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STATUTORY INSTRUMENTS

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**2020 No. 1147**

**The Immigration and Nationality (Replacement of Tier 2 and Fees) (Amendment) (EU Exit) Regulations 2020**

**Amendments to the Immigration and Nationality (Fees) Regulations 2018**

9.—(1) Schedule 2 (applications for leave to remain in the United Kingdom) is amended as follows.

(2) In paragraph 1 after sub-paragraph (2) insert—

“(2A) In this Schedule, a reference to an application for limited leave to remain under an Appendix to the immigration rules being for limited leave to remain—

- (a) as the dependant partner or dependant child of a particular description of person, or
- (b) as a dependant partner or dependant child, or any other description of dependant, on a particular route under that Appendix,

is to be construed in accordance with the Appendix in question.”

(3) In paragraph 2(5A) for the words from “as a Tier 2 (General) Migrant” to the end substitute “under Appendix Skilled Worker to the immigration rules”.

(4) In Table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications)—

- (a) in 6.2. for the heading substitute “Fees for applications for limited leave to remain in the United Kingdom under Tier 1 or as a worker, temporary worker or student”;
- (b) after 6.2.6 insert—

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“6.2.6A Application for limited leave to remain in the United Kingdom— £704

- (a) under Appendix Skilled Worker to the immigration rules, other than as the dependant partner or dependant child of a Skilled Worker,
- (b) under Appendix Intra-Company Routes to those rules, on the Intra-Company Transfer route under that Appendix, other than as a dependant partner or dependant child on that route,
- (c) under Appendix T2 Minister of Religion to those rules, other than as a dependant partner or dependant child on the T2 Minister of Religion route under that Appendix, or
- (d) under Appendix T2 Sports person to those rules, other than as a dependant partner or dependant child on the T2 Sports person route under that Appendix,

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where a certificate of sponsorship has been issued for a period of three years or less and fee 6.2.6C does not apply.

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6.2.6B Application for limited leave to remain in the United Kingdom— £1,408

(a) under Appendix Skilled Worker to the immigration rules, other than as the dependant partner or dependant child of a Skilled Worker, or

(b) under Appendix Intra-Company Routes to those rules, on the Intra-Company Transfer route under that Appendix, other than as a dependant partner or dependant child on that route,

where a certificate of sponsorship has been issued for a period of more than three years and fee 6.2.6D does not apply.

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6.2.6C Application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules, other than as the dependant partner or dependant child of a Skilled Worker, where a shortage occupation certificate of sponsorship has been issued for a period of three years or less. £464

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6.2.6D Application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules, other than as the dependant partner or dependant child of a Skilled Worker, where a shortage occupation certificate of sponsorship has been issued for a period of more than three years. £928

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6.2.6E Application for limited leave to remain in the United Kingdom under Appendix Intra-Company Routes to the immigration rules, on the Intra-Company Graduate Trainee route under that Appendix, other than as a dependant partner or dependant child on that route. £482

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6.2.6F Application for limited leave to remain in the United Kingdom— £244\*

(a) under Appendix T5 (Temporary Worker) Religious Worker to the immigration rules, other than as a dependant partner or dependant child on the Religious Worker route under that Appendix,

(b) under Appendix T5 (Temporary Worker) Charity Worker to those rules, other than as a dependant partner or dependant child on the Charity Worker route under that Appendix,

(c) under Appendix T5 (Temporary Worker) Creative or Sporting Worker to those rules, other than as a dependant partner or dependant child on the Creative or Sporting Worker route under that Appendix,

(d) under Appendix T5 (Temporary Worker) International Agreement Worker to those rules, other than as a dependant partner or dependant child on the International Agreement Worker route under that Appendix, or

(e) under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker to those rules, other than as a dependant partner or dependant child on the Government Authorised Exchange Worker route under than Appendix.

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- (c) omit 6.2.7, 6.2.8, 6.2.9, 6.2.10 and 6.2.11;
  - (d) in 6.2.11A in the second column—
    - (i) for “Appendix ST: Student” substitute “Appendix Student”;
    - (ii) omit “(within the meaning those expressions have in that Appendix)”;
    - (iii) for “Appendix CS: Child Student” substitute “Appendix Child Student”;
  - (e) omit 6.2.13;
  - (f) in 6.2A in the heading for “as an Innovator or Start-up Migrant” substitute “under Appendix Innovator or Appendix Start-up to the immigration rules”;
  - (g) in 6.2A.1 in the second column for “as an Innovator” substitute “under Appendix Innovator to the immigration rules, other than as a dependant partner or dependant child on the Innovator route under that Appendix”;
  - (h) in 6.2A.2 in the second column for “as a Start-up Migrant” substitute “under Appendix Start-up to the immigration rules, other than as a dependant partner or dependant child on the Start-up route under that Appendix”;
  - (i) in 6.2B in the heading for “as a Global Talent Migrant” substitute “under Appendix Global Talent to the immigration rules”;
  - (j) in 6.2B.1 in the second column for “as a Global Talent Migrant” substitute “under Appendix Global Talent to the immigration rules, other than as a dependant partner or dependant child on the Global Talent route under that Appendix”;
  - (k) in 6.2B.2 and 6.2B.3 in the second column for “as a Global Talent Migrant” substitute “under Appendix Global Talent to the immigration rules, other than as a dependant partner or dependant child on the Global Talent route under that Appendix,”;
  - (l) after 6.2B.3 insert—

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**“6.2C Fees for applications for limited leave to remain in the United Kingdom under Appendix Hong Kong British National (Overseas) to the immigration rules, other than as a specified dependant**

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6.2C.1	Application for limited leave to remain in the United Kingdom for a period of thirty months under Appendix Hong Kong British National (Overseas) to the immigration rules, other than as—	£180
	(a) a dependant partner on the BN(O) Status Holder route or the BN(O) Household Member route under that Appendix,	
	(b) a BN(O) Household Child or BN(O) Adult Dependant Relative (within the meaning those expressions have in that Appendix) on the BN(O) Status Holder route under that Appendix, or	
	(c) a dependant child on the BN(O) Household Member route under that Appendix.	

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6.2C.2 Application for limited leave to remain in the United Kingdom for £250”  
a period of five years under Appendix Hong Kong British National  
(Overseas) to the immigration rules, other than as—

(a) a dependant partner on the BN(O) Status Holder route or the  
BN(O) Household Member route under that Appendix,

(b) a BN(O) Household Child or BN(O) Adult Dependant Relative  
(within the meaning those expressions have in that Appendix) on  
the BN(O) Status Holder route under that Appendix, or

(c) a dependant child on the BN(O) Household Member route  
under that Appendix.

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(m) in 6.3.1 for the words in the second column substitute “Application for limited leave to  
remain in the United Kingdom under Appendix Representative of an Overseas Business  
to the immigration rules, other than as a dependant partner or dependant child on the  
Representative of an Overseas Business route under that Appendix.”

(5) In Table 7 (fees for specified applications for limited leave to remain in the United Kingdom  
as a dependant)—

(a) omit 7.1.2 and 7.1.4;

(b) at the end insert—

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“7.1.5 Application for limited leave to remain in the United Kingdom under £608”  
Appendix Global Talent to the immigration rules as a dependant  
partner or dependant child on the Global Talent route under that  
Appendix.

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(6) In Table 9 (exceptions and waivers in respect of fees for applications for, or in connection  
with, leave to remain in the United Kingdom)—

(a) in 9.5 in the row below the heading, in the third column for “6.2.13” substitute “6.2.6F”;

(b) in 9.6 in the row below the heading, in the third column for “6.2.13” substitute “6.2.6F”;

(c) in 9.7—

(i) in the heading for “the EC Association Agreement with Turkey” substitute  
“Appendix ECAA Extension of Stay to the immigration rules”;

(ii) in the row below the heading, in the second column for “the terms of the EC  
Association Agreement with Turkey” substitute “Appendix ECAA Extension of Stay  
to the immigration rules”;

(d) at the end insert—

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**“9.17 Applications for limited leave to remain in the United Kingdom made under  
Appendix S2 Healthcare Visitor to the immigration rules**

No fee is payable in respect of an application for limited leave to Fees 6.1.1,  
remain in the United Kingdom made under Appendix S2 Healthcare 6.3.3”  
Visitor to the immigration rules.

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(7) For paragraph 3A substitute—

**“Reduction of fees for Health and Care Visa applications and related applications by dependants**

**3A.—(1)** In this paragraph—

a “Health and Care Visa application” means an application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules, other than as the dependant partner or dependant child of a Skilled Worker, where the certificate of sponsorship issued in respect of the application confirms the applicant’s eligibility for a Health and Care Visa provided for by the Health and Care Visa Guidance;

a “relevant dependant’s application” means an application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules as the dependant partner or dependant child of a Skilled Worker where—

- (a) the certificate of sponsorship issued in respect of the application by the main applicant confirms the main applicant’s eligibility for a Health and Care Visa provided for by the Health and Care Visa Guidance, or by the Tier 2 Policy Guidance where the main applicant’s application was made before 9.00 a.m. on 1st December 2020, or
- (b) the applicant has a sponsor’s letter or email referred to in paragraph 9 of the Health and Care Visa Guidance.

(2) In the case of a Health and Care Visa application, the fee under 6.2.6A, 6.2.6B, 6.2.6C or 6.2.6D of Table 6 payable in respect of an application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules is to be reduced—

- (a) by £472, where it is the fee specified by 6.2.6A of that Table;
- (b) by £944, where it is the fee specified by 6.2.6B of that Table;
- (c) by 50%, where it is the fee specified by 6.2.6C or 6.2.6D of that Table.

(3) In the case of a relevant dependant’s application where the application by the main applicant was made at or after 9.00 a.m. on 1st December 2020, the fee payable by virtue of paragraph 3 in respect of an application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules as the dependant partner or dependant child of a Skilled Worker is to be reduced—

- (a) by £472, where it is the fee specified by 6.2.6A of Table 6;
- (b) by £944, where it is the fee specified by 6.2.6B of that Table;
- (c) by 50%, where it is the fee specified by 6.2.6C or 6.2.6D of that Table.

(4) In the case of a relevant dependant’s application where the application by the main applicant was made before 9.00 a.m. on 1st December 2020, the fee payable by virtue of paragraph 3 in respect of an application for limited leave to remain in the United Kingdom under Appendix Skilled Worker to the immigration rules as the dependant partner or dependant child of a Skilled Worker is to be reduced—

- (a) by £472, where it is the fee specified by 6.2.7 of Table 6 as it continues to have effect by virtue of regulation 14(6) of the Immigration and Nationality (Replacement of Tier 2 and Fees) (Amendment) (EU Exit) Regulations 2020;
- (b) by £944, where it is the fee specified by 6.2.8 of that Table as it continues to have effect by virtue of that regulation;
- (c) by 50%, where it is the fee specified by 6.2.9 or 6.2.10 of that Table as it continues to have effect by virtue of that regulation.

(5) In sub-paragraph (1)—

- (a) the references to “the Health and Care Visa Guidance” are references to the document entitled “Health and Care Visa Guidance” published by the Home Office;
  - (b) the reference to “the Tier 2 Policy Guidance” is a reference to the document entitled “Tier 2 of the Points-Based System – Policy Guidance” published by the Home Office.”
- (8) In paragraph 4—
- (a) in sub-paragraph (1) after “within sub-paragraph (2)” insert “or (2A)”;
  - (b) in sub-paragraph (2) omit paragraphs (d) to (h);
  - (c) after sub-paragraph (2) insert—
    - “(2A) An application is of a kind within this sub-paragraph if it is an application for leave to remain in the United Kingdom under any of the following Appendices to the immigration rules—
    - (a) Appendix Skilled Worker;
    - (b) Appendix Intra-Company Routes;
    - (c) Appendix T2 Minister of Religion;
    - (d) Appendix T2 Sportsperson;
    - (e) Appendix T5 (Temporary Worker) Religious Worker;
    - (f) Appendix T5 (Temporary Worker) Charity Worker;
    - (g) Appendix T5 (Temporary Worker) Creative or Sporting Worker;
    - (h) Appendix T5 (Temporary Worker) International Agreement Worker;
    - (i) Appendix T5 (Temporary Worker) Government Authorised Exchange Worker;
    - (j) Appendix Innovator;
    - (k) Appendix Start-up;
    - (l) Appendix Global Talent.”