

Draft Order laid before the House of Commons under section 102(5) of the Finance (No.2) Act 1987, for approval by resolution of that House.

DRAFT STATUTORY INSTRUMENTS

2005 No.

FEES AND CHARGES

The Consular Fees Act 1980 (Fees) (No.2) Order 2005

Made - - - -

Coming into force in accordance with article 1

Whereas a draft of this Order has been approved by resolution of the House of Commons in pursuance of section 102(5) of the Finance (No.2) Act 1987(1):

Now, therefore, the Secretary of State for Foreign and Commonwealth Affairs, being the Minister of the Crown determined by the Treasury to be the appropriate authority in relation to the powers to fix fees under section 1 of the Consular Fees Act 1980(2), in exercise of the powers conferred by section 102 of the Finance (No.2) Act 1987, hereby makes the following Order:

1.—(1) This Order may be cited as the Consular Fees Act 1980 (Fees) (No.2) Order 2005 and shall come into force on the day after it is made.

(2) In this Order—

“biometric passport” means a passport which contains unique biological data specific to the holder;

“the 1980 Act” means the Consular Fees Act 1980;

“the 1987 Act” means the Finance (No. 2) Act 1987.

2. In relation to the power under section 1(1) of the 1980 Act to fix a fee for the exercise of the functions in the United Kingdom which correspond with consular functions, the following are specified for the purposes of section 102(3) of the 1987 Act as functions, the costs of which are to be taken into account in determining the amount of the fees—

(a) in relation to fees for the functions listed in Schedule 1 to this Order, conducting an interview of all adult applicants for a first passport for the purpose of authenticating the identity of the applicant;

(b) in relation to the fees for the functions listed in Schedule 2 to this Order, producing and issuing biometric passports in the United Kingdom.

(1) 1987 c.51.
(2) 1980 c.23.

3.—(1) In relation to any functions, the costs of which fall to be taken into account in the exercise of the power to fix fees under section 1(1) of the 1980 Act for the functions listed in the Schedules to this Order, the matter referred to in paragraph (2) is hereby specified for the purposes of section 102(4) of the 1987 Act as one to be taken into account in determining the amount of those costs.

(2) The matter referred to in this paragraph is the costs which the Secretary of State for Foreign and Commonwealth Affairs estimates will be incurred in the exercise of those functions in each of the financial years ending on 31st March 2006 and 31st March 2007.

Signed with the authority of the Secretary of State

2005

Lord Triesman
Parliamentary Under Secretary of State
Foreign and Commonwealth Office

SCHEDULE 1

Articles 2 and 3

1. Issuing a passport of not more than 32 pages (which includes replacing an expired passport, and issuing a new passport of full validity when an original passport of restricted validity is unavailable) and issuing a new passport with amended personal details—

- (a) for applications made by post in the United Kingdom where the applicant is aged 16 years or over;
- (b) for applications made in person in the United Kingdom—
 - (i) where the applicant is aged 16 years or over using the fast track service;
 - (ii) where the applicant is aged 16 years or over using the fast track collect service;
 - (iii) where the applicant is aged 16 years or over using the premium service.

2. Issuing a passport of 48 pages (which includes replacing an expired passport, and issuing a new passport of full validity when an original passport of restricted validity is unavailable) and issuing a new passport with amended personal details—

- (a) for applications made by post in the United Kingdom;
- (b) for applications made in person in the United Kingdom—
 - (i) using the fast track service;
 - (ii) using the fast track collect service;
 - (iii) using the premium service.

SCHEDULE 2

Articles 2 and 3

1. Issuing a passport of not more than 32 pages (which includes replacing an expired passport, and issuing a new passport of full validity when an original passport of restricted validity is unavailable) and issuing a new passport with amended personal details—

- (a) for applications made by post in the United Kingdom—
 - (i) where the applicant is aged 16 years or over;
 - (ii) where the applicant is under 16 years old (for a passport valid for 5 years);
- (b) for applications made in person in the United Kingdom—
 - (i) where the applicant is aged 16 years or over using the fast track service;
 - (ii) where the applicant is under 16 years old (for a passport valid for 5 years) using the fast track service;
 - (iii) where the applicant is aged 16 years or over using the fast track collect service;
 - (iv) where the applicant is under 16 years old (for a passport valid for 5 years) using the fast track collect service;
 - (v) where the applicant is aged 16 years or over using the premium service;
 - (vi) where the applicant is under 16 years old (for a passport valid for 5 years) using the premium service.

2. Issuing a passport of 48 pages (which includes replacing an expired passport, and issuing a new passport of full validity when an original passport of restricted validity is unavailable) and issuing a new passport with amended personal details—

- (a) for applications made by post in the United Kingdom;

- (b) for applications made in person in the United Kingdom—
 - (i) using the fast track service;
 - (ii) using the fast track collect service;
 - (iii) using the premium service.
 - 3. Issuing a collective passport—
 - (a) for applications made by post in the United Kingdom;
 - (b) for applications made in person in the United Kingdom.
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides, firstly, in article 2, that the costs of performing certain passport functions are to be taken into account in fixing the fees for the performance of the passport functions specified in the Schedules to the Order. Secondly, in article 3, it provides that, in relation to any functions the costs of which fall to be taken into account in exercising the power to fix fees in relation to the services listed in the Schedules to this Order, the costs which the Secretary of State for Foreign and Commonwealth Affairs estimates will be incurred in the financial years 2005/2006 and 2006/2007 on those functions, are to be taken into account in fixing the fees for those services.