
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Secretary of State specified in the Immigration and Nationality (Fees) Order 2007 ([S.I. 2007/807](#) ('the 2007 Order'), those matters in connection with immigration or nationality in respect of which he was going to charge a fee. These Regulations specify a fee for certain of those matters and also set out the relevant exceptions. These Regulations also set out the consequences of failing to pay those specified fees.

The fees for the other matters specified in the 2007 Order are specified in the Immigration and Nationality (Fees) Regulations 2007 made under section 51(3) of the Immigration, Asylum and Nationality Act 2006 in reliance on section 42 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

The Secretary of State has in these Regulations specified fees for limited leave to remain in the United Kingdom:

- (a) as a student;
- (b) to re-sit an examination;
- (c) to write up a thesis;
- (d) as a student union sabbatical officer; or
- (e) as a prospective student,

under the immigration rules, (regulation 4).

The Secretary of State has also in these Regulations specified fees for other limited leave to remain applications, with the exceptions of those applications referred to in regulation 3(2).

Regulations 5 to 10 provide a number of exceptions to the requirement to pay a specified fee.

The fee for an application for transfer of conditions is specified in regulation 11. Only one fee is to be paid where the person makes an application on behalf of himself and one or more of his dependants at the same time.

The fee to be paid for an application for a work card in respect of a person seeking to enter, or remain in, the United Kingdom as a seasonal agricultural worker under the immigration rules is set out in regulation 12. Where such an application is made in respect of a person who is a national of a state which has ratified the European Social Charter or the European Revised Social Charter, no fee is payable in respect of that application.

The fees for applications for travel documents are set out in regulation 13.

The fee for an application for registration as a British citizen under section 1 of the British Nationality (Hong Kong) Act 1997 is set out in regulation 14.

The fee for an application for permission to marry or form a civil partnership is set out in regulation 15.

The consequences of failing to pay the fee specified for those applications are set out in regulation 16.

The fee for the registration of a declaration or renunciation is set out in regulation 17.

The fee for the arrangement of a citizenship ceremony is set out in regulation 18. This fee is to be paid on submission of an application for naturalisation or registration as a British citizen or British overseas territories citizen or for registration as a British overseas citizen or British subject, if it is made in respect of an applicant who is required by section 42 of the British Nationality Act 1981 to

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make a citizenship oath and pledge at a citizenship ceremony. If such a fee is not paid on submission of such an application, the Secretary of State will not consider that application.

The fee to be paid for the administration of a citizenship oath, or oath and pledge, where not administered at a citizenship ceremony and where not administered by a justice of the peace is set out in regulation 20.

The fee to be paid for the supply of a certified copy of a notice, certificate, order declaration or entry given, granted or made under certain Acts referred to in regulation 21, is specified in that regulation.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the BIA website: www.bia.homeoffice.gov.uk. Alternatively please contact Steve Birtwistle, BIA Charging policy, W8D, Moorfoot, Sheffield, S3 8WA.