

2013 No. 617

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Cost Recovery Fees)
Regulations 2013**

<i>Made</i> - - - -	<i>14th March 2013</i>
<i>Laid before Parliament</i>	<i>15th March 2013</i>
<i>Coming into force</i> - -	<i>6th April 2013</i>

The Secretary of State makes the following Regulations with the consent of the Treasury(a), in exercise of the powers conferred by sections 51(3) and 52(1), (3) and (6) of the Immigration, Asylum and Nationality Act 2006(b).

These Regulations are made pursuant to the Immigration and Nationality (Fees) Order 2011(c)

Citation, commencement and interpretation

1. These Regulations may be cited as the Immigration and Nationality (Cost Recovery Fees) Regulations 2013 and shall come into force on 6th April 2013.

2. In these Regulations—

“the 1971 Act” means the Immigration Act 1971(d);

“the 1981 Act” means the British Nationality Act 1981(e);

“the 1999 Act” means the Immigration and Asylum Act 1999(f);

“the 2006 Regulations” means the Immigration (European Economic Area) Regulations 2006(g);

“the 2007 Act” means the UK Borders Act 2007(h);

“the 2011 Order” means the Immigration and Nationality (Fees) Order 2011;

“biometric immigration document” has the same meaning as in section 5 of the 2007 Act;

(a) As required by section 52(5)(a) of the Immigration, Asylum and Nationality Act 2006 (c. 13).

(b) 2006 c. 13.

(c) S.I. 2011/445; this Order was amended by the Immigration and Nationality (Fees)(Amendment) Order 2013 (S.I. 2013/249).

(d) 1971 c. 77.

(e) 1981 c. 61.

(f) 1999 c. 33.

(g) S.I. 2006/1003, amended by the Immigration (European Economic Area) Regulations 2012 (S.I. 2012/1547); there are other amending instruments but none is relevant.

(h) 2007 c. 30.

“CESC national” means a person who is a national of a state which has ratified the European Social Charter, agreed by the Council of Europe at Turin on 18th October 1961(a);

“child” means a person under the age of 18;

“dependant” in respect of a person means—

(a) the spouse, civil partner or unmarried or same-sex partner; or

(b) a child,

of that person;

“EC Association Agreement with Turkey” means the agreement establishing an Association between the European Community and Turkey signed at Ankara on 12th September 1963;

“entry clearance” has the same meaning as in section 33(1) of the 1971 Act(b), as extended to the Channel Islands(c);

“immigration rules” means the rules for the time being laid down by the Secretary of State as mentioned in section 3(2) of the 1971 Act(d);

“leave to enter the United Kingdom” means leave to enter the United Kingdom given in accordance with the provisions of the 1971 Act or the immigration rules and any subsequent variation of that leave;

“leave to remain in the United Kingdom” means leave to remain in the United Kingdom given in accordance with the provisions of the 1971 Act or the immigration rules and any subsequent variation of that leave;

“sponsor” means a sponsor under Part 6A of the immigration rules;

“sponsor licence” means a licence granted by the Secretary of State to a person who, by virtue of such a grant, is licensed as a sponsor;

“Tier 1 (General) Migrant”, “Tier 2 Migrant”, “Tier 4 Migrant”, “Tier 5 Migrant” and “Tier 5 (Temporary Worker) Migrant” have the same meaning as in the immigration rules;

“transfer of conditions” means the fixing of a stamp, sticker or other attachment on a passport or other document issued to the applicant, which indicates that a person has been granted limited, or indefinite, leave to enter or remain in the United Kingdom;

“transit visa” has the same meaning as in section 41(2) of the 1999 Act;

“travel document” means a document allowing a person to travel outside the United Kingdom which is not a passport, issued by the United Kingdom Border Agency to persons who are stateless or cannot use or obtain a passport issued by their own country;

“United Kingdom Border Agency” means the United Kingdom Border Agency of the Home Office;

“unmarried or same-sex partner” of a person means someone who is living with that person in a relationship akin to a marriage or civil partnership which has subsisted for two years or more.

Fees for applications, services, and processes in connection with immigration and nationality

3. Schedule 1 (Fees for applications for entry clearance to enter the United Kingdom) to these Regulations has effect to specify the amount of the fees for specified applications for entry clearance to enter the United Kingdom for the purposes of article 3(2)(b) of the 2011 Order, exceptions to the requirement to pay such fees, and circumstances in which such fees may be waived or reduced.

(a) (CETS NO.:035).

(b) The definition of “entry clearance” in section 33(1) was amended by paragraph 2 of Schedule 4 to the British Nationality Act 1981 (c. 61) and paragraph 5 of the Schedule to the Immigration Act 1988 (c. 14).

(c) Section 33(1) was extended with modifications to the Bailiwick of Guernsey by the Immigration (Guernsey) Order 1993 (S.I. 1993/1796), and to the Bailiwick of Jersey by the Immigration (Jersey) Order 1993 (S.I.1993/1797).

(d) Laid before Parliament on 23rd May 1994 (HC 395).

4. Schedule 2 (Fees for applications for sponsor licences, highly trusted sponsor status, and related applications and processes) to these Regulations has effect to specify —

- (a) the amount of the fees for—
 - (i) applications for permission for a student given leave to enter, or remain in, the United Kingdom to change their sponsor for the purposes of article 3(2)(d) of the 2011 Order;
 - (ii) applications for specified sponsor licences for the purposes of article 3(2)(t) of the 2011 Order;
 - (iii) for changes to a sponsor’s status for the purposes of article 3(2)(u) of the 2011 Order;
 - (iv) processes related to sponsors for the purposes of article 5(a) and (b) of the 2011 Order; and
- (b) exceptions to the requirement to pay the fees referred to in paragraph (a)(ii).

5. Schedule 3 (Fees for documents relating to immigration) to these Regulations has effect to specify—

- (a) the amount of the fees for—
 - (i) specified applications for a transfer of conditions for the purposes of article 3(2)(e) of the 2011 Order;
 - (ii) the specified application for a document relating to employment for the purposes of article 3(2)(f) of the 2011 Order;
 - (iii) specified applications for travel documents for the purposes of article 3(2)(g) of the 2011 Order;
 - (iv) the specified application for a transit visa for the purposes of article 3(2)(q) of the 2011 Order;
 - (v) the specified application for a biometric immigration document for the purposes of article 3(2)(s) of the 2011 Order;
 - (vi) specified applications for documents referred to in the 2006 Regulations for the purposes of article 3(2)(v) of the 2011 Order;
 - (vii) taking a record of a person’s fingerprints or a photograph of a person’s face for the purposes of article 5(c) of the 2011 Order; and
- (b) exceptions to the requirement to pay the fees referred to in paragraphs (a)(iii), (v) and (vii).

6. Schedule 4 (Fees for applications and services in connection with nationality) to these Regulations has effect to specify—

- (a) the amount of the fees for applications in connection with nationality for the purposes of article 3(2)(h), (i), (j), (k), (l), (m), (n), (o), (p), (r) and (v) of the 2011 Order; and
- (b) the amount of the fees for services in connection with nationality for the purposes of article 4(a), (b), (c), (d), (e), (f), (g) and (h) of the 2011 Order.

7. Schedule 5 (Fees for the exercise of consular functions in connection with immigration and nationality) to these Regulations has effect to specify the amount of the fees for the exercise of consular functions in connection with immigration and nationality for the purposes of article 6 of the 2011 Order.

8. Schedule 6 (Fees for applications for entry clearance to enter the Channel Islands) to these Regulations has effect to specify the amount of the fees for specified applications for entry clearance to enter either of the Channel Islands for the purposes of article 6 of the 2011 Order.

9. Schedule 7 (Miscellaneous fees and exceptions) to these Regulations has effect to specify—

- (a) exceptions to the requirement to pay the fees specified in regulations made under sections 51(3) and 52(1) and (3) of the Immigration, Asylum and Nationality Act 2006 for the

- specified applications for leave to remain in the United Kingdom for the purposes of article 3(2)(a) and (c) of the 2011 Order; and
- (b) the amount of the fees for the administration of the specified test for the purposes of article 4(n) of the 2011 Order.

Consequences of failing to pay the specified fee

10. Where these Regulations specify a fee which must accompany an application for the purposes of the 2011 Order, the application is not validly made unless it is accompanied by that fee.

Revocation

11. The Immigration and Nationality (Cost Recovery Fees) Regulations 2012^(a) are revoked.

Home Office
14th March 2013

Mark Harper
Minister of State

We consent

13th March 2013

Robert Goodwill
David Evennett
Two of the Lords Commissioners of Her Majesty's Treasury

^(a) S.I. 2012/813.

SCHEDULE 1

Regulation 3

FEES FOR APPLICATIONS FOR ENTRY CLEARANCE TO ENTER THE UNITED KINGDOM

Fees for applications for entry clearance to enter the United Kingdom

1.—(1) Table 1 specifies the amount of the fees for the applications for entry clearance to enter the United Kingdom listed in the second column of that table and confers a discretion on the Secretary of State to operate a scheme for reducing such fees.

(2) Table 2 provides for exceptions to the requirement to pay the fees specified in Table 1 and Table 3 confers a discretion on the Secretary of State or the official determining an application to waive or reduce the fees specified in Table 1 in certain circumstances.

Table 1 (Fees for applications for entry clearance to enter the United Kingdom)

<i>Number of fee</i>	<i>Type of application for entry clearance to enter the United Kingdom</i>	<i>Amount of fee</i>
1.1	Fees for applications for entry clearance to enter the United Kingdom as a visitor	
1.1.1	Application for entry clearance as a visitor under the immigration rules for a period of six months or less where fees 1.1.2 to 1.1.4 do not apply.	£80
1.1.2	Application for entry clearance as an academic visitor under the immigration rules for a period of twelve months or less where fee 1.3.3 does not apply.	£80
1.1.3	Application for entry clearance as a visitor under the immigration rules for a period of six months or less where the Secretary of State decides the application is one to which a scheme for reduced fees applies.	£59
1.1.4	Application for entry clearance as a visitor for the purposes of the 2014 Commonwealth Games where such an application is permitted under rules laid down by the Secretary of State as mentioned in section 3(2) of the 1971 Act..	£80
1.2	Fees for other applications for entry clearance to enter the United Kingdom	
1.2.1	Application for entry clearance as the parent, grandparent or other dependent relative of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection under paragraphs 319V to 319Y or Appendix FM of the immigration rules.	£407
1.2.2	Application for entry clearance for the purposes of obtaining a replacement biometric immigration document.	£72

Table 2 (Exceptions in respect of fees for applications for entry clearance to enter the United Kingdom)

<i>Number and description of the exception</i>	<i>Fees to which exception applies</i>
2.1 Officials of Her Majesty's Government	
No fee is payable in respect of an application made in connection with the official duty of any official of Her Majesty's Government.	All fees in Table 1
2.2 Dependants of refugees or persons granted humanitarian protection	
No fee is payable in respect of an application made under paragraphs 352A to 352FI of the immigration rules.	All fees in Table 1
2.3 Applications under the EC Association Agreement with Turkey	

No fee is payable in respect of an application made under the terms of the EC Association Agreement with Turkey.	All fees in Table 1
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Table 3 (Waivers in respect of fees for applications for entry clearance to enter the United Kingdom)

<i>Number and description of the waiver</i>	<i>Fees to which waiver applies</i>
3.1 General waiver	
No fee is payable in respect of an application where the Secretary of State determines that the fee should be waived.	All fees in Table 1
3.2 Scholarships funded by Her Majesty's Government	
The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the application is made by a candidate for or holder of a scholarship funded by Her Majesty's Government and is in connection with such a scholarship.	All fees in Table 1
3.3 International courtesy	
The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee as a matter of international courtesy.	All fees in Table 1
3.4 Visitors under a Foreign and Commonwealth Office Bilateral Programme	
The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the applicant intends to visit the United Kingdom in connection with programmes operated by the Foreign and Commonwealth Office to give funds directly to Embassies and Missions outside the United Kingdom to support activities directly connected to the United Kingdom's international priorities.	All fees in Table 1
3.5 Visitors under a Foreign and Commonwealth Office Strategic Programme	
The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the applicant intends to visit the United Kingdom in connection with programmes of funding operated by the Foreign and Commonwealth Office to promote action on global issues in areas of strategic importance to the United Kingdom.	All fees in Table 1

SCHEDULE 2

Regulation 4

FEES FOR SPONSOR LICENCES, HIGHLY TRUSTED SPONSOR STATUS, AND RELATED APPLICATIONS AND PROCESSES

Interpretation

1. In this Schedule—

““certificate of sponsorship” means an authorisation issued by the Secretary of State to a sponsor in respect of one or more applications, or potential applications, by the same person for leave to enter, or remain in, the United Kingdom;

“small or charitable sponsor” means a sponsor that is—

- (a) a company that is subject to the small companies regime under section 381 of the Companies Act 2006(a);

(a) 2006 c. 46.

- (b) in the case of a person who is not a company for the purposes of those sections, a person who employs no more than 50 employees; or
- (c) a charity within the meaning of section 1 of the Charities Act 2011(a), or section 1 of the Charities Act (Northern Ireland) 2008(b) or a body entered in the Scottish Charity Register.

Fees for applications for sponsor licences, highly trusted sponsor status and related applications and processes

2.—(1) Table 4 specifies the amount of the fees for the applications listed in the second column of that table.

(2) Table 5 provides for exceptions to the requirement to pay the fees specified in Table 4.

3. Table 6 specifies the amount of the fees for the applications and processes listed in the second column of that table.

Table 4 (Fees for applications for sponsor licences)

<i>Number of fee</i>	<i>Type of application or process</i>	<i>Amount of fee</i>
4.1	Fees for applications for sponsor licences where the applicant is a small or charitable sponsor	
4.1.1	Application for sponsor licence in respect of Tier 2 Migrants where the applicant is a small or charitable sponsor.	£515
4.1.2	Application for sponsor licence in respect of Tier 2 and Tier 4 Migrants where the applicant is a small or charitable sponsor.	£515
4.1.3	Application for sponsor licence in respect of Tier 2 and Tier 5 Migrants where the applicant is a small or charitable sponsor.	£515
4.1.4	Application for sponsor licence in respect of Tier 2, Tier 4 and Tier 5 Migrants where the applicant is a small or charitable sponsor.	£515
4.2	Fees for applications for sponsor licences where the applicant is not a small or charitable sponsor	
4.2.1	Application for sponsor licence in respect of Tier 2 Migrants where the applicant holds a valid sponsor licence in respect of Tier 4 Migrants.	£1,030
4.2.2	Application for sponsor licence in respect of Tier 2 Migrants where the applicant holds a valid sponsor licence in respect of Tier 4 and Tier 5 Migrants.	£1,030
4.2.3	Application for sponsor licence in respect of Tier 2 Migrants where the applicant holds a valid sponsor licence in respect of Tier 5 Migrants.	£1,030
4.2.4	Application for sponsor licence in respect of Tier 2 and Tier 4 Migrants where the applicant holds a valid sponsor licence in respect of Tier 5 Migrants.	£1,030
4.2.5	Application for sponsor licence in respect of Tier 2 and Tier 5 Migrants where the applicant holds a valid sponsor licence in respect of Tier 4 Migrants.	£1,030
4.2.6	Application for sponsor licence in respect of Tier 4 Migrants.	£515
4.2.7	Application for sponsor licence in respect of Tier 4 and Tier 5 Migrants.	£515
4.2.8	Application for sponsor licence in respect of Tier 5 Migrants.	£515

Table 5 (Exceptions in respect of fees for applications for sponsor licences)

<i>Number and description of exception</i>	<i>Fees to</i>

(a) 2011 c. 25.

(b) 2008 c. 12.

		<i>which exception applies</i>
5.1	Application for additional sponsor licences by a small or charitable sponsor holding a valid sponsor licence	
	No fee is payable in respect of an application for a sponsor licence where the applicant holds a valid sponsor licence of a different type and is a small or charitable sponsor.	Fees 4.1.1 to 4.1.4.
5.2	Application for sponsor licence in respect of Tier 4 Migrants where the applicant holds a sponsor licence in respect of Tier 5 Migrants	
	No fee is payable in respect of an application for a sponsor licence in respect of Tier 4 Migrants where at the time the application is made the applicant holds a valid sponsor licence in respect of Tier 5 Migrants and is not a small or charitable sponsor.	Fee 4.2.6
5.3	Application for sponsor licence in respect of Tier 5 Migrants where the applicant holds a sponsor licence in respect of Tier 4 Migrants	
	No fee is payable in respect of an application for a sponsor licence in respect of Tier 5 Migrants where at the time the application is made the applicant holds a valid sponsor licence in respect of Tier 4 Migrants and is not a small or charitable sponsor.	Fee 4.2.8
5.4	Application for sponsor licence in respect of Tier 4 or 5 Migrants where the applicant holds a sponsor licence in respect of Tier 2 Migrants	
	No fee is payable in respect of an application for a sponsor licence in respect of Tier 4 Migrants, Tier 4 and Tier 5 Migrants, or Tier 5 Migrants where at the time the application is made the applicant holds a valid sponsor licence in respect of Tier 2 Migrants and is not a small or charitable sponsor.	Fees 4.2.6 to 4.2.8

Table 6 (Fees for other applications and processes in connection with sponsorship)

<i>Number of fee</i>	<i>Type of application or process</i>	<i>Amount of fee</i>
6.1	Fee for Tier 4 Migrants changing to another sponsor	
6.1.1	Application by a Tier 4 Migrant for the United Kingdom Border Agency's permission to change to another sponsor for the purposes of paragraph 323A of the immigration rules where that migrant's leave to remain in the United Kingdom as a Tier 4 Migrant results from an application for entry clearance or leave to remain in the United Kingdom made during the period beginning on 31st March and ending on 4th October 2009.	£160
6.2	Fees for applications for Highly Trusted Sponsor Status	
6.2.1	Application by a sponsor holding a sponsor licence in respect of Tier 4 Migrants to be awarded Highly Trusted Sponsor status by the United Kingdom Border Agency in respect of Tier 4 Migrants.	£515
6.3	Fees for the processes relating to sponsor licences	
6.3.1	The issuing of a certificate of sponsorship in respect of an application or potential application for leave to enter or remain in the United Kingdom as a Tier 4 Migrant.	£14
6.3.2	The issuing of a certificate of sponsorship in respect of an application or potential application for leave to remain in or enter the United Kingdom as a Tier 5 Migrant other than where the application is for such leave as a Tier 5 (Temporary Worker) Migrant and the applicant is a CESC national (in which case no fee is payable).	£14
6.3.3	The issuing of an action plan under the immigration rules to a sponsor who is recorded as being "B-rated" on the register of licensed sponsors maintained by the Secretary of State with which that sponsor must	£1,545

comply in order to become a sponsor recorded as being “A-rated” on that register.

SCHEDULE 3

Regulation 5

FEES FOR DOCUMENTS RELATING TO IMMIGRATION

Interpretation

1.—(1) In this Schedule—

“the 2008 Regulations” means the Immigration (Biometric Registration) Regulations 2008**(a)**;

“certificate of travel” means a travel document issued in the United Kingdom at the discretion of the Secretary of State to persons who have been formally, and in the view of the Secretary of State, unreasonably refused a passport by their own authorities who have—

(a) been granted limited leave to remain in the United Kingdom or humanitarian protection under the immigration rules on rejection of a claim for asylum or for recognition as a stateless person; or

(b) been granted indefinite leave to remain in the United Kingdom.

“claim for asylum” has the same meaning as in section 94(1) of the 1999 Act**(b)**;

“convention travel document” means a travel document issued in accordance with Article 28 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951;

“document of identity” means a travel document issued in the United Kingdom to a person who is not a British citizen which enables the holder to make one journey out of the United Kingdom;

“the process used to take a record of a person’s biometric information” means the process, or combination of processes to which a person may be required to submit to permit a record of their fingerprints or a photograph of their face to be taken for the purposes of regulation 8(2)(d)**(c)** of the 2008 Regulations;

“stateless person’s travel document” means a travel document issued in accordance with Article 28 of the Convention relating to the Status of Stateless Persons done at New York on 28th September 1954.

(2) For the purposes of this Schedule a claim for asylum is to be taken to be determined—

(a) on the date on which the Secretary of State notifies the claimant of the decision on the claim;

(b) if the claimant has appealed against the Secretary of State’s decision, on the date on which the appeal is disposed of; or

(c) if the claimant has brought an appeal from within the United Kingdom against an immigration decision under section 82 of the Nationality, Immigration and Asylum Act 2002**(d)** or section 2 of the Special Immigration Appeals Commission Act 1997**(e)**, on the day on which the appeal is disposed of.

(a) S.I. 2008/3048.

(b) Section 94(1) was amended by section 60(2) of the Nationality, Immigration and Asylum Act 2002 (c. 41) and article 6 of, and paragraph 180 of Schedule 3 to, the Transfer of Tribunal Functions Order (S.I. 2008/2833).

(c) Regulation 3 was amended by regulation 6 of the Immigration (Biometric Registration)(Amendment) Regulations 2012 (S.I. 2012/594).

(d) 2002 c. 41.

(e) 1997 c. 68; section 2 was amended by section 114 of, and paragraph 2 of Schedule 7 to, the Nationality, Immigration and Asylum Act 2002 and section 14 of, and paragraph 14 of Schedule 1 to, the Immigration, Asylum and Nationality Act 2006.

Fees for documents relating to immigration

2.—(1) Table 7 specifies the amount of fees for the applications listed in the second column of that table.

(2) Table 8 provides for exceptions to the requirement to pay the fees specified for applications for travel documents in Table 7.

(3) Table 9 specifies the amount of fees for the applications listed in the second column of that table.

(4) Tables 10 provide for exceptions to the requirement to pay the fees for applications for biometric immigration documents and the process used to take a record of biometric information specified in Table 9.

Table 7 (Fees for a transfer of conditions, immigration employment documents, travel documents, transit visas, and registration certificates and residence cards)

<i>Number of fee</i>	<i>Type of application</i>	<i>Amount of fee</i>
7.1	Fee for applications made in the United Kingdom for a transfer of conditions	
7.1.1	Application for a transfer of conditions where the application is made within the United Kingdom by post or courier or via the public website maintained by the United Kingdom Border Agency.	£147
7.2	Fee for applications made overseas for a transfer of conditions (vignette transfer fee)	
7.2.1	Application for a transfer of conditions where the application is made outside the United Kingdom.	£105
7.3	Fee for applications for immigration employment documents	
7.3.1	Application for a letter to confirm an amendment to information held by the United Kingdom Border Agency relating to employment as a work permit holder within the meaning of the immigration rules, which does not constitute a change requiring a new application for permission to work.	£22
7.4	Fees for applications for travel documents	
7.4.1	Application for a certificate of travel where the person in respect of whom the application is made is over the age of 16 at the time the application is made.	£257
7.4.2	Application for a certificate of travel where the person in respect of whom the application is made is under the age of 16 at the time the application is made.	£164
7.4.3	Application for a convention travel document, stateless person's travel document, or document of identity where the person in respect of whom the application is made is over the age of 16 at the time the application is made.	£72.50
7.4.4	Application for a convention travel document, stateless person's travel document, or document of identity where the person in respect of whom the application is made is under the age of 16 at the time the application is made.	£46
7.5	Fee for an application for a transit visa	
7.5.1	Application for a transit visa.	£54
7.6	Fee for applications for documents referred to in the 2006 Regulations	
7.6.1	Application made on or after 1st July 2013 for a document certifying permanent residence, a derivative residence card, a permanent residence card, a registration certificate, or a residence card under the 2006 Regulations.	£55

7.6.2	Application made on or after 1st July 2013 for a family member residence stamp within the meaning of paragraph 4 of Schedule 2 to the 2006 Regulations.	£55
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Table 8 (Exceptions to requirement to pay fees for applications for travel documents)

<i>Number and description of the exception</i>	<i>Fees to which exception applies</i>
8.1 Travel documents for bodies being taken abroad for burial	
No fee is payable in respect of an application for a travel document for a body that is being taken abroad for the purposes of burial or cremation.	Fees 7.4.1 to 7.4.4
8.2 Travel documents for reconstruction or resettlement	
No fee is payable in respect of an application for a travel document where the application is stated as being made in order to enable the applicant to participate in a project operated or approved by the Secretary of State for the purposes of enabling a person in the United Kingdom to make a single trip to a country outside the United Kingdom in order to assist the reconstruction of that country or to decide whether to resettle there.	Fees 7.4.1 to 7.4.4
8.3 Travel documents for the purposes of the Assisted Voluntary Returns programme	
No fee is payable in respect of an application for a document of identity for the purposes of the Assisted Voluntary Returns programme operated by the United Kingdom Border Agency.	Fees 7.4.3 and 7.4.4
8.4 Travel documents for persons born on or before 2nd September 1929	
No fee is payable in respect of an application for a convention travel document or stateless person's travel document where the applicant was born on or before 2nd September 1929.	Fees 7.4.1 and 7.4.3

Table 9 (Fees for applications for biometric immigration documents and the process used to take a record of biometric information)

<i>Number of fee</i>	<i>Type of application or process</i>	<i>Amount of fee</i>
9.1	Fees for a mandatory application for a biometric immigration document following an application to replace a letter which indicated the applicant had been granted limited or indefinite leave to remain in the United Kingdom	
9.1.1	Application for a biometric immigration document in accordance with regulation 3(1)(a) and (2)(d) of the 2008 Regulations(a) where fees 9.1.2 and 9.1.3 do not apply.	£147
9.1.2	Application for a biometric immigration document in accordance with regulation 3(1)(a) and (2)(d) of the 2008 Regulations where the applicant has made a claim for asylum which has been granted, or has been granted humanitarian protection under the immigration rules.	£38
9.1.3	Application for a biometric immigration document in accordance with regulation 3(1)(a) and (2)(d) of the 2008 Regulations where the applicant has leave to remain in the United Kingdom under paragraphs 352A to 352FI of the immigration rules.	£38
9.2	Fees for a mandatory application for a biometric immigration document following an application for a transfer of conditions	
9.2.1	Application for a biometric immigration document in accordance with	£147

(a) Regulation 3 was amended by regulation 4 of the Immigration (Biometric Registration)(Amendment) Regulations 2012 (S.I. 2012/594).

	regulation 3(1)(a) and (2)(c) of the 2008 Regulations.	
9.3	Fees for a mandatory application for a replacement biometric immigration document	
9.3.1	Application for a biometric immigration document in accordance with regulation 19(1)(a) of the 2008 Regulations(a) to replace a biometric immigration document which has been cancelled under regulation 17(a) or (d) to (i) of those Regulations.	£147
9.3.2	Application for a biometric immigration document in accordance with regulation 19(1)(a) of the 2008 Regulations to replace a biometric immigration document which has been cancelled under regulation 17(b) or (c) of those Regulations.	£38
9.3.3	Application for a biometric immigration document in accordance with regulation 19(1)(b) of the 2008 Regulations to replace a biometric immigration document which has ceased to have effect under regulation 13(4)(b) or (c) of those Regulations.	£38
9.4	Fee for taking a record of biometric information	
9.4.1	The process used to take a record of a person's biometric information for the purposes of an application for a biometric immigration document referred to in fees 9.1.1 to 9.1.3, 9.2.1, 9.3.1, and 9.3.2.	£19.20
9.4.2	The process used to take a record of a person's biometric information for the purposes of an application for a biometric immigration document referred to in fee 9.3.3.	£19.20
9.4.3	The process used to take a record of a person's biometric information for the purposes of an application for a biometric immigration document in accordance with regulation 3(1)(a) and 2(a) and (b) of the 2008 Regulations.	£19.20

Table 10 (Exceptions to the requirement to pay fees for applications for biometric immigration documents and the process used to take a record of biometric information)

<i>Number and description of the exception</i>	<i>Fees to which exception applies</i>
10.1 Persons granted asylum or humanitarian protection, their dependants, and stateless persons	
No fee is payable for an application for a biometric immigration document if the applicant has made a claim for asylum which has been granted, been granted humanitarian protection under the immigration rules or has leave to remain in the United Kingdom under paragraphs 352A to 352FI of the immigration rules.	Fee 9.3.3
10.2 Children born in the United Kingdom to persons granted asylum or humanitarian protection	
No fee is payable for an application for a biometric immigration document if the applicant is a child who was born in the United Kingdom to a person who had made a claim for asylum which had been granted or had been granted humanitarian protection under the immigration rules.	Fee 9.3.3
10.3 Process used to take a record of a person's biometric information where exceptions 10.1 and 10.2 apply	
No fee is payable for the process used to take a record of a person's biometric information for the purposes of an application for a biometric immigration	Fee 9.4.2

(a) Regulation 19(1)(a) was amended by regulation 8 of the Immigration (Biometric Registration)(Amendment) Regulations 2009 (S.I. 2009/819)

	document to which exceptions 10.1 and 10.2 apply.	
10.4	Children receiving local authority support	
	No fee is payable for the process used to take a record of a person's biometric information if that person is a child who is being provided with assistance by a local authority.	Fees 9.4.1 to 9.4.3
10.5	Applicants with leave to remain under the EC Association Agreement with Turkey	
	No fee is payable for the process used to take a record of a person's biometric information if that person has leave to remain in the United Kingdom under the terms of the EC Association Agreement with Turkey.	Fees 9.4.1 to 9.4.3
10.6	Applications made in conjunction with an application for leave to remain in the United Kingdom which is exempt from the application fee	
	No fee is payable for the process used to take a record of a person's biometric information where that record is taken for the purposes of an application for a biometric immigration document made in accordance with regulation 3(1)(a) and (2)(a) of the 2008 Regulations following an application for leave to remain in the United Kingdom and the application for leave to remain is exempt from any application fee.	Fee 9.4.3

SCHEDULE 4

Regulation 6

FEES FOR APPLICATIONS AND SERVICES IN CONNECTION WITH NATIONALITY

Interpretation

1. In this Schedule

“the 1982 Order” means the British Protectorates, Protected States and Protected Persons Order 1982(a);

“application for registration or naturalisation” means—

- (a) an application for naturalisation as a British citizen under section 6(1) or (2) of the 1981 Act;
- (b) an application for naturalisation as a British overseas territories citizen under section 18(1) or (2) of the 1981 Act;
- (c) an application for registration as a British citizen under section 1(3)(b), (3A)(c) or (4), 3(1), (2)(d) or (5)(e), 4(2) or (5), 4A(f), 4B(g), 4D(h), 10(1)(i) or (2)(j), or 13(1) or (3) of, or paragraph 3(k), 4(l) or 5 of Schedule 2 to, the 1981 Act;

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- (a) S.I. 1982/1070.
 - (b) Section 1(3) was amended by section 42(1) and (3) of the Borders, Citizenship and Immigration Act 2009 (c. 11).
 - (c) Section 1(3A) was inserted by section 42(1) and (4) of the Borders, Citizenship and Immigration Act 2009.
 - (d) Section 3(2) was amended by section 5 of, and paragraph 3(1) and (2) of Schedule 1 to, the British Overseas Territories Act 2002 (c. 8) and section 43(1) and (2) of the Borders, Citizenship and Immigration Act 2009.
 - (e) Section 3(5) was amended by section 5 of, and paragraph 3(1) and (4) of Schedule 1 to, the British Overseas Territories Act 2002.
 - (f) Section 4A was inserted by section 4 of the British Overseas Territories Act 2002.
 - (g) Section 4B was inserted by section 12 of the Nationality, Immigration and Asylum Act 2002 (c. 41) and was amended by section 44(1), (2), (3), and (4) of, and paragraph 2(1) of Schedule 1 to the Borders, Citizenship and Immigration Act 2009.
 - (h) Section 4D was inserted by section 46 of the Borders, Citizenship and Immigration Act 2009.
 - (i) Section 10(1) was amended by Schedule 9 to the Nationality, Immigration and Asylum Act 2002.
 - (j) Section 10(2) was amended by section 5 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002 and by section 261 of, and paragraph 73 of Schedule 27 to, the Civil Partnership Act 2004 (c. 33).
 - (k) Paragraph 3 of Schedule 2 was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002 and section 8 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002.
 - (l) Paragraph 4 of Schedule 2 was amended by sections 1(1)(b) and 2(2)(b) of the British Overseas Territories Act 2002.

- (d) an application for registration as a British citizen under section 1 of the British Nationality (Hong Kong) Act 1997(a);
- (e) an application for registration as a British overseas territories citizen under sections 13(1) or (3) of the 1981 Act (as applied by section 24(b) of that Act), or 15(3)(c) or (4)(d), 17(1)(e), (2)(f) or (5)(g), or 22(1)(h) or (2)(i) of, or paragraph 3, 4 or 5 of Schedule 2 to, that Act;
- (f) an application for registration as a British overseas citizen under section 27(1) of, or paragraph 4 or 5 of Schedule 2 to, the 1981 Act;
- (g) an application for registration as a British protected person under article 7 of the 1982 Order(j); or
- (h) an application for registration as a British subject under section 32 of, or paragraph 4 of Schedule 2 to, the 1981 Act;

“certificate of registration or naturalisation” means a certificate of registration or naturalisation issued under the 1981 Act.

Fees for applications and services in connection with nationality

2.—(1) Table 12 specifies the amount of fees for the applications and services listed in the second column of that table.

(2) The fees specified in Table 12 are subject to paragraph 3 (Multiple declarations of renunciation of British citizenship).

Table 12 (Fees for applications and services in connection with nationality)

<i>Number of fee</i>	<i>Type of application or service</i>	<i>Amount of fee</i>
12.1	Fees for applications in connection with nationality	
12.1.1	Application for the amendment of a certificate of registration or naturalisation other than where the amendment is required to rectify errors made by the United Kingdom Border Agency.	£94
12.1.2	Application for the reconsideration of an application for registration or naturalisation which has been refused by the Secretary of State.	£80
12.1.3	Application for a certificate of entitlement within the meaning of section 33(1) of the 1971 Act(k) where the application is made in respect of an applicant who is in the United Kingdom.	£170
12.1.4	Application for a certificate of entitlement within the meaning of section 33(1) of the 1971 Act where the application is made in respect of an applicant who is outside the United Kingdom.	£278
12.1.5	Application for a letter or other document confirming a person’s	£94

(a) 1997 c. 20; section 1 was amended by section 2(3) of the British Overseas Territories Act 2002 and s.47(3) of the Borders, Citizenship and Immigration Act 2009.

(b) Section 24 was amended by section 2(2) of the British Overseas Territories Act 2002.

(c) Section 15(3) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.

(d) Section 15(4) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.

(e) Section 17(1) was amended by section 2(2) of the British Overseas Territories Act 2002.

(f) Section 17(2) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.

(g) Section 17(5) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.

(h) Section 22(1) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002 and Schedule 9 to the Nationality, Immigration and Asylum Act 2002.

(i) Section 22(2) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002, Schedule 9 to the Nationality, Immigration and Asylum Act 2002, and paragraph 77 of Schedule 27 to the Civil Partnership Act 2004 (c. 33).

(j) S.I. 1982/1070; article 7 was amended by section 1(2) of the British Overseas Territories Act 2002 and paragraph 10(4)(a) and (b) of Schedule 1 to the Human Fertilisation and Embryology (Consequential Amendments and Transitional and Saving Provisions) Order 2009 (S.I. 2009/1892).

(k) The definition of “certificate of entitlement” was added by section 10(5)(b) of the Nationality, Immigration and Asylum Act 2002 (c. 41).

	nationality status or that a person is not a British citizen.	
12.2	Fees for services in connection with nationality	
12.2.1	Registration of a declaration of a renunciation of British citizenship under section 12 of the 1981 Act.	£187
12.2.2	Registration of a declaration of a renunciation of British overseas territories citizenship under sections 12 and 24 of the 1981 Act.	£187
12.2.3	Registration of a declaration of a renunciation of British overseas citizenship under sections 29 and 12 of the 1981 Act.	£187
12.2.4	Registration of a declaration of a renunciation of the status of British subject under sections 34 and 12 of the 1981 Act.	£187
12.2.5	Registration of a declaration of a renunciation of the status of British protected person under Article 11 of the 1982 Order(a).	£187
12.2.6	The supply of a certified copy of a notice, certificate, order, declaration or entry given, granted or made under the 1981 Act, any of the former nationality Acts within the meaning of section 50 (1) of the 1981 Act, or the British Nationality (Hong Kong) Act 1997(b).	£94
12.3	Fees for services in connection with citizenship ceremonies and citizenship oaths	
12.3.1	The arrangement of a citizenship ceremony (including the administration of a citizenship oath and pledge at the ceremony).	£80
12.3.2	The administration of a citizenship oath, or oath and pledge where the oath, or oath and pledge, are not administered at a citizenship ceremony or by a justice of the peace.	£5

Multiple declarations of a renunciation of British citizenship

3. Where a person—

- (a) makes a declaration of renunciation for which the fee is specified in Table 12; and
- (b) at the same time makes another such declaration of renunciation;

the total fee payable in respect of those declarations shall be the same as that for registration of a single declaration.

Responsibility for paying the fee for the arrangement of a citizenship ceremony

4.—(1) The fee specified in Table 12 for the arrangement of a citizenship ceremony is payable by the person who is required by section 42 of the 1981 Act(c) to make a citizenship oath and pledge at a citizenship ceremony.

(2) Where the fee for the arrangement of a citizenship ceremony is not paid in accordance with sub-paragraph (1), the Secretary of State will not consider any related application for registration or naturalisation made by the person responsible for paying that fee.

Refunds of fees for the arrangement of a citizenship ceremony where an application is refused or the requirement to attend the ceremony is disapplied

5. Where the fee specified in Table 12 for the arrangement of a citizenship ceremony is paid in accordance with paragraph 3 it must be refunded where—

- (a) the Secretary of State refuses to arrange the citizenship ceremony; or

(a) S.I. 1982/1070.

(b) 1997 c. 20.

(c) Section 42 was substituted by section 3 of, and paragraph 1 of Schedule 1 to, the Nationality, Immigration and Asylum Act 2002 (c. 41).

- (b) the Secretary of State decides that the registration should be effected or the certificate of naturalisation should be granted, but disapplies the requirement to make a citizenship oath and pledge at a citizenship ceremony because of the special circumstances of the case.

SCHEDULE 5

Regulation 7

FEES FOR THE EXERCISE OF CONSULAR FUNCTIONS IN CONNECTION WITH IMMIGRATION AND NATIONALITY

Interpretation

1. In this Schedule—

“the 1968 Act” means the Consular Relations Act 1968(a);

“consular employee” has the same meaning as in Article 1(1)(e) of the Vienna Convention on Consular Relations set out in Schedule 1 to the 1968 Act;

“consular post” has the same meaning as in Article 1(1)(a) of the Vienna Convention on Consular Relations set out in Schedule 1 to the 1968 Act;

“consular premises” has the same meaning as in Article 1(1)(j) of the Vienna Convention on Consular Relations set out in Schedule 1 to the 1968 Act;

“supporting documents” means any letter, certificate, declaration or other document which may be required by an authority in any country or territory in connection with an application;

“visa” means a visa, entry certificate, entry permit or other document which is to be taken as evidence of a person’s eligibility for entry into a country or territory (other than a work permit).

Fees for the exercise of consular functions in connection with immigration and nationality

2.—(1) Table 13 specifies the amount of the fees for the exercise of the consular functions listed in the second column of that table.

(2) The fees in Table 13 are subject to paragraph 3 (charges for costs incurred by consular officers or employees) and paragraph 4 (discretion to waive fees for the services of consular officers or employees).

Table 13 (Fees for the exercise of consular functions in connection with immigration and nationality)

<i>Number of fee</i>	<i>Service provided</i>	<i>Amount of fee</i>
13.1	General fee for the services of consular officers	
13.1.1	The provision of the services of a consular officer or consular employee in relation to any service which the consular post or diplomatic mission has agreed to undertake.	£130 per hour or part hour
13.2	Fees for preparing and forwarding documents	
13.2.1	Preparing or forwarding supporting documents for an application for a visa where the consular officer does not have authority to issue that visa.	£70
13.2.2	Preparing or forwarding supporting documents for an application for a residence permit or identity card issued by any country or territory other than the United Kingdom.	£70

(a) 1968 c. 18.

13.2.3	Forwarding any certificate or document except a travel document or an application for registration or naturalisation.	£70
13.3	Fee for receiving applications for visas on behalf of Commonwealth countries or British Overseas Territories	
13.3.1	Receiving an application for a visa for a country listed in Schedule 3 to the 1981 Act(a) or a British Overseas Territory within the meaning of section 50(1) of the 1981 Act(b).	£50

Charges for costs incurred by consular officers or employees

3.—(1) The fee specified in fee 13.1.1 in Table 13 for the services of consular officers or consular employees is payable in addition to any charge for direct costs incurred by the Secretary of State in providing such services.

(2) The fee specified in Table 13 per hour or part hour during which the services of consular officers or consular employee are provided includes travel time where those services are provided away from the consular premises.

Discretion to waive fees for the services of consular officers or employees

4. The official responsible for determining whether the services of consular officers or employees should be provided may waive the payment of the fee specified for such services in Table 13 where the official considers it is appropriate in the particular circumstances of the case.

SCHEDULE 6

Regulation 8

FEES FOR APPLICATIONS FOR ENTRY CLEARANCE TO ENTER THE CHANNEL ISLANDS

Fees for applications for entry clearance to enter the Channel Islands

1. Table 14 specifies the amount of the fees for applications for entry clearance to enter either of the Channel Islands listed in the second column of that table where the application is received outside the British Islands.

Table 14 (Fees for receiving applications for entry clearance to enter the Channel Islands)

<i>Number of fee</i>	<i>Type of application for entry clearance to enter the Channel Islands</i>	<i>Amount of fee</i>
14.1	Fee for applications for entry clearance to enter either of the Channel Islands as a visitor	
14.1.1	Application for entry clearance as a visitor for single, double and multiple entries valid for up to six months.	£80
14.2	Fees for applications for entry clearance to enter either of the Channel Islands as a temporary or voluntary worker	
14.2.1	Application for entry clearance as a temporary or voluntary worker where fee the applicant is not a CESC national.	£158

(a) Schedule 3 was amended by article 1(2) and 3 of the British Nationality (Brunei) Order 1983 (S.I. 1983/1699), section 8 of the Brunei and Maldives Act 1985 (c. 3), article 2 of the British Nationality (Pakistan) Order 1989 (S.I. 1989/1331), article 2 of the British Nationality (Namibia) Order 1990 (S.I. 1990/1502), article 2 of the British Nationality (Cameroon and Mozambique) Order 1998 (S.I. 1998/3161), article 2 of the British Nationality (South Africa) Order 1994 (S.I. 1994/1634), and article 2 of the British Nationality (Rwanda) Order 2010 (S.I. 2010/246).

(b) The definition of “British Overseas Territory” in section 50(1) was added by section 1(1)(a) of the British Overseas Territories Act 2002 (c. 8).

14.2.2	Application for entry clearance as a temporary or voluntary worker where the applicant is a CESC national.	£142
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SCHEDULE 7

Regulation 9

MISCELLANEOUS FEES AND EXCEPTIONS

Applications for limited leave to remain in the United Kingdom by stateless persons

1. There is no fee for applications for limited leave to remain in the United Kingdom as a stateless person where such an application is permitted under rules laid down by the Secretary of State as mentioned in section 3(2) of the 1971 Act.

Applications for variation of limited leave to remain in the United Kingdom to allow recourse to public funds

2. There is no fee for applications for a variation of limited leave to remain in the United Kingdom in order to be permitted access to public funds by a person who has been granted such leave under—

- (a) paragraph 276BE of the immigration rules;
- (b) paragraph D-LTRP.1.2 of Appendix FM to the immigration rules; or
- (c) paragraph D-LTRPT.1.2 of Appendix FM to the immigration rules.

Administration of the Life in the UK Test

3. A fee of £50 is payable for the administration of the Life in the UK Test for the purposes of paragraph 33B(b) of the immigration rules.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under sections 51(3), 52(1) and 52(3) of the Immigration, Asylum and Nationality Act 2006, specify fees relating to immigration and nationality. They are made for the purposes of the Immigration and Nationality (Fees) Order 2011 (S.I. 2011/445), which sets out the applications, services and processes related to immigration and nationality for which fees may be specified in regulations.

These Regulations specify fees in cases where the amount of the fee does not exceed the administrative costs incurred by the Secretary of State in relation to the application, service or process concerned. Fees relating to immigration and nationality applications, processes and services which exceed the administrative costs involved are specified in other regulations, subject to the affirmative procedure, made under sections 51(3), 52(1) and 52(3) of the Immigration, Asylum and Nationality Act 2006. Consequently where fees are not specified in these Regulations in relation to certain types of applications they may be specified in those other regulations.

These Regulations replace, with modifications, the Immigration and Nationality (Cost Recovery Fees) Regulations 2012. They specify fees for various types of application related to immigration and nationality, including applications for; limited leave to remain in the United Kingdom, entry clearance into the United Kingdom, the transfer of conditions, work cards, travel documents (other than passports), transit visas, certificates of entitlement to the right of abode, documents recording biometric information, sponsor licences, and changing sponsor. In addition they specify the fees for various services and processes related to immigration and nationality, including the arrangement of citizenship ceremonies, the administration of citizenship oaths, the supply of certified copies, the amendment of certificates of registration or naturalisation as a British citizen, the reconsideration of applications for registration or naturalisation as a British citizen, and the issuing of action plans. Finally these Regulations specify a number of fees for documents relating to travel or entry into the United Kingdom, Commonwealth countries, British Overseas Territories and the Channel Islands.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside the instrument at www.legislation.gov.uk.

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