

2021 No. 1035

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Replacement of T2
Sportsperson Route and Fees) (Amendment) Regulations 2021**

Made - - - - *13th September 2021*

Laid before Parliament *15th September 2021*

Coming into force

*Regulations 2 and 5, Schedule 1 and
paragraphs 4(2), (3) and (5), 5(2),
(3), (4)(a) and (5) and 7 of
Schedule 2 at 9.00 a.m. on 11th October 2021*

Paragraph 4(4)(b) of Schedule 2 18th October 2021

Regulation 4 and Schedule 3 26th February 2022

Remainder 6th October 2021

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 84(4)(d) and 166(3)(b) of the Immigration and Asylum Act 1999^(a) and sections 68(1), (7), (8), (10)(a) and (b), 69(2) and 74(8)(a), (b) and (c) of the Immigration Act 2014^(b).

So far as these Regulations are made in exercise of powers conferred by the Immigration Act 2014, they are made further to provision in the Immigration and Nationality (Fees) Order 2016^(c) and with the consent of the Treasury^(d).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration and Nationality (Replacement of T2 Sportsperson Route and Fees) (Amendment) Regulations 2021.

(2) Except as provided by paragraphs (3), (4) and (5), these Regulations come into force on 6th October 2021.

(a) 1999 c. 33; section 84(4)(d) was amended by paragraph 2(1)(b) of Schedule 7 to the Immigration Act 2014 (c. 22).
(b) 2014 c. 22. Sections 68 to 70 of the Immigration Act 2014 were extended, with modifications, to the Isle of Man by articles 5 to 7 of the Immigration (Isle of Man) (Amendment) Order (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 of and Schedule 9A to S.I. 2008/680 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.
(c) S.I. 2016/177; relevant amending instruments are S.I. 2018/329, 2021/768.
(d) Treasury consent has been obtained pursuant to section 69(1).

(3) The following provisions of these Regulations come into force at 9.00 a.m. on 11th October 2021—

- (a) regulation 2 and Schedule 1;
- (b) regulation 5;
- (c) in Schedule 2—
 - (i) paragraph 4(2), (3) and (5);
 - (ii) paragraph 5(2), (3), (4)(a) and (5);
 - (iii) paragraph 7.

(4) Paragraph 4(4)(b) of Schedule 2 comes into force on 18th October 2021.

(5) Regulation 4 and Schedule 3 come into force on 26th February 2022.

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

Amendments to the Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009

2. Schedule 1 contains amendments to the Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009(a).

Amendments to the Immigration and Nationality (Fees) Regulations 2018 coming into force in October 2021

3. Schedule 2 contains amendments to the Immigration and Nationality (Fees) Regulations 2018(b) coming into force in October 2021 (in accordance with regulation 1(2), (3)(c) and (4)).

Further amendments to the Immigration and Nationality (Fees) Regulations 2018 coming into force on 26th February 2022

4. Schedule 3 contains further amendments to the Immigration and Nationality (Fees) Regulations 2018, coming into force on 26th February 2022 (in accordance with regulation 1(5)).

Saving of provisions of the Immigration and Nationality (Fees) Regulations 2018 amended by paragraphs 4 and 5 of Schedule 2

5.—(1) Despite its revocation by paragraph 4(3)(a)(ii) of Schedule 2, paragraph (d) in the second column of 1.3.6A in Table 1 in Schedule 1 to the 2018 Regulations continues to have effect, as it had effect immediately before commencement, for the purposes of the provision by paragraph 3 of that Schedule of a fee for an application for entry clearance to enter the United Kingdom made by a dependant of a person who—

- (a) has entry clearance to enter the United Kingdom granted before commencement under Appendix T2 Sportsperson to the immigration rules, or
- (b) made an application before commencement for entry clearance to enter the United Kingdom under that Appendix which had not been determined immediately before commencement.

(2) Despite its substitution by paragraph 4(3)(b) of Schedule 2, 1.3.6F in Table 1 in Schedule 1 to the 2018 Regulations continues to have effect, as it had effect immediately before commencement, for the purposes of the provision by paragraph 3 that Schedule of a fee for an application for entry clearance to enter the United Kingdom made by a dependant of a person who—

(a) S.I. 2009/506, amended by S.I. 2020/966, 2020/1147.

(b) S.I. 2018/330, amended by S.I. 2018/618, 2018/875, 2018/999, 2019/475, 2020/77, 2020/294, 2020/736, 2020/942, 2020/966, 2020/1147, 2020/1309, 2021/269, 2021/768.

- (a) has entry clearance to enter the United Kingdom granted before commencement under any of the Appendices to the immigration rules listed in paragraph (3) of this regulation, or
- (b) made an application before commencement for entry clearance to enter the United Kingdom under any of those Appendices which had not been determined immediately before commencement.

(3) Those Appendices are—

- (a) Appendix T5 (Temporary Worker) Religious Worker;
- (b) Appendix T5 (Temporary Worker) Charity Worker;
- (c) Appendix T5 (Temporary Worker) Creative or Sporting Worker;
- (d) Appendix T5 (Temporary Worker) International Agreement Worker;
- (e) Appendix T5 (Temporary Worker) Government Authorised Exchange Worker.

(4) Despite its revocation by paragraph 5(3)(a)(ii) of Schedule 2, paragraph (d) in the second column of 6.2.6A in Table 6 in Schedule 2 to the 2018 Regulations continues to have effect, as it had effect immediately before commencement, for the purposes of the provision by paragraph 3 of that Schedule of a fee for an application for limited leave to remain in the United Kingdom made by a dependant of a person who—

- (a) has limited leave to remain in the United Kingdom granted before commencement under Appendix T2 Sports person to the immigration rules, or
- (b) made an application before commencement for limited leave to remain in the United Kingdom under that Appendix which had not been determined immediately before commencement.

(5) Despite its substitution by paragraph 5(3)(b) of Schedule 2, 6.2.6F in Table 6 in Schedule 2 to the 2018 Regulations continues to have effect, as it had effect immediately before commencement, for the purposes of the provision by paragraph 3 of that Schedule of a fee for an application for limited leave to remain in the United Kingdom made by a dependant of a person who—

- (a) has limited leave to remain in the United Kingdom granted before commencement under any of the Appendices to the immigration rules listed in paragraph (6) of this regulation, or
- (b) made an application before commencement for limited leave to remain in the United Kingdom under any of those Appendices which had not been determined immediately before commencement.

(6) Those Appendices are—

- (a) Appendix T5 (Temporary Worker) Religious Worker;
- (b) Appendix T5 (Temporary Worker) Charity Worker;
- (c) Appendix T5 (Temporary Worker) Creative or Sporting Worker;
- (d) Appendix T5 (Temporary Worker) International Agreement Worker;
- (e) Appendix T5 (Temporary Worker) Government Authorised Exchange Worker.

(7) In this regulation—

“the 2018 Regulations” means the Immigration and Nationality (Fees) Regulations 2018;

“commencement” means 9.00 a.m. on 11th October 2021;

“dependant” has the meaning given by regulation 2 of the 2018 Regulations;

“the immigration rules” means the rules made under section 3(2) of the Immigration Act 1971(a).

13th September 2021

Kevin Foster
Parliamentary Under Secretary of State
Home Office

We consent

13th September 2021

Michael Tomlinson
Rebecca Harris
Two of the Lords Commissioners of Her Majesty’s Treasury

SCHEDULE 1

Regulation 2

Amendments to the Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009

1. The Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009 is amended as follows.

2. In article 2 (interpretation)—

(a) in paragraph (1)—

(i) for the definition of “worker migrant” substitute—

““worker migrant” means a migrant who—

(a) made an application for entry clearance or leave to remain under Appendix T2 Sportsperson to the immigration rules(b), other than as a dependent partner or dependent child on the T2 Sportsperson route under that Appendix, which had not been determined immediately before 9.00 a.m. on 11th October 2021,

(b) has been granted entry clearance or leave to remain under Appendix T2 Sportsperson to the immigration rules, other than as a dependent partner or dependent child on the T2 Sportsperson route under that Appendix, or

(c) makes an application for, or has been granted, entry clearance or leave to remain under—

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

(ii) Appendix Intra-Company Routes to the immigration rules, other than as a dependent partner or dependent child on the Intra-Company Transfer route or the Intra-Company Graduate Trainee route under that Appendix,

(iii) Appendix T2 Minister of Religion to the immigration rules, other than as a dependent partner or dependent child on the T2 Minister of Religion route under that Appendix, or

(a) 1971 c. 77. The United Kingdom immigration rules were laid before Parliament on 23rd May 1994 (HC 395) and have been amended subsequently.

(b) Appendix T2 Sportsperson to the United Kingdom immigration rules was removed by the Statement of Changes in Immigration Rules laid before Parliament on 10th September 2021 (HC 617).

- (iv) Appendix International Sportsperson to the immigration rules^(a), other than as the dependant partner or dependant child of an International Sportsperson;”;
 - (ii) in the definition of “worker sponsor” for “Appendix T2 Sportsperson” substitute “Appendix International Sportsperson”;
 - (b) in paragraph (2)—
 - (i) after “the dependant partner or dependant child” in both places it occurs insert “, or the dependent partner or dependent child,”;
 - (ii) after “a dependant partner or dependant child” in both places it occurs insert “, or a dependent partner or dependent child,”;
 - (c) after paragraph (2) insert—

“(3) For the purposes of paragraph (2) there is to be regarded as being no difference between—

 - (a) the expressions “dependant partner” and “dependent partner”, where the reference in paragraph (1) uses one of those expressions and the Appendix in question uses the other, or
 - (b) the expressions “dependant child” and “dependent child”, where the reference in paragraph (1) uses one of those expressions and the Appendix in question uses the other.”
- 3.** In article 3 (exemption for worker sponsors and Student sponsors) in paragraph (2A) after sub-paragraph (g) insert—
- “(ga) Appendix International Sportsperson to those rules,”.

SCHEDULE 2

Regulation 3

Amendments to the Immigration and Nationality (Fees) Regulations 2018 coming into force in October 2021

- 1.** The Immigration and Nationality (Fees) Regulations 2018 are amended as follows.
- 2.** In regulation 2 (interpretation)—
 - (a) in the definition of “process used to take a record of a person’s biometric information” omit “, section 126 of the 2002 Act”;
 - (b) after that definition insert—

““reuse of a person’s biometric information” means the reuse of a person’s recorded biometric information by the Secretary of State, pursuant to regulations made under section 41 of the 1981 Act or section 5 of the 2007 Act and in connection with an application in connection with immigration or nationality, where that recorded information was provided for the purposes of any other application or claim in connection with immigration or nationality;”.
- 3.** In regulation 10 (fees for applications, processes and services relating to nationality)—
 - (a) in paragraph (a)(ii), for the words from “or the process” to “information” substitute “the process used to take a record of a person’s biometric information or the reuse of a person’s biometric information,”;
 - (b) for paragraph (aa) substitute—

“(aa) exceptions to the requirements to pay specified fees referred to in paragraph (a);”

(a) Appendix International Sportsperson was added to the United Kingdom immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 10th September 2021 (HC 617).

4.—(1) Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom) is amended as follows.

(2) In paragraph 1—

(a) in sub-paragraph (2)—

- (i) in paragraph (a) after “the dependant partner or dependant child” insert “, or the dependent partner or dependent child,”;
- (ii) in paragraph (b) after “a dependant partner or dependant child” insert “or a dependent partner or dependent child”;

(b) after sub-paragraph (2) insert—

“(3) For the purposes of sub-paragraph (2) there is to be regarded as being no difference between—

- (a) the expressions “dependant partner” and “dependent partner”, where the reference in this Schedule uses one of those expressions and the Appendix in question uses the other, or
- (b) the expressions “dependant child” and “dependent child”, where the reference in this Schedule uses one of those expressions and the Appendix in question uses the other.”

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

(a) in 1.3.6A in the second column—

- (i) after paragraph (b) insert “or”;
- (ii) omit paragraph (d) and the “or” preceding it;

(b) for 1.3.6F substitute—

“1.3.6F	Application for entry clearance under— (a) Appendix Temporary Work – Seasonal Worker to the immigration rules, (b) Appendix Youth Mobility Scheme to those rules, (c) Appendix Temporary Work – Religious Worker to those rules, other than as a dependent partner or dependent child of a Religious Worker, (d) Appendix Temporary Work – Charity Worker to those rules, other than as a dependent partner or dependent child of a Charity Worker, (e) Appendix Temporary Work – Creative Worker to those rules, other than as a dependent partner or dependent child of a Creative Worker, (f) Appendix Temporary Work – International Agreement to those rules, other than as a dependent partner or dependent child on the International Agreement route under that Appendix, or (g) Appendix Temporary Work – Government Authorised Exchange to those rules, other than as a dependent partner or dependent child on the Government Authorised Exchange route under that Appendix(a).	£244”
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(c) after 1.3.6F insert—

(a) Appendix Temporary Work – Seasonal Worker, Appendix Youth Mobility Scheme, Appendix Temporary Work – Religious Worker, Appendix Temporary Work – Charity Worker, Appendix Temporary Work – Creative Worker, Appendix Temporary Work – International Agreement and Appendix Temporary Work – Government Authorised Exchange were substituted for the Appendices formerly listed in fee 1.3.6F of Table 1 by the Statement of Changes in Immigration Rules laid before Parliament on 10th September 2021 (HC 617).

“1.3.6G	Application for entry clearance under Appendix International Sportsperson to the immigration rules, other than as a dependent partner or dependent child of an International Sportsperson, where a certificate of sponsorship has been issued for a period of 12 months or less.	£244
1.3.6H	Application for entry clearance under Appendix International Sportsperson to the immigration rules, other than as a dependent partner or dependent child of an International Sportsperson, where a certificate of sponsorship has been issued for a period of more than 12 months.	£610”

(4) in Table 4 (exceptions in respect of fees for applications for entry clearance to enter or leave to enter the United Kingdom)—

(a) in 4.6.1 for the words in the second column substitute—

“No fee is payable in respect of an application under Part 7 of the immigration rules for entry clearance to enter the United Kingdom as—

- (a) a relevant Afghan citizen,
 - (b) the partner of a relevant Afghan citizen, or
 - (c) the minor dependent child of a relevant Afghan citizen or of their partner
- (with the expressions used in (a), (b) and (c) having the same meaning as in that Part).”

(b) at the end insert—

“4.10	Accredited persons attending the 2022 Commonwealth Games	
4.10.1	No fee is payable in respect of an application for a visit visa for a period of six months or less which is made— (a) for the purpose of taking part or otherwise being involved in the Commonwealth Games to be held principally in Birmingham in 2022, and (b) by a person accredited by Birmingham Organising Committee for the 2022 Commonwealth Games Ltd for the purpose of taking part or otherwise being involved in those Games.	Fee 1.1.1”

(5) In paragraph 4(2A)—

(a) omit paragraph (d);

(b) for paragraphs (e) to (j) substitute—

- “(e) Appendix Temporary Work – Seasonal Worker;
- (f) Appendix Temporary Work – Religious Worker;
- (g) Appendix Temporary Work – Charity Worker;
- (h) Appendix Temporary Work – Creative Worker;
- (i) Appendix Temporary Work – International Agreement;
- (j) Appendix Temporary Work – Government Authorised Exchange;”;

(c) after paragraph (j) insert—

“(ja) Appendix International Sportsperson;”.

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

- (2) In paragraph 1—
- (a) in sub-paragraph (2A)—
- (i) in paragraph (a) after “the dependant partner or dependant child” insert “, or the dependent partner or dependent child.”;
- (ii) in paragraph (b) after “a dependant partner or dependant child” insert “or a dependent partner or dependent child”;
- (b) after sub-paragraph (2A) insert—
- “(3) For the purposes of sub-paragraph (2A) there is to be regarded as being no difference between—
- (a) the expressions “dependant partner” and “dependent partner”, where the reference in this Schedule uses one of those expressions and the Appendix in question uses the other, or
- (b) the expressions “dependant child” and “dependent child”, where the reference in this Schedule uses one of those expressions and the Appendix in question uses the other.”
- (3) In Table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications)—
- (a) in 6.2.6A in the second column—
- (i) after paragraph (b) insert “or”;
- (ii) omit paragraph (d) and the “or” preceding it;
- (b) for 6.2.6F substitute—

“6.2.6F	Application for limited leave to remain in the United Kingdom under—	£244”
	(a) Appendix Temporary Work – Religious Worker to the immigration rules, other than as a dependent partner or dependent child of a Religious Worker,	
	(b) Appendix Temporary Work – Charity Worker to those rules, other than as a dependent partner or dependent child of a Charity Worker,	
	(c) Appendix Temporary Work – Creative Worker to those rules, other than as a dependent partner or dependent child of a Creative Worker,	
	(d) Appendix Temporary Work – International Agreement to those rules, other than as a dependent partner or dependent child on the International Agreement route under that Appendix, or	
	(e) Appendix Temporary Work – Government Authorised Exchange to those rules, other than as a dependent partner or dependent child on the Government Authorised Exchange route under that Appendix.	
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(c) after 6.2.6G insert—		
“6.2.6H	Application for limited leave to remain in the United Kingdom under Appendix International Sports person to the immigration rules, other than as a dependent partner or dependent child of an International Sports person, where a certificate of sponsorship has been issued for a period of 12 months or less.	£244
6.2.6I	Application for limited leave to remain in the United Kingdom under Appendix International Sports person to the immigration rules, other than as a dependent partner or dependent child of an International Sports person, where a certificate of sponsorship has been issued for a period of more than 12 months.	£704”

(4) 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 9.6 in the row below the heading, in the third column after “6.2.6F,” insert “6.2.6H, 6.2.6I,”;
- (b) in 9.14.1 in the second column, at the end insert “before 6th October 2021”;
- (c) in 9.14.2 for the words in the second column substitute—

“No fee is payable in respect of an application under Part 7 of the immigration rules for indefinite leave to remain in the United Kingdom as—

- (a) a relevant Afghan citizen,
 - (b) the partner of a relevant Afghan citizen, or
 - (c) the minor dependent child of a relevant Afghan citizen or of their partner
- (with the expressions used in (a), (b) and (c) having the same meaning as in that Part).”

(5) In paragraph 4(2A)—

- (a) omit paragraph (d);
- (b) for paragraphs (e) to (i) substitute—
 - “(e) Appendix Temporary Work – Religious Worker;
 - (f) Appendix Temporary Work – Charity Worker;
 - (g) Appendix Temporary Work – Creative Worker;
 - (h) Appendix Temporary Work – International Agreement;
 - (i) Appendix Temporary Work – Government Authorised Exchange;”;
- (c) after paragraph (ia) insert—
 - “(ib) Appendix International Sportsperson;”.

6.—(1) Schedule 3 (documents and administration) is amended as follows.

(2) In paragraph 2(3) for the words from “and the process” to the end substitute “, the process used to take a record of a person’s biometric information and the reuse of a person’s biometric information.”

(3) In Table 12 (fees for applications for biometric immigration documents and the process used to take a record of biometric information)—

- (a) in the heading of the Table, for the words from “and the process” to the end substitute “, the process used to take a record of biometric information and the reuse of biometric information”;
- (b) in 12.2 in the second column after “taking a record of” insert “, or reusing,”;
- (c) in 12.2.1, 12.2.2 and 12.2.4, in the second column of each, after “for the purposes of” insert “, or the reuse of a person’s biometric information in connection with,”.

(4) In Table 13 (exceptions to the requirement to pay fees for applications for biometric immigration documents and the process used to take a record of biometric information)—

- (a) in the heading of the Table for “and the process” to the end substitute “, the process used to take a record of biometric information and the reuse of biometric information”;
- (b) in 13.3 in the second column after “biometric information” insert “, or the reuse of a person’s biometric information,”;
- (c) in 13.3.1 in the second column, at the end insert “, or for the reuse of a person’s biometric information in connection with such an application.”;

- (d) in 13.4.1 and 13.5.1, in the second column of each, after “biometric information” insert “, or for the reuse of a person’s biometric information,”;
- (e) in 13.6 in the second column after “biometric information” insert “, or the reuse of a person’s biometric information,”;
- (f) in 13.6.1 in the second column for “where that record is taken for the purposes of” substitute “, or for the reuse of a person’s biometric information, where that record is taken for the purposes of or (as the case may be) that information is reused in connection with”;
- (g) in 13.7 in the second column after “biometric information” insert “, or the reuse of a person’s biometric information,”;
- (h) in 13.7.1 in the second column after “biometric information” insert “, or in respect of the reuse of a person’s biometric information,”;
- (i) after 13.7.1 insert—

“13.Z7A Reuse of a person’s biometric information where a record of biometric information is also taken		
13.Z7A.1	No fee is payable for the reuse of a person’s biometric information in connection with an application where a record of any of that person’s biometric information is also taken for the purposes of that application.	Fees 12.2.1, 12.2.2 and 12.2.4”

7.—(1) Schedule 4 (sponsorship) is amended as follows.

(2) In paragraph 1—

- (a) in the definition of “temporary workers”, for paragraphs (a) to (g) substitute—
 - “(a) Appendix Temporary Work – Seasonal Worker to the immigration rules,
 - (b) Appendix Youth Mobility Scheme to those rules,
 - (c) Appendix Temporary Work – Religious Worker to those rules,
 - (d) Appendix Temporary Work – Charity Worker to those rules,
 - (e) Appendix Temporary Work – Creative Worker to those rules,
 - (f) Appendix Temporary Work – International Agreement to those rules, or
 - (g) Appendix Temporary Work – Government Authorised Exchange to those rules;”;
- (b) in the definition of “the temporary worker route”, for paragraphs (a) to (g) substitute—
 - “(a) the Seasonal Worker route provided for by Appendix Temporary Work – Seasonal Worker to the immigration rules;
 - (b) the Youth Mobility Scheme route provided for by Appendix Youth Mobility Scheme to those rules;
 - (c) the Religious Worker route provided for by Appendix Temporary Work – Religious Worker to those rules;
 - (d) the Charity Worker route provided for by Appendix Temporary Work – Charity Worker to those rules;
 - (e) the Creative Worker route provided for by Appendix Temporary Work – Creative Worker to those rules;
 - (f) the International Agreement route provided for by Appendix Temporary Work – International Agreement to those rules;
 - (g) the Government Authorised Exchange route provided for by Appendix Temporary Work – Government Authorised Exchange to those rules;”;
- (c) in the definition of “workers” for paragraph (d) substitute—
 - “(d) Appendix International Sportsperson to those rules;”;

- (d) in the definition of “the worker route”, for paragraph (e) substitute—
“(e) the International Sportsperson route provided for by Appendix International Sportsperson to those rules;”.

(3) In Table 14 (fees in relation to sponsor licences, premium services for sponsors, certificates of sponsorship and confirmations of acceptance for studies)—

- (a) in 14.4.1 in the second column—
(i) for the comma after “Appendix Intra-Company Routes” substitute “or”;
(ii) omit “or Appendix T2 Sportsperson”;
(iii) for “where the application is not made” substitute “except where the application is”;
(b) after 14.4.1 insert—

14.4.1A	The issuing of a certificate of sponsorship for a period of 12 months or less in respect of an application or potential application under Appendix International Sportsperson to the immigration rules, except where the application is in respect of a CESC national (in which case no fee is payable).	£21
14.4.1B	The issuing of a certificate of sponsorship for a period of more than 12 months in respect of an application or potential application under Appendix International Sportsperson to the immigration rules, except where the application is in respect of a CESC national (in which case no fee is payable).	£199”

- (c) in 14.4.3 for the words in the second column substitute—

“The issuing of a certificate of sponsorship in respect of an application or potential application under any of the following Appendices to the immigration rules, except where the application is in respect of a CESC national (in which case no fee is payable)—

- (a) Appendix Temporary Work – Seasonal Worker;
(b) Appendix Temporary Work – Religious Worker;
(c) Appendix Temporary Work – Charity Worker;
(d) Appendix Temporary Work – Creative Worker;
(e) Appendix Temporary Work – International Agreement;
(f) Appendix Temporary Work – Government Authorised Exchange.”

(4) In paragraph 3 after sub-paragraph (2) insert—

“(2ZA) For the purposes of paragraphs (1) and (2), a sponsor licence in respect of applicants under Appendix International Sportsperson to the immigration rules is to be regarded as a sponsor licence in respect of temporary workers rather than a sponsor licence in respect of workers if it—

- (a) became a sponsor licence in respect of applicants under that Appendix at 9.00 a.m. on 11th October 2021 by virtue of having been a sponsor licence in respect of applicants under Appendix T5 (Temporary Worker) Creative or Sporting Worker immediately before that time, and
(b) is not also a sponsor licence in respect of applicants under Appendix Skilled Worker, Appendix Intra-Company Routes or Appendix T2 Minister of Religion to those rules.”

8.—(1) Schedule 7 (premium services outside the United Kingdom) is amended as follows.

(2) In Table 18 (premium services outside the United Kingdom) at the end insert—

“18.4	Fee for provision of certain premium services by immigration officers	
18.4.1	The provision of an immigration officer to provide any premium service relating to entry into or transit through the United Kingdom.	£77.40 per hour per officer”

9.—(1) Schedule 8 (nationality) is amended as follows.

(2) In paragraph 2 for sub-paragraph (1A) substitute—

“(1A) Table 20A provides exceptions from the requirement to pay fees specified in Tables 19 and 20 in specified circumstances.”

(3) In Table 20 (fees for applications, processes and services in connection with nationality) in 20.2.2 in the second column, after “for the purposes of” insert “, or the reuse of a person’s biometric information in connection with,”.

(4) In Table 20A (exception in respect of fees for applications for registration as a British citizen under the 1981 Act)—

(a) in the heading of the Table—

(i) for “Exception” substitute “Exceptions”;

(ii) after “the 1981 Act” insert “and for the reuse of biometric information”;

(b) after 20A.1.1 insert—

“20A.2	Reuse of a person’s biometric information where a record of the person’s biometric information is also taken	
20A.2.1	No fee is payable for the reuse of a person’s biometric information in connection with an application for registration or naturalisation where a record of any of that person’s biometric information is also taken for the purposes of that application.	Fee 20.2.2”

SCHEDULE 3

Regulation 4

Amendments to the Immigration and Nationality (Fees) Regulations 2018 coming into force on 26th February 2022

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

2. In regulation 2 (interpretation) omit the definition of “CESC national”.

3.—(1) Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom) is amended as follows.

(2) In paragraph 2—

(a) in sub-paragraph (4) for “(and see paragraphs 3A and 4)” substitute “(and see paragraph 3A)”;

(b) omit sub-paragraph (6).

(3) Omit paragraph 4.

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

(2) In paragraph 2(6) omit “The fees specified in Table 6 are subject to paragraph 4 (applications by CESC nationals), and”.

(3) Omit paragraph 4.

5.—(1) Schedule 4 (sponsorship) is amended as follows.

(2) In Table 14 (fees in relation to sponsor licences, premium services for sponsors, certificates of sponsorship and confirmations of acceptance for studies)(a)—

- (a) in 14.4.1 in the second column omit the words from “, except where” to the end;
- (b) in 14.4.1A in the second column omit the words from “, except where” to the end;
- (c) in 14.4.1B in the second column omit the words from “, except where” to the end;
- (d) in 14.4.3 in the second column omit the words from “, except where” to “no fee is payable”.

6.—(1) Schedule 9 (applications in relation to entry clearance to enter the Isle of Man and premium services) is amended as follows.

(2) In paragraph 2—

- (a) in sub-paragraph (3) for “(and see paragraphs 3A and 4)” substitute “(and see paragraph 3A)”;
- (b) omit sub-paragraph (5).

(3) Omit paragraph 4.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009 (“the 2009 Order”) and the Immigration and Nationality (Fees) Regulations 2018 (“the 2018 Regulations”).

Regulation 2 and Schedule 1 amend the 2009 Order. Section 84(1) of the Immigration and Asylum Act 1999 prohibits the provision of immigration advice or immigration services by anyone who is not a qualified person. The 2009 Order exempts certain persons from this prohibition in specified circumstances, including licensed sponsors of applicants under Appendix T2 Sportsperson to the United Kingdom immigration rules. Appendix T2 Sportsperson has been replaced by provisions in new Appendix International Sportsperson. Schedule 1 to these Regulations amends the 2009 Order to exempt licensed sponsors of applicants under that new Appendix.

Regulations 3 and 4 and Schedules 2 and 3 amend the 2018 Regulations, which set fees for the exercise of functions in connection with immigration and nationality. The amendments made by Schedule 2 come into force on dates in October 2021 specified in regulation 1(2), (3)(c) and (4). The further amendments made by Schedule 3 come into force on 26th February 2022.

Paragraphs 2, 3, 6(1) to (3) and 9 of Schedule 2 amend existing fee descriptions covering the process used to take a record of a person’s biometric information for the purposes of specified applications. The effect is to extend the fees so that they also cover the reuse, in connection with the specified applications, of biometric information already taken for the purposes of another application or claim. Paragraph 6(4) of Schedule 2 extends a number of exceptions which currently apply to the existing fees for the process used to take a record of biometric information for the purposes of an application for a biometric immigration document. Paragraphs 6(4) and 9(4) also provide fee exceptions to the effect that no fee is payable for the reuse of a person’s biometric application in a case where a record of any of the person’s biometric information is also taken for the purposes of the same application.

(a) Paragraph 7(3)(a)(iii), (b) and (c) of Schedule 2 to these Regulations makes relevant amendments to Table 14 which come into force at 9.00 a.m. on 11th October 2021.

Paragraphs 4(2) and (3) and 5(2) and (3) of Schedule 2 amend provisions setting fees for entry clearance to enter, and limited leave to remain in, the United Kingdom. A number of Appendices to the United Kingdom immigration rules providing routes to enter and remain in the United Kingdom have been replaced, and paragraphs 4 and 5 of Schedule 2 amend Schedules 1 and 2 to the 2018 Regulations to set fees for applications under the new Appendices. Paragraphs 4(5) and 5(4)(a) and (5) of Schedule 2 to these Regulations provide for a related fee exception and for the new fees to be reduced in specified circumstances. Regulation 5 makes related transitional provision in respect of fees payable by dependants.

Paragraphs 4(4)(a) and 5(4)(b) and (c) of Schedule 2 amend existing fee exceptions for applications for entry clearance to enter, and leave to remain in, the United Kingdom by certain Afghan citizens and their dependants. The amendments reflect changes made to Part 7 of the United Kingdom immigration rules.

Paragraph 4(4)(b) of Schedule 2 provides an exception, from an existing fee for a visit visa, for applications made for the purposes of taking part or otherwise being involved in the Birmingham 2022 Commonwealth Games.

Paragraph 7 of Schedule 2 makes amendments to Schedule 4 to the 2018 Regulations which sets fees relating to sponsorship of immigration applications, including fees for sponsor licences and for the issuing of certificates of sponsorship in connection with applications. Amendments are made to reflect the replacing of a number of Appendices to the United Kingdom immigration rules with new Appendices. Paragraph 7(3)(b) of Schedule 2 adds fees for the issuing of certificates of sponsorship in respect of applications under new Appendix International Sports person.

Paragraph 8 of Schedule 2 amends Schedule 7 to the 2018 Regulations to set a new fee for the provision of an immigration officer to provide premium services outside the United Kingdom relating to entry into or transit through the United Kingdom. Fees are already set by the 2018 Regulations for providing an immigration officer to provide such services in the United Kingdom (see 17.7 in Table 17 in Schedule 6).

Regulation 4 and Schedule 3 make further amendments to the 2018 Regulations which come into force on 26th February 2022. The 2018 Regulations provide that the fees specified for certain applications are to be reduced, or in some cases not payable at all, where the application is made in respect of a “CESC national”. A “CESC national” is a person who 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 (CETS No. 035). With effect from 26th February 2022, the United Kingdom has denounced acceptance of Article 18(2) of the European Social Charter, which provides for the reduction or abolition of charges paid by foreign workers and their employers. This denunciation also extends to the Isle of Man. The relevant fee reduction provisions and exceptions in the 2018 Regulations are therefore no longer required, and these Regulations make amendments removing all of them.

A full impact assessment has been prepared in respect of the amendments made to the 2018 Regulations by regulation 4 and Schedule 3. It is available alongside these Regulations on www.legislation.gov.uk and copies are also available from the Home Office, Fees and Income Planning Team, 2 Marsham Street, London, SW1P 4DF. No impact assessment has been published in respect of other changes made by these Regulations because no impact, or no significant impact, on the private, voluntary or public sector is foreseen.

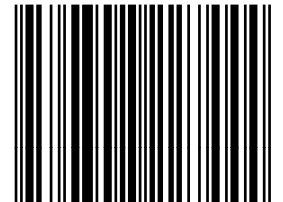
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