

**EXPLANATORY MEMORANDUM TO
THE CONSULAR FEES (AMENDMENT) ORDER 2007**

2007 No. 1680

1. This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before the House of Commons by Command of Her Majesty.

2. Description

This Order is made to enable the Secretary of State for Foreign and Commonwealth Affairs to levy increased fees for certain consular functions, including the certification of copies of documents, issuing passports in the United Kingdom and making searches in the naturalisation or registration records kept by a consular officer.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Background

This Order amends Schedule 1 to the Consular Fees Order 2007.

5. Extent

This Order applies to all of the United Kingdom.

6. European Convention on Human Rights

As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

7. Policy background

General

7.1 The Foreign and Commonwealth Office is making no major changes to the way it delivers its consular services.

Price increases

7.2 Identity and Passport Service passport fees increased in October 2006 but the consular premium has not increased since 2003/04 when it rose by 25p. Foreign and Commonwealth Office passport fees, including the consular premium, were increased in April by the Consular Fees Order 2007.

7.3 The consular premium element of passport fees provides funding for consular assistance overseas. The consular premium element of Identity and Passport Service passport fees has to increase in line with the increase in the consular premium element of Foreign and

Commonwealth Office passport fees, in order that the full costs of consular assistance are met.

7.4 Reasons for the increase in costs include:

- revised allocation of overhead costs in the Foreign and Commonwealth Office's management accounts resulting in a major increase in costs allocated to consular services;
- increased security and IT costs;
- an increase in the number of assistance staff needed to deal with a forecast increase in the number of British nationals travelling overseas; and
- an expected reduction in demand for passports issued in the United Kingdom.

7.5 The increase in the consular premium has been averaged out over two years in order to ensure recovery of 12 months' worth of income in 2007-2008 over a 6-month period, i.e. October to March and to avoid the need to change the fee gain in 2008-2009. This is because Identity and Passport Service passport fee increases traditionally take place in October rather than April. This increase must therefore take effect as soon as possible in order for costs to be recovered in year.

7.6 An increase in the minimum fee for making or verifying (including certifying where necessary) a copy of a document from £17.50 to £25 is also necessary in order to continue to recover the full costs of providing the service. This increase formed part of the April 2007 fee increase but the minimum charge was not updated.

7.7 It is also necessary to introduce a fee for making searches in the naturalisation or registration records kept by a consular officer. This is to cover activities undertaken by consular posts where, prior to 1983, naturalisations and registrations were done by Governors or High Commissioners and there is no record with the Home Office.

8. Impact

A Regulatory Impact Assessment has been prepared for this Order as it could have some minor impact on business, charities or voluntary bodies.

9. Contact

Ceinwen Reeves, Consular Directorate, Foreign and Commonwealth Office can answer any queries regarding the draft Order.

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