

2020 No. 77

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Fees) (Amendment)
Regulations 2020**

<i>Made</i> - - - -	<i>28th January 2020</i>
<i>Laid before Parliament</i>	<i>30th January 2020</i>
<i>Coming into force</i> - -	<i>20th February 2020</i>

The Secretary of State makes the following Regulations with the consent of the Treasury in exercise of the powers conferred by sections 68(1), (7), (8) and (10)(b), 69(2) and 74(8)(a) and (b) of the Immigration Act 2014(a). These Regulations are made further to provision in the Immigration and Nationality (Fees) Order 2016(b).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration and Nationality (Fees) (Amendment) Regulations 2020.

(2) These Regulations come into force on 20th February 2020.

(3) The amendments made by these Regulations have the same extent as the provisions that are amended.

Amendments to the Immigration and Nationality (Fees) Regulations 2018

2. The Immigration and Nationality (Fees) Regulations 2018(c) are amended as follows.

3. In regulation 2 (interpretation)—

(a) in the definition of “approval letter from a designated competent body”—

(i) omit paragraph (a);

(ii) in paragraph (b) omit “in respect of the Isle of Man”;

(b) after that definition insert—

(a) 2014 c. 22. Treasury consent has been obtained pursuant to section 69(1). Sections 68 to 70 were extended, with modifications, to the Isle of Man by articles 5 and 7 of the Immigration (Isle of Man) (Amendment) Order 2015 (S.I. 2015/1765) which inserted new article 22 and new Schedule 9A in the Immigration (Isle of Man) Order 2008 (S.I. 2008/680). Article 22 and Schedule 9A were amended by the Immigration (Isle of Man) (Amendment) Order 2019 (S.I. 2019/562). There are other amendments to S.I. 2008/680 not relevant to these Regulations.

(b) S.I. 2016/177, amended by S.I. 2017/440, 2018/329.

(c) S.I. 2018/330, amended by S.I. 2018/618, 2018/875, 2018/999, 2019/475.

““approval letter from an endorsing body” means a letter from an endorsing body, within the meaning given by Annex 1 of Appendix W to the immigration rules(a), endorsing a proposed application for entry clearance to enter, leave to enter or leave to remain in the United Kingdom as a Global Talent Migrant;”;

(c) after the definition of “entry clearance” insert—

““Global Talent Migrant” has the meaning given by paragraph 6 of the immigration rules;”.

4. In regulation 3 (effect of Schedule 1), in paragraph (a)(iii), for “a designated competent body” substitute “an endorsing body”.

5. In regulation 4 (effect of Schedule 2), in paragraph (a)(ii), for “a designated competent body” substitute “an endorsing body”.

6. In Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom)—

(a) in paragraph 2(1)(b) for “a designated competent body” substitute “an endorsing body”;

(b) in Table 1 (fees for applications for entry clearance to enter or leave to enter the United Kingdom)—

(i) omit 1.3.1, 1.3.2 and 1.3.3;

(ii) after 1.3A.2 insert—

“1.3B Fees for and in connection with applications for entry clearance to enter the United Kingdom as a Global Talent Migrant		
1.3B.1	Application to the Home Office for an approval letter from an endorsing body in respect of a proposed application for entry clearance as a Global Talent Migrant.	£456
1.3B.2	Application for entry clearance as a Global Talent Migrant where fee 1.3B.1 applies.	£152
1.3B.3	Application for entry clearance as a Global Talent Migrant where fee 1.3B.1 does not apply.	£608”

(c) in Table 2 (specified fees for dependants) at the end insert—

“2.1.5	Application for entry clearance as the dependant of a Global Talent Migrant.	£608”
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(d) in paragraph 4(2)—

(i) omit paragraph (b);

(ii) omit the “or” after paragraph (f);

(iii) after paragraph (g) insert—

“; or

(h) a Global Talent Migrant.”

7. In Schedule 2 (applications for leave to remain in the United Kingdom)—

(a) in paragraph 2(1) for “a designated competent body” insert “an endorsing body”;

(a) Laid before Parliament on 23rd May 1994 (HC 395), as amended. The most recent amendments to the United Kingdom immigration rules providing for applications for entry clearance to enter, and applications for leave to remain in, the United Kingdom as a Global Talent Migrant, and for related applications, are contained in the Statement of Changes laid before Parliament on 30th January 2020 (HC 56).

- (b) in Table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications)—
- (i) omit 6.2.1, 6.2.2 and 6.2.3;
 - (ii) after 6.2A.2 insert—

“6.2B	Fees for and in connection with applications for limited leave to remain in the United Kingdom as a Global Talent Migrant	
6.2B.1	Application to the Home Office for an approval letter from an endorsing body in respect of a proposed application for limited leave to remain in the United Kingdom as a Global Talent Migrant.	£456
6.2B.2	Application for limited leave to remain in the United Kingdom as a Global Talent Migrant where fee 6.2B.1 applies.	£152
6.2B.3	Application for limited leave to remain in the United Kingdom as a Global Talent Migrant where fee 6.2B.1 does not apply.	£608”

- (c) in Table 7 (fees for specified applications for limited leave to remain in the United Kingdom as a dependant) at the end insert—

“7.1.4	Application for limited leave to remain in the United Kingdom as the dependant of a Global Talent Migrant.	£608”
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- (d) in paragraph 4(2)—
- (i) omit paragraph (b);
 - (ii) omit the “or” after paragraph (f);
 - (iii) after paragraph (g) insert—
- “; or
- (h) a Global Talent Migrant.”

28th January 2020

Kevin Foster
Parliamentary Under Secretary of State
Home Office

We consent

28th January 2020

David Rutley
Rebecca Harris
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration and Nationality (Fees) Regulations 2018 (“the principal Regulations”).

These Regulations set fees for applications for entry clearance to enter, and applications for limited leave to remain in, the United Kingdom as a Global Talent Migrant under the United Kingdom immigration rules. They also set fees for applications for approval letters from an endorsing body in respect of proposed applications of this kind, and fees for applications by

dependants of a Global Talent Migrant for entry clearance to enter, and for limited leave to remain in, the United Kingdom under those rules. For these purposes, “Global Talent Migrant” and “endorsing body” are defined by reference to the United Kingdom immigration rules, as most recently amended by the Statement of Changes to the Immigration Rules laid before Parliament on 30th January 2020 (HC 56).

These Regulations also amend paragraph 4 of Schedule 1 and paragraph 4 of Schedule 2 to the principal Regulations to provide for a reduction of the new fees for applications for entry clearance and limited leave to remain as a Global Talent Migrant where the applicant 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 (ETS No. 035).

The amendments to the principal Regulations made by these Regulations also remove existing fees relating to applications for entry clearance to enter, and applications for limited leave to remain in, the United Kingdom as a Tier 1 (Exceptional Talent) Migrant, and existing fees for approval letters connected with such applications. The United Kingdom immigration rules no longer provide for such applications. However, dependants of individuals who have already been granted entry clearance to enter or leave to remain in the United Kingdom as a Tier 1 (Exceptional Talent) Migrant will still be able to apply for entry clearance or limited leave to remain in that capacity, and the fees for such applications are therefore retained (see fee 2.1.1 in Table 2 in Schedule 1 to the principal Regulations, and fee 7.1.1 in Table 7 in Schedule 2 to those Regulations).

An impact assessment has been prepared in respect of this instrument and the Statement of Changes to the Immigration Rules laid before Parliament on 30th January 2020. The impact assessment is available alongside these Regulations at www.legislation.gov.uk and from the Home Office, Fees and Income Planning Team, 8th Floor, Southern House, Wellesley Grove, Croydon, CR0 1XG.

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