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## EXPLANATORY NOTE

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

The Secretary of State specified in the Immigration and Nationality (Fees) Order 2007 ([S.I. 2007/807](#)), (as amended by the Immigration and Nationality (Fees)(Amendment) Order 2008 [S.I. 2008/166](#) and the Immigration and Nationality (Fees)(Amendment) Order [S.I. 2009/420](#)) applications and processes in connection with immigration or nationality in respect of which a fee was to be charged. The Secretary of State in prescribing a fee for applications referred to in these Regulations relies on his powers under s.51 of the Immigration, Asylum and Nationality Act 2006. These Regulations revoke and replace with modifications the Immigration and Nationality (Cost Recovery Fees) Regulations 2009 ([S.I. 2009/421](#)).

The Regulations specify a fee for certain matters and set out relevant exceptions. The Regulations remove the fee for an application for a certificate of approval to marry under section 19(3)(b), 21(3)(b), 23(3)(b) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004<sup>(1)</sup> or form a civil partnership under paragraph 2(1)(b) of Schedule 23 to the Civil Partnership Act 2004<sup>(2)</sup>. They also set out the fee for a certificate of entitlement to a right of abode which was previously contained in the Immigration and Nationality (Fees) Regulations 2009 ([S.I. 2009/816](#)) and introduce a fee for the issuing of an action plan as well as a fee for reconsideration of a naturalisation application. The Regulations also set out the consequences for failing to pay a specified fee.

Regulation 3 specifies fees for limited leave to remain applications for Tier 5 migrants and Tier 5 (Temporary Worker) migrants in respect of nationals of a state which has ratified the Council of Europe Social Charter.

Regulation 4 specifies fees for limited leave to remain applications made by post as a Tier 4 migrant.

Regulations 5 to 10 provide a number of exceptions in respect of leave to remain applications.

Regulation 11 provides for an additional fee to reflect a contribution to the fund to manage the transitional impacts of migration in respect of limited leave to remain applications.

Regulation 12 provides an additional charge to the main applicant to reflect the costs of submitting the application of a dependant at the same time in respect of leave to remain applications.

Regulation 13 sets out fees for entry clearance applications into the United Kingdom.

Regulations 14 and 15 provide a number of exceptions and waivers in respect of fees for entry clearance applications.

Regulation 16 specifies the fee for an application to transfer conditions whilst within the United Kingdom and also when outside the United Kingdom.

Regulation 17 specifies a fee for the application for a work card in respect of a seasonal agricultural worker.

Regulation 18 specifies fees for travel documents.

Regulation 19 specifies the fee for a transit visa.

Regulation 20 specifies fees for a certificate of entitlement to the right of abode.

Regulation 21 specifies a fee for an application for a document recording biometric information.

Regulations 22 to 24 specify fees for sponsorship licences in relation to small sponsors.

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(1) [2004 c. 19](#).

(2) [2004 c. 33](#).

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

Regulation 25 specifies fees for sponsorship licences in relation to those persons who already hold a valid licence in respect of Tier 4, Tier 5 or Tier 4 and 5 migrants and are not small sponsors.

Regulation 26 specifies a fee for issuing a certificate of sponsorship.

Regulation 27 specifies a fee for arranging a citizenship ceremony.

Regulation 28 specifies a fee for the administration of a citizenship, oath or oath and pledge.

Regulation 29 specifies a fee for the supply of a certified copy of a notice, certificate, order, declaration or entry made under the 1981 Act, the former nationality Acts or the 1997 Act.

Regulation 30 specifies a fee for an application to amend a valid work permit document.

Regulation 31 specifies a fee for the provision of a letter or other document confirming immigration or nationality status.

Regulation 32 specifies a fee for the provision of services connected to immigration or nationality applications where those services are carried out either away from consular offices or the offices of the UK Border Agency, or where those services are being provided outside of working hours.

Regulation 33 introduces a fee for reconsideration of an application for naturalisation or an application for registration which has been refused by the Secretary of State.

Regulation 34 makes a provision for the refund of the fee charged for reconsideration under regulation 33.

Regulation 35 introduces a fee for the issuing of an action plan to a sponsor under the immigration rules.

Regulation 36 sets out the fee for the registration of a declaration of renunciation.

Regulation 37 sets out the consequences of failing to provide the specified fee under these regulations.

Regulation 38 revokes the Immigration and Nationality (cost Recovery) Fees Regulations 2009 ([S.I. 2009/421](#)).

A regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the UKBA website [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).