

CAYMAN ISLANDS



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STATUTORY INSTRUMENTS

2012 No. 798

THE CONSULAR FEES ORDER 2012

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DIPLOMATIC SERVICE

The Consular Fees Order 2012

Made
Coming into force

14th March 2012
6th April 2012

At the Court at Buckingham Palace, the 14th day of March 2012

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 1(1) of the Consular Fees Act 1980(1) is pleased, by and with the advice of Her Privy Council, to order, and it is ordered, as follows:

1. This Order may be cited as the Consular Fees Order 2012 and comes into force on 6th April 2012.

2. In this Order -

“consular officer” means any person authorised by the Secretary of State to exercise consular functions, or functions in the United Kingdom which correspond with consular functions (including persons who are not, as well as persons who are, consular officers);

“consular employee” means any person in the administrative or technical service of the consular post or diplomatic mission;

“consular premises” means the building or parts of buildings used for the purposes of the consular post or diplomatic mission;

“direct costs” means expenses that are incidental to the performance of a service, such as the cost of posting documents to a customer’s home address or travel costs;

“fast-track service” means an application made in person, either by the applicant or another person acting on behalf of the applicant, which is to be processed within seven days of that application having been made;

“fast-track collect service” means an application made in person, either by the applicant or by another person acting on behalf of the applicant, which is to be processed within seven days of that application having been made, and which permits the applicant or another person acting on behalf of the applicant to collect the passport in person;

“overseas service” in relation to legalisation means the service for the processing by consular officers at consular posts of applications made in person;

“premium service” in relation to legalisation means the same day service for the processing by a London legalisation office dedicated for companies, solicitors and notaries of applications made in person;

“premium service” in relation to passport applications means an application made in person, either by the applicant or another person acting on behalf of the applicant, which is to be processed within twenty-four hours of that application having been made;

“standard service” in relation to legalisation means the twenty-four hours service for the processing by the main legalisation office at Milton Keynes, of applications made in person at that office and the processing by that office of postal applications within a reasonable time period.

“the appropriate Registrar General” for the purpose of fee 13 means the Registrar General for England and Wales, the Registrar General of Births, Deaths and Marriages for Scotland, or the Registrar General in Northern Ireland, as the case may be, under the Foreign Marriage Order 1970(2) or the Civil Partnership (Registration Abroad and Certificates) Order 2005(3).

3. The fees set forth in the table in Parts 1 and 2 of Schedule 1 to this Order are prescribed to be levied by consular officers and by marriage officers under the Foreign Marriage Act 1892(4) and the Marriage with Foreigners Act 1906(5) in the execution of each of their functions specified in those tables.

4. The statutory instruments listed in Schedule 2 to this Order are revoked by this Order.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE 1

Article 3

PART 1

TABLE OF GENERAL CONSULAR FEES

<i>Fee</i>	I. LEGALISATION		£
1.	Legalising a signature or seal -		
	(i)	Standard service (in addition to direct costs, if any)	30.00
	(ii)	Premium service (in addition to direct costs, if any)	75.00
	(iii)	Overseas service (in addition to direct costs, if any)	30.00
	II. NOTARIAL AND RELATED MATTERS		£
2.	Preparing any certificate, declaration or document not listed elsewhere in this table		
	(i)	in English	45.00
	(ii)	in any other language	70.00
3.	Signing a declaration of existence (except if required by a department of Her Majesty's Government in the United Kingdom)		15.00
4.	Administering an oath, marking of exhibits or making a declaration or affirmation		55.00
5.	Witnessing a signature		20.00
6.	Making or verifying a copy of a document (including certifying when necessary)		30.00
7.	Uniting documents		20.00

8.	Supplying certified copies of documents which form part of the records of a court which is, or was formerly, established under the Foreign Jurisdiction Acts 1890(6) and 1913(7), for each page	65.00
III. NATIONALITY		£
9.	Administering an oath of British Citizenship under the British Nationality Act 1981(8)	85.00
IV. BIRTHS, MARRIAGES, CIVIL PARTNERSHIPS AND DEATHS		
10.	Receiving notice of an intended marriage, civil partnership or overseas relationship	65.00
11.	Issuing a certificate that no impediment to an intended marriage or civil partnership has been shown to exist, or issuing any local equivalent document for an intended marriage or overseas relationship in accordance with local law	
	(i) in English	65.00
	(ii) in any other language	65.00
12.	Solemnising a marriage under the Foreign Marriages Acts 1892(9) and 1947(10) administering oaths to the parties and registering the marriage; or registering a civil partnership under the Civil Partnership (Registration Abroad and Certificates) Order 2005(11)	140.00
13.	Forwarding to the appropriate Registrar General a record of a marriage under the local law or an overseas relationship, together with any necessary certification	35.00
14.	Administering an application for the registration of a birth or a death	105.00
15.	Making an addition to or correction in the consular register as necessary	35.00
16.	Issuing a certified copy of an entry in the consular register	65.00

	V. LEGAL PROCEEDINGS	£
17.	Forwarding a request to a local authority for the taking of evidence or the service of a document (including effecting service of a document in relation to proceedings in which state immunity is in issue), and returning any evidence received of service or attempted service of a document (provided by the Foreign and Commonwealth office in proceedings where state immunity is in issue)	130.00
	VI. MARITIME SERVICES	£
18.	Providing or administering a service not otherwise covered in this Schedule in relation to shipping, seamen and related matters, for each hour or part hour (to include travel time if performed away from the consular premises) and in addition to direct costs, if any	130.00
	VII. EMERGENCY ASSISTANCE	£
19.	Administering an application for, and if successful providing, an Emergency Travel Document	95.00
20.	Exceptionally, administering an application for, and, if successful, providing an Emergency Passport, on occasions when it is not possible to provide an Emergency Travel Document	75.00
21.	Arranging, exceptionally, for currency to be made available against the deposit of funds	
	(i) £0.01-£99.99	10.00
	(ii) £100.00-£499.99	30.00
	(iii) >£500.00	80.00
	VIII. SERVICES UNDERPINNING OTHER SERVICES	£
22.	Providing the services of a consular officer or a consular employee in relation to any other service which the consular post or diplomatic mission has agreed to undertake, for each hour or part hour (to include travel time if performed away from the consular	130.00

	premises) and in addition to direct costs, if any	
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PART 2

TABLE OF CONSULAR FEES RELATING TO PASSPORT SERVICES

<i>Fee</i>	I. PASSPORT APPLICATION MADE OVERSEAS	<i>£</i>
A.	Administering an application made abroad, including applications for replacing an expired passport, replacing a passport of restricted validity with a new passport of full validity, issuing a new passport with amended personal details and replacing a lost or stolen passport and, if the application is successful, providing a 32 page passport -	
	(a) where the applicant is aged 16 years or over (in addition to direct costs if any, other than delivery costs to the extent that these fall within paragraphs BA to BC, and in addition to any fee relevant to the application set out in paragraphs BA to BC)	128.00
	(b) where the applicant is under 16 years old (for a passport valid for 5 years) (in addition to direct costs if any, other than delivery costs to the extent that these fall within paragraphs BA to BC, and in addition to any fee relevant to the application set out in paragraphs BA to BC)	81.50
B.	Administering an application made abroad, including applications for replacing an expired passport, replacing a passport of restricted validity with a new passport of full validity, issuing a new passport with amended personal details and replacing a lost or stolen passport and, if the application is successful, providing a 48 page passport (in addition to direct costs if any)	154.50
BA.	Arranging delivery of a passport for an application made abroad for a 32 or 48 page passport and if the application is successful, delivering the passport -	
	(a) to a British Forces Post Office address where the applicant is a member of or attached to Her Majesty's Diplomatic Service or a dependant of such a person	5.77

	(b)	to a United Kingdom address (other than a British Forces Post Office address) where the applicant is a member of or attached to Her Majesty's Diplomatic Service or a dependant of such a person	5.47
	(c)	to a British Forces Post Office address, where the applicant is a member of the Armed Forces or a dependant of such a person	5.47
	(d)	to a United Kingdom embassy, High Commission or consulate by diplomatic channels	11.41
	(e)	to an address specified by the applicant or the Secretary of State, where (a) to (d) do not apply	9.70
BB.	Arranging the return of supporting documents accompanying an application or applications (up to a maximum of four applications) made abroad for a 32 or 48 page passport		10.16
BC.	Forwarding an application or applications (up to a maximum of four) made abroad for a 32 or 48 page passport to a Regional Passport Processing Centre for consideration		13.31
II. PASSPORT APPLICATIONS MADE IN THE UNITED KINGDOM			£
C.	Administering an application made in the United Kingdom, including applications for replacing an expired passport, replacing a passport of restricted validity with a new passport of full validity, issuing a new passport with amended personal details and replacing a lost or stolen passport and, if the application is successful, issuing a 32 page passport -		
	(a)	for applications made by post -	
	(i)	where the applicant is aged 16 years and over	77.50
	(ii)	where the applicant is under 16 years old (for a passport valid for 5 years)	49.00
	(b)	for applications made in person -	
	(i)	where the applicant is aged 16 years or over using the fast-track service	112.50

	(ii)	where the applicant is under 16 years old (for a passport valid for 5 years) using the fast-track service	96.50
	(iii)	where the applicant is aged 16 years or over using the fast-track collect service	124.50
	(iv)	where the applicant is under 16 years old (for a passport valid for 5 years) using the fast-track collect service	106.50
	(v)	where the applicant is aged 16 years or over using the premium service	129.50
	(vi)	where the applicant is under 16 years old (for a passport valid for 5 years) using the premium service	109.50
D.	Administering an application made in the United Kingdom, including applications for replacing an expired passport, replacing a passport of restricted validity with a new passport of full validity, issuing a new passport with amended personal details and replacing a lost and stolen passport and, if the application is successful, issuing a 48 page passport -		
	(a)	for applications made by post	90.50
	(b)	for applications made in person -	
	(i)	using the fast-track service	120.50
	(ii)	using the fast-track collect service	124.50
	(iii)	using the premium service	138.50
E.	Administering an application made in the United Kingdom and, if the application is successful, issuing a collective passport -		
	(a)	for applications made by post	39.00
	(b)	for applications made in person	54.00

SCHEDULE 2

Article 4

<i>Statutory Instruments revoked</i>	<i>References</i>
Consular Fees Order 2011	S.I. 2011/738
Consular Fees (Amendment) Order 2011	S.I. 2011/1691

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Consular Fees Order 2011 as amended by the Consular Fees (Amendment) Order 2011.

The Order sets out fees to be charged for consular services.

While the Order does not increase any of the fees above the levels that were set by the Consular Fees Order 2011 (as amended), the Order removes and rewords certain of the fees in Part 1 of Schedule I as follows:

- (i) the fee for fixing a photograph to a document and, if necessary, certifying it as a true likeness (formerly Fee 8) has been removed;
- (ii) the fee for forwarding an application for registration, naturalisation or renunciation to the Home Office (formerly Fee 10) has been removed;
- (iii) the fee for issuing a certificate that no impediment to an intended marriage or civil partnership has been shown to exist, or issuing any local equivalent document for an intended marriage or overseas relationship in accordance with local law (either in English or in the local language spoken at the place of the consular post or diplomatic mission) (formerly Fee 13), has been redrafted to replace the references to “Nulla Osta” and “certificates de coutume” with the term “any local equivalent document”;
- (iv) the fee for forwarding a request to a local authority for the taking of evidence or the service of a document and returning any evidence received or service or attempted service of a document replaces three separate fees under the Consular Fees Order 2011 (formerly Fees 19, 20 and 21) with a single fee of £130;
- (v) the fee for providing or administering a service not otherwise covered in this Schedule in relation to shipping, seamen and

related matters has been amended to include travel time in the calculation of the charge for providing maritime services.

The Order does not increase the fees in Part 2 of Schedule I beyond the changes introduced in respect of those fees by the Consular Fees (Amendment) Order 2011(12). The fees set out in Part 2 of Schedule I reflect the consolidated fees under Part 2 of Schedule 1 following their amendment by the Consular Fees (Amendment) Order 2011(13).

The Order removes the fees formerly specified in Part 3 of Schedule 1 relating to entry clearance following the enactment of the Immigration and Nationality (Fees) Regulations 2011(14) and the Immigration and Nationality (Cost Recovery Fees) Regulations 2011(15) under section 51 of the Immigration, Asylum and Nationality Act 2006(16). Since April 2011 the United Kingdom Border Agency has imposed these fees directly.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

- (1) 1980 c.23.
- (2) S.I. 1970/1539
- (3) S.I. 2005/2761
- (4) 1892 c.23.
- (5) 1906 c.40.
- (6) 1890 c.37.
- (7) 1913 c.16.
- (8) 1981 c.61.
- (9) 1892 c.23.
- (10) 1947 c.33.
- (11) S.I. 2005/2761
- (12) S.I. 2011/1691.
- (13) S.I. 2011/1691.
- (14) S.I. 2011/1055.
- (15) S.I. 2011/790.
- (16) 2006 c.13.