

2002 No. 1618

FEES AND CHARGES

The Consular Fees Act 1980 (Fees) Order 2002

Made - - - - - *20th June 2002*
Coming into force - - - *21st June 2002*

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(a):

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(b), in exercise of the powers conferred by section 102 of the Finance (No. 2) Act 1987, hereby makes the following Order:—

1. This Order may be cited as the Consular Fees Act 1980 (Fees) Order 2002 and shall come into force on the day after it is made and shall cease to have effect on 31st March 2004.

2. In relation to the power under section 1(1) of the Consular Fees Act 1980 to fix fees charged for the performance of each of the consular functions listed in the Schedule to this Order, all of the functions so listed are hereby specified for the purposes of section 102(3) of the Finance (No. 2) Act 1987 as functions, the costs of which are to be taken into account in determining the amount of those fees.

3. In relation to the costs of the functions listed in the Schedule to this Order, the following matters, namely, the recovery of any past deficits in relation to any of those functions, are hereby specified for the purposes of section 102(4) of the Finance (No. 2) Act 1987 as matters to be taken into account in determining those costs.

Signed with the authority of the Secretary of State.

20th June 2002

Mike O'Brien
Parliamentary Under-Secretary of State,
Foreign and Commonwealth Office

(a) 1987 c. 51.
(b) 1980 c. 23.

SCHEDULE

Articles 2 and 3

Receiving, outside the United Kingdom, an application for:

- (a) a visa for passing through the United Kingdom without entering it;
- (b) entry clearance for the United Kingdom:
 - (i) in respect of any of the following—
 - for employment or self-employment for a period of six months or less,
 - as a returning resident,
 - as a visitor,
 - as a student,
 - as a passenger in transit, except where sub-paragraph (a) above applies,
 - as an “au pair”,
 - for a working holiday,valid in each case in accordance with the following specified conditions:
 - for one entry,
 - for multiple entry, valid for six months from the date of issue,
 - for multiple entry, valid for one year from the date of issue,
 - for multiple entry, valid for two years from the date of issue,
 - for multiple entry, valid for five years from the date of issue;
 - (ii) for settlement;
 - (iii) for marriage;
 - (iv) for any purpose other than those listed in sub-paragraphs (i) to (ii) above;
- (c) a certificate of entitlement of the right of abode in the United Kingdom;
- (d) entry clearance for a dependency of the United Kingdom;
- (e) entry clearance (other than for the United Kingdom or for a dependency of the United Kingdom).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order allows the Secretary of State, in charging fees for each of the services listed in the Schedule to the Order, to cross-subsidise between those different services and to recover any deficits incurred in relation to any of those services until its expiration. The Order makes provision for the costs of providing all the different entry clearance functions specified in the Schedule to the Order to be taken into account when exercising the power to set fees for each of those particular functions. The Order also makes provision for past deficits in relation to any of those functions to be taken into account in determining the costs of performing those functions.

£1.50

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E0862 6/2002 120862 19585

ISBN 0-11-042398-4



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