



**APPLICATION FOR EXEMPTION FROM THE REQUIREMENTS OF  
SECTION 12 (1) OF THE IMMIGRATION ASYLUM AND REFUGEE ACT  
UNDER THE PROVISIONS OF SECTION 12 (2) OF THE ACT**

**Warning** To give false information on this form (or in support of it) knowingly or recklessly is a criminal offence and any exemption from immigration restrictions granted in consequence of such an application is liable to be revoked.

1. Please give here date and reference number of any previous application or correspondence.

If your application is successful do you intend to:-

- |                                |                          |     |                          |    |
|--------------------------------|--------------------------|-----|--------------------------|----|
| (i) Live in Gibraltar?         | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| (ii) Apply for naturalisation? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

2. **PERSONAL DETAILS**

(a)

Mr/Mrs/Miss  
Surname/family name

All other names

Name at birth if different from above

Date of change to present name

Reason for change  
(e.g. marriage, adoption, deed poll)

(b)

**3. MARITAL STATUS**

**Please provide here details of your spouse (if applicable)**

3.1 Full name of spouse

3.2 Name at birth and/or any other names by which he/she is or has been known

3.3 Spouse's date of birth 

D	D		M	M		Y	Y	Y	Y

3.4 Spouse's village, town or city and country of birth

3.5 Spouse's nationality

3.6 If your spouse is a naturalised or registered British Overseas Territories Citizen (Gibraltar) enter the date they were granted this citizenship 

D	D		M	M		Y	Y	Y	Y

Their citizenship certificate number

3.7 Spouse's present address

3.8 Date and place of marriage

**If you were previously married please give:**

3.9 Full name of previous husband/wife (before marriage). Provide details on separate page if more than one previous marriage

3.10 Previous husband's/wife's date of birth 

D	D		M	M		Y	Y	Y	Y

3.11 Previous husband's/wife's village, town or city and country of birth

3.12 Previous husband's/wife's nationality

3.13 Date and place of your previous marriage

3.14 Date, place and reason for the ending of your previous marriage.

3.15 Dates of any other marriage(s) (if applicable)

4. **CHILDREN**

(a)

Full names, including Surnames, of any children whether residing with you in Gibraltar or not	Sex	Date of birth	Place of Birth	Nationality	Residing with you in Gibraltar (YES/NO)

(b)

Are any of your children at school in Gibraltar?

If so, give name of school/s and period/s attended in respect of each child

## 5. EMPLOYMENT/OCCUPATION

(a)

Are you an employer/ an employee/self employed? State which
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(b) If you are an employer or self employed please give:-

(i) Name of business
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(ii) Nature of business
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(iii) Details of shareholding
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(iv) Number of employees
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(v) Annual Turnover of business (please provide copies of last 3 year's audited accounts showing Net income).
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(c) If you are an employee please give:

(i) Name and address of employer
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(ii) Occupation
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(ii) Place of employment
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(iv) Average annual income/earnings
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(d) If you are unemployed please state the date in which you registered as unemployed

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(e) If you are a pensioner please state the date which you became a pensioner

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- |   |          |
|---|----------|
| (i) Do you receive an Old Age Pension?      | YES / NO |
| (ii) Do you receive an Occupational Pension | YES / NO |
| (iii) Do you receive a Disablement Pension  | YES / NO |

**6. ACCOMMODATION**

(a) Present address .....

.....

.....

Telephone No .....

(b) Please tick as appropriate.

(i) Owner occupier:  Yes  No

(ii) Privately rented:  Yes  No

(iii) Government rented  Yes  No

(iv) Other (please specify:

(c) If you are an owner occupier please state details of monthly mortgage repayments

(d) If you are in rented accommodation please state amount of monthly rent being paid

**7. RESIDENCE REQUIREMENTS**

(a) Please give:-

(i) The date that you first registered with the immigration authorities in Gibraltar
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(b) Please give details of any residency which you may hold in another country.

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(c) Please give details of all absences from Gibraltar during the period of residence in Gibraltar.

Failure to complete this will result in delay to your application

Country Visited	Reason for visit (e.g. holiday, business etc.)	Date of departure from Gibraltar	Date of return to Gibraltar	Please <b>do not</b> write in this column

**8. GOOD CHARACTER REQUIREMENT (Personal History)**

This section asks about any criminal convictions, any civil judgements or civil penalties made against you and details of any involvement you may have had in war crimes, genocide, crimes against humanity or terrorism. If you fail to answer **all** of these questions as fully and accurately as possible, your application may be refused.

8 (a) Have you been convicted of any criminal offence in Gibraltar or in any other country?

Yes  - go to question 8(b)      No  - go to question 8(c)

8 (b) Please give details below for each criminal conviction, starting with the most recent one. If you have received more than two convictions, please photocopy this page and enclose it with the form.

**Note: We will carry out criminal record checks on all applicants. You must give details of all unspent and spent criminal convictions. This includes road traffic offences but not fixed penalty notices (such as speeding or parking tickets) unless they were part of a sentence of the court. This includes all drink-driving offences.**

**Criminal conviction No 1**

Country where convicted

Nature of offence

Sentence given

Date sentenced

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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D D M M Y Y Y Y

If you were sentenced to a period of imprisonment, what was the length of the prison sentence imposed (in months)?  months

**Criminal conviction No 2**

Country where convicted

Nature of offence



Sentence given

Date sentenced

D	D		M	M	Y	Y	Y	Y	

If you were sentenced to a period of imprisonment, what was the length of the prison sentence imposed (in months)?

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8 (c) Do you have a civil judgement against you or any civil penalty under the Gibraltar Immigration Act?

Yes  - go to question 8(d) No  - go to question 8(e)

8 (d) Give details of each civil judgement or any civil penalty under Gibraltar Immigration Act, starting with the most recent one. If you have received more than two civil judgements and/or civil penalties under Gibraltar Immigration Act, please photocopy this page and enclose it with the form

**Details of judgement or civil penalty 1**

Date of judgement or civil penalty

D	D		M	M	Y	Y	Y	Y	

Country where judgement made

**Details of judgement or civil penalty 2**

Date of judgement or civil penalty

D	D		M	M	Y	Y	Y	Y	

Country where judgement made

You must answer questions 8(e) to 8(j) below even if you have answered no to question 8(b).

8 (e) Are your details recorded by the Royal Gibraltar Police in respect of certain sexual offences (i.e. on the "sex offenders register"), or are you subject to a notification order, a sexual offences prevention order, a foreign travel order, or a risk of sexual harm order (or equivalent order made in the United Kingdom, a British overseas territory or any other country)?

Yes  No

8 (f) Have you ever been charged in any country with a criminal offence for which you have not yet been tried in court?

Yes  No

- 8(g) In times of peace or war have you ever been involved in, or suspect of involvement in, war crimes, crimes against humanity or genocide?
- Yes  No
- 8 (h) Have you ever been involved in, supported or encouraged terrorist activities in any country?
- Yes  No
- 8 (i) Have you ever been a member of, or given support to an organisation which has been concerned in terrorism?
- Yes  No
- 8 (j) Have you ever, by any means or medium, expressed views that justify or glorify terrorist violence or that may encourage others to terrorist acts or other serious criminal offences?
- Yes  No
- 8 (k) Have you ever engaged in any other activities which might indicate that you may not be considered a person of good character?
- Yes  No
- 8 (l) If you have answered yes to questions 8(e), 8(f), 8(g), 8(h), 8(i), 8(j) or 8(k) you must give further details in the space provided below. If you need more space, continue on a separate sheet and enclose it with this form.

**9 REFEREES**

This part is to be filled in by your referees who should read the note on the explanatory leaflet to confirm that they are eligible.

**WARNING: - Your attention is drawn to the warning at the head of this form.**

9 (i)

I .....  
(referee's full name in BLOCK LETTERS)

of (full address) .....  
.....

born on .....  
(date of birth)

*Am a British Overseas Territories Citizen aged 25 or over and on the electoral register.*

I am not the relative, solicitor or agent of: .....  
(name of applicant)

I have known the applicant personally for .....years and I confirm that he/she is of good character. I am willing to give full details of my knowledge of the applicant. I support his/her application for naturalisation as a British Overseas Territories Citizen.

Daytime telephone number .....

Email: .....

Signature ..... Date .....  
(of referee)

**10. DECLARATION**

(a)

I .....  
(Applicant's full name in BLOCK LETTERS)

Declare that, to the best of my knowledge and belief, the information given in this application is correct; I know of no reason why I should not be granted British Overseas Territories citizenship. I promise to inform the Civil Status and Registration Office in writing of any change in circumstances which may affect the accuracy of the information given whilst this application is being considered. I understand that information given by me will be treated in confidence, but may be submitted for checking against records held by other Government departments, agencies, or authorities and the Royal Gibraltar Police, where it is necessary for immigration or nationality purposes, or to enable these bodies to carry out their functions.

I also declare that my intention is to make Gibraltar my permanent home and that I do / do not hold residency in any other country.

I understand that I may be liable for prosecution if I have knowingly or recklessly provided false or incomplete information.

I authorise the Commissioner of Income Tax to provide the Civil Status and Registration Office with any information relevant to this application, and with any information needed to check the information I have provided. I understand that any information provided to the Commissioner of Income Tax in connection with this application may be used by him for the purpose of his statutory functions.

**For third-parties submitting the application on behalf of the applicant**

(b)

I .....  
(Full name in BLOCK LETTERS)

of (full address) .....

.....  
certify that I have read to the individual whose name appears on this application (applicant) all the questions and statements on this application. I further certify that the applicant certifies that he/she has read, or has had read to him/her, all the questions and statements on this application and that he/she understands all the questions and statements on this application. The answers and information furnished in this application are true and correct to the best of the applicant's knowledge and belief.

Signed .....

Date.....

## **EXPLANATORY LEAFLET**

### **DOCUMENTS TO BE PRODUCED UNDER SECTION 12 (2) OF THE IMMIGRATION ASYLUM AND REFUGEE ACT.**

1. Applicant's current Passport.
2. Applicant's Civilian Registration Card.
3. Applicant's Birth Certificate
4. Applicant's Good Conduct Certificate (available from the Royal Gibraltar Police, New Mole House).
5. Applicant's Residence Certificate (available from the Immigration Section at Civil Status & Registration Office).
6. Copies of current Tax Code (proof of Tax Payments).
7. Records of Social Insurance Contributions
8. Letter from Landlord / Estate Agent / Purchase Agreement
9. Applicant's Marriage Certificate (only applicable if applying on grounds of marriage).
10. Applicant's spouse Birth Certificate (only applicable if applying on grounds of marriage).
11. Applicant's children Birth Certificate (if applicable).
12. Livre du Famille (if applicable).

**Please note that originals of all documents must be produced together with official translations into ENGLISH.**

## **NOTES**

You will be called to attend an interview and you may be asked to provide further documentary evidence in support of your application. The interview will be conducted in the English language. Exemption is the **first stage** in the Naturalisation process.

Knowledge of English is a statutory requirement. Applicants for Naturalisation must be able to:-

- Make simple conversation about themselves and their family and way of life
- Communicate sufficiently to deal with everyday situations such as travelling, shopping, visiting the doctor's surgery or a child's school, and conducting dealings with officials.

Some of the information you provide on this form will be stored on a computer which is registered under the Data Protection Act.

## **REFEREE**

The referee must be a Member of the Gibraltar Parliament, Justice of the Peace, Minister of Religion, a professionally qualified person (for example, Doctor, Engineer, Lawyer, Teacher), Bank Officer, Established Civil Servant, Police Officer or a person of similar standing who has known you personally for at least **five** years if you are applying on grounds of residence in Gibraltar, or **three** years if you are applying on grounds of marriage and residency to a British Overseas Territories Citizen (Gibraltar). A relative should not countersign.

## **DEFINITIONS**

For the purposes of answering questions 8(f) to 8(j), the following information provides guidance on actions which may constitute war crimes, crimes against humanity, genocide, or terrorist activities.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 2 of the International Criminal Court 2007 at [www.gibraltarlaws.gov.gi/articles/2007-28o.pdf](http://www.gibraltarlaws.gov.gi/articles/2007-28o.pdf) . It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately.

### **War crimes**

Grave breaches of the Geneva Conventions of 12 August 1949 committed against persons or property including wilful killing, torture, extensive destruction and appropriation of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

### Crimes against humanity

Acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of physical liberty in violation of fundamental rules of international law and enforced disappearance of persons.

### Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

### Terrorist activities

Any act committed, or threat of action, designed to influence a government or intimidate the public and made for the purpose of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

### Organisation concerned in terrorism

An organisation is concerned in terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.