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STATUTORY INSTRUMENTS

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**2009 No. 420**

**IMMIGRATION**

**The Immigration and Nationality  
(Fees) (Amendment) Order 2009**

*Made - - - - 5th March 2009*

*Coming into force in accordance with article 1*

A draft of this Order has been laid before and approved by a resolution of each House of Parliament, in pursuance of section 52(4)(b) of the Immigration, Asylum and Nationality Act 2006<sup>(1)</sup>.

In exercise of the powers conferred by section 51(1) and (2)(a) of that Act and with the consent of the Treasury<sup>(2)</sup>, the Secretary of State makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Immigration and Nationality (Fees) (Amendment) Order 2009 and shall come into force on the day after the day on which it is made.

**Amendment**

2.—(1) The Immigration and Nationality (Fees) Order 2007<sup>(3)</sup> shall be amended as follows.

(2) In article 2 (interpretation), after the definition of “certificate of sponsorship” insert—  
““Consular premises” means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, ordinarily used for the purposes of any consulate-general, consulate, vice-consulate or consular agency of the United Kingdom;”.

(3) In article 3 (requirement to pay a fee for applications in connection with immigration or nationality)—

- (a) after paragraph (2)(o), omit “and”; and
- (b) after paragraph (2)(p), insert—
  - “; and
  - (q) a letter or other document confirming—
    - (i) a person’s immigration or nationality status; or

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(1) 2006 c.13.

(2) In pursuance of section 52(4)(a) of the Immigration, Asylum and Nationality Act 2006.

(3) S.I. 2007/807, as amended by S.I. 2008/166.

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*Status: This is the original version (as it was originally made).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

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(ii) that a person is not a British citizen.”.

(4) After article 5, insert—

**“Requirement to pay a fee in respect of a service in connection with immigration or nationality applications, services and processes**

6.—(1) In respect of a service to which this article applies, the fee for the time being specified in regulations made under section 51(3) of the 2006 Act as payable in connection with that service is to be charged by the Secretary of State.

(2) This article applies to the provision of services in connection with any immigration or nationality application, service or process to which this Order applies that require—

- (a) attendance by a representative of the Secretary of State at premises other than an office of the UK Border Agency of the Home Office or Consular premises; or
- (b) services to be provided by a representative of the Secretary of State outside office hours.”.

Home Office  
5th March 2009

*Phil Woolas*  
Minister of State

We consent

5th March 2009

*Bob Blizzard*  
*Frank Roy*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Immigration and Nationality (Fees) Order 2007 [S.I 2007/807](#), (the “2007 Order”) so as to require the following applications to be accompanied by a specified fee:

- (a) an application for a letter or other document confirming a person’s immigration or nationality status; and
- (b) an application for a letter or other document confirming that a person is not a British citizen.

This Order also amends the 2007 Order so as to provide for a fee to be charged in respect of the provision of the following services where the service is provided in connection any immigration or nationality application, service or process to which this Order applies:

- (c) attendance by a representative of the Secretary of State at premises other than an office of the UK Border Agency of the Home Office or Consular premises; and
- (d) services to be provided by a representative of the Secretary of State outside office hours.

The fees mentioned above will be specified in regulations made by the Secretary of State under section 51(3) of the Immigration, Asylum and Nationality Act 2006.

A Regulatory Impact Assessment has not been prepared for this instrument because no impact on the private, voluntary or public sector is foreseen.