Frequently Asked Questions (FAQs)
Home Office fee for children[1] to register as British citizens
30 May 2022

These FAQs provide an update following the publication of new regulations to introduce new citizenship fee exemptions and waiver for children.

1.   Who and what is this citizenship fee about?

This is about children with rights to register as British citizens and the fee charged by the Home Office for them to register.

For general information about children's rights to register as British citizens, please see the PRCBC leaflet.[2]

2.   I want to register my child as a British citizen. What is the Home Office fee?

The current registration fee is £1,012.

There is an £80 citizenship ceremony fee if the child turns 18 before the decision to register is made.
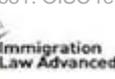
3.   What will the new regulations do?

On 16 June 2022, the new regulations will introduce:

(i)   a fee waiver for children applying to register as British citizens if they and their parents or guardians can show they cannot afford the fee
(ii) an exemption from the fee for children applying to register as British citizens who are looked after by a local authority
(iii) an exemption from the fee for children applying to register as British citizens who are outside the UK and in a similar situation to being looked after by a local authority
(iv) an exemption to the citizenship ceremony fee for anyone whose registration fee has been exempted/waived under these new regulations

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[1] Children means people under the age of 18 years
[2] This leaflet will be updated later in the year

4.   I am a local authority with a child in my care. Do I have to pay the fee for the child to register as a British citizen?

From 16 June, all children who are looked after by a local authority will be exempted from paying the fee to register as a British citizen.

From 16 June, a child who is supported under section 17 of the Children Act 1989, should request a waiver of the fee if it cannot be afforded.

5.   Why are the regulations being made now?

The regulations are the Home Office's response to the decisions of the High Court in December 2019 and the Court of Appeal in February 2021 in the case of *PRCBC & O v SSHD*.

The courts found that that the fee for a child to register as a British citizen was set unlawfully because the Home Office had not considered the best interests of children.[3]

The regulations are intended to reset the fee after considering children's best interests.

6.   What will I need to do to be granted a fee waiver?

The Home Office has published guidance but at time of writing is yet to publish the relevant fee waiver form.

The guidance indicates:

  (i) it will be necessary to follow a set process to request a fee waiver
  (ii) detailed evidence will be required to show that the fee is not affordable (this is likely to include financial details for the past 6 months)
  (iii) if a fee waiver is granted, it will be necessary to complete the registration application process in a fixed time otherwise the waiver may be withdrawn

PRCBC will provide further information when it is possible to do so.

7.   What if I need to register two or more children?

The guidance indicates that if, for example, the Home Office decides that the fee for one child is affordable but not the fees for two children in the same household, it will waive the fee for one of the children. If so, it will normally waive the fee for the elder of the two children.

8.   What if I can afford some but not all the fee?

The regulations and the Home Office guidance indicate that if the fee cannot be afforded in full, the whole fee should be waived.

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[3] As required by section 55 of the Borders, Citizenship and Immigration Act 2009 and section 71 of the Immigration Act 2014

9.   How long will it take for the Home Office to decide a request for a fee waiver?

The guidance does not set any fixed period by which a decision will be made.

The guidance indicates that where a child turns 18 before the Home Office decides a request for a fee waiver, the Home Office can treat the child's application to register as a British citizen as made on the date the waiver was requested. This will depend on the registration application being submitted or completed within a relatively short period fixed by the Home Office.

10.   Are there any other existing citizenship fee waivers or exemptions?

Children do not have to pay the fee if they would have been born a British citizen had their father been married to their mother at the time of their birth; and their birth was before 1 July 2006.

There is a fee waiver for a child born on or after 1 July 2006 who was not born a British citizen because their mother was married to someone other than their father.

11.   What did the Supreme Court decide in the case of *PRCBC & O v SSHD*?

The Supreme Court decided the Home Office is permitted to set a citizenship fee above the cost of registration.[4]

However, its decision did not affect the finding of the Court of Appeal regarding the Home Office's breach of its duty to consider children's best interests in setting the fee. The Court of Appeal's finding was not appealed to the Supreme Court by the Home Office.

12.   Can I donate towards PRCBC's work for destitute children?

We would be grateful for any support you can give us. You can donate here.

These FAQs have been written by Solange Valdez-Symonds (PRCBC, CEO and solicitor) and Steve Valdez-Symonds (Amnesty UK). We are grateful to Jonathan Kingham (LexisNexis) for reviewing these FAQs.

The information provided in this FAQS is not intended as legal advice on any individual case. If you need such advice, you should contact a specialist citizenship adviser.

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[4] The Supreme Court decision is discussed in this Justice Gap article, 8/2/2022:
https://www.thejusticegap.com/under-lord-reed-were-seeing-a-supreme-court-thats-increasingly-losing-its-way/