
STATUTORY INSTRUMENTS

2007 No. 936

The Immigration and Nationality (Cost Recovery Fees) Regulations 2007

Citation, commencement and interpretation

2. In these Regulations—

“application for naturalisation” means an application for naturalisation as a:

- (a) British citizen under section 6(1) or (2) of the 1981 Act, or
- (b) British overseas territories citizen under section 18(1) or (2) of the 1981 Act;

“application for registration” means an application for registration as a:

- (a) British citizen under section 1(3) or (4), 3(1), (2)(1) or (5)(2), 4A(3), 4B(4), 4C(5), 10(1)(6) or (2)(7), or 13(1) or (3) of, or paragraph 3(8), 4(9) or 5 of Schedule 2 to, the 1981 Act, or section 1 of the British Nationality (Hong Kong) Act 1997(10),
- (b) British overseas territories citizen under sections 24 and 13(1), or 15(3) or (4), 17(1), (2) or (5), or 22(1) or (2) of, or paragraph 3, 4, or 5 of Schedule 2 to, the 1981 Act,
- (c) British overseas citizen under section 27(1) of, or paragraph 4 or 5 of Schedule 2 to, the 1981 Act, or
- (d) British subject under section 32 of or paragraph 4 of Schedule 2 to, that Act;

“assistance” means assistance, accommodation or maintenance provided under—

- (a) section 17, 20 or 23 of the Children Act 1989(11),
- (b) section 22, 25 or 26 of the Children (Scotland) Act 1995(12), or
- (c) article 18, 21 or 27 of the Children (Northern Ireland) Order 1995(13);

“child” means a person under the age of eighteen;

“claim for asylum” has the same meaning given in section 94(1) of the Immigration and Asylum Act 1999(14) and a claim for asylum is to be taken to be determined—

- (a) on the day on which the Secretary of State notifies the claimant of his decision on the claim,

(1) Amended by section 5 of, and paragraphs 3(1) and (2) of Schedule 1 to, the [British Overseas Territories Act 2002](#), c. 8.
(2) Amended by section 5 of, and paragraphs 3(1) and (4) of Schedule 1 to, the [British Overseas Territories Act 2002](#), c. 8.
(3) Inserted by section 4 of the [British Overseas Territories Act 2002](#), c. 8.
(4) Inserted by section 12 of the [Nationality, Immigration and Asylum Act 2002](#), c. 41.
(5) Inserted by section 13 of the [Nationality, Immigration and Asylum Act 2002](#), c. 41.
(6) Amended by sections 5(a) and 161 of, and Schedule 9 to, the [Nationality, Immigration and Asylum Act 2002](#), c. 41.
(7) Amended by section 5(a) and 161 of, and Schedule 9 to, the [Nationality, Immigration and Asylum Act 2002](#), c. 41 and by section 261(1) of, and paragraph 73 of Schedule 27 to, the [Civil Partnership Act 2004](#), c. 33.
(8) Amended by section 1(1)(b) of the [British Overseas Territories Act 2002](#), c. 8 and by sections 8 and 161 of, and Schedule 9 to, the [Nationality, Immigration and Asylum Act 2002](#), c. 41.
(9) Amended by sections 1(1)(b) and 2(2)(b) of the [British Overseas Territories Act 2002](#), c. 8.
(10) 1997 c. 20.
(11) 1989 c. 41.
(12) 1995 c. 36.
(13) S.I. 1995/755 (N.I. 2).
(14) 1999 c. 33.

- (b) if the claimant has appealed against the Secretary of State’s decision, on the day on which the appeal is disposed of, or
- (c) if the claimant has brought an in-country appeal against an immigration decision under section 82 of the Nationality, Immigration and Asylum Act 2002**(15)**, or section 2 of the Special Immigration Appeals Commission Act 1997**(16)**, on the day on which the appeal is disposed of;

“Convention travel document” means a travel document issued in accordance with Article 28 of the Refugee Convention (travel documents) or Article 28 of the Stateless Persons Convention (travel documents);

“dependant” in respect of a person means—

- (a) the spouse, civil partner, unmarried or same-sex partner; or
- (b) a child,

of that person;

“document of identity” means a travel document issued in the United Kingdom to a person who is not a British citizen which enables the holder to make one journey out of the United Kingdom;

“European Community Association Agreement” means any of the following—

- (a) the Agreement establishing an Association between the European Community and Turkey, signed at Ankara on 12th September 1963,
- (b) the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, signed at Brussels on 8th March 1993, or
- (c) the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Romania, of the other part, signed at Brussels on 1st February 1993;

“immigration rules” means rules made under section 3(2) of the Immigration Act 1971**(17)**;

“leave to remain” includes variation of leave to enter, or remain;

“the former nationality Acts” has the same meaning as provided in section 50(1) of the 1981 Act;

“the Refugee Convention” means the Convention relating to the Status of Refugees done at Geneva on 28th July 1951 and the Protocol to the Convention;

“the Stateless Persons Convention” means the Convention relating to the Status of Stateless Persons done at New York on 28th September 1954;

“the 1981 Act” means the British Nationality Act 1981**(18)**;

“the 1997 Act” means the British Nationality (Hong Kong) Act 1997**(19)**;

“the 2007 Order” means the Immigration and Nationality (Fees) Order 2007**(20)**; and

“unmarried or same-sex partner” of a person means a person who is living with that other person in a relationship akin to marriage which has subsisted for two years or more.

(15) 2002 c. 41.
(16) 1997 c. 68.
(17) 1971 c. 77.
(18) 1981 c. 61.
(19) 1997 c. 20.
(20) S.I. 2007/807.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
