in force 1 January 1983

Amended by Act 11 of 1995

Amended by S.R.O. 44/1985

Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)

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**BRITISH NATIONALITY (FEES,
OFFENCES AND PENALTIES) ACT**

ARRANGEMENT OF SECTIONS

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1. Short title
 2. Interpretation
 3. Imposition of fees
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CHAPTER 13.06

**BRITISH NATIONALITY (FEES,
OFFENCES AND PENALTIES) ACT**

(Acts 21 of 1985, 11 of 1995, 9 of 2011 and S.R.O. 44/1985)

AN ACT TO PROVIDE FOR THE FIXING OF FEES, OFFENCES AND PENALTIES IN CONNECTION WITH THE BRITISH NATIONALITY ACT 1981.

Commencement

[1 January 1983]

Short title

1. This Act may be cited as the British Nationality (Fees, Offences and Penalties) Act.

Interpretation

2. In this Act—

“Act” means the British Nationality Act 1981 as the same may be amended from time to time;

“former Nationality Acts” means—

- (a) the British Nationality Acts 1948 to 1965;

- (b) the British Nationality and Status of Aliens Acts 1914 to 1943; and
- (c) any Act repealed by the said Acts of 1914 to 1943 or by the Naturalization Act 1870;

“parent” includes a step-parent or adoptive parent.

Imposition of fees

3. (1) Subject to the provisions of this section the fees specified in the Schedule shall, in respect of the several matters and things therein specified, be taken and shall be paid to the Government of Montserrat.

(2) A fee of \$30 shall be payable in respect of every application made to the Governor under the Act, and shall in no circumstances be returned.

(3) The fee payable in respect of—

- (a) the registration of a person as a British Overseas Territories citizen; or
- (b) the grant to a person of a Certificate of naturalization as a British Overseas Territories citizen,

together with the fee payable in respect of the application for such registration or such a certificate shall be payable on the submission of the application.

(Amended by Act 9 of 2011)

(4) The fee payable in respect of the registration of the declaration of renunciation of British Overseas Territories citizenship shall be payable on the submission of the declaration of renunciation. *(Amended by Act 9 of 2011)*

(5) Where a husband and wife apply at the same time for the grant of certificates of naturalization as 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 and the total fee payable in respect of the grant of the certificates shall be the same as that for the grant of a single certificate. *(Amended by Act 9 of 2011)*

(6) Where an application for the registration of a minor as a British Overseas Territories citizen is made at the same time as an application or applications under the same or any other provision of the Act for the registration of some other minor or minors having the same parent, the total fee payable in respect of the applications shall be the same as that for a single application and the total fee payable in respect of the registrations shall be the same as that for a single registration. *(Amended by Act 9 of 2011)*

Waiver of fees

4. The Governor acting on the advice of Cabinet may in any case in which it deems fit, waive the fees payable under this Act. *(Inserted by Act 11 of 1995 and amended by Act 9 of 2011)*

Offences

5. (1) Any person who for the purpose of procuring anything to be done or not to be done under the Act makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, shall be liable on summary conviction to imprisonment for a term of three months or to a fine of \$2,000, or both.

(2) Any person who without reasonable excuse fails to comply with any requirement imposed on him by regulations made under the Act with respect to the delivering up of certificates of naturalization shall be liable on summary conviction to a fine of \$1,000.

Alteration of Schedule

6. The Governor acting on the advice of Cabinet may by order alter, amend, add to, revise or rescind the items and fees set forth in the Schedule. (Amended by Act 9 of 2011)

SCHEDULE

TABLE OF FEES

<i>Matter in which fee may be taken</i>	<i>Amount of Fees</i>
	\$
1. Registration as a British Overseas Territories citizen, except under section 21	150
2. Grant of a certificate of naturalization as a British Overseas Territories citizen under section 18(1)	500
3. Grant of a certificate of naturalization as a British Overseas citizen under section 18(2)	150
4. Registration of a declaration of renunciation of citizenship under section 24	35
5. Supplying a certified or other copy of a notice, certificate, order, declaration or entry given, granted or made under the Act or any of the former nationality Acts	35
6. Administering the oath of allegiance for the purposes of the Act	10

(Amended by S.R.O. 44/1985 and amended by Act 9 of 2011)
