
STATUTORY INSTRUMENTS

2022 No. 296

**The Immigration and Nationality and Immigration Services
Commissioner (Fees) (Amendment) Regulations 2022**

Amendments to the Immigration and Nationality (Fees) Regulations 2018

- 7.—(1) Schedule 3 (documents and administration) is amended as follows.
- (2) In paragraph 2 at the end (before Table 10) insert—
- “(6) Paragraph 4 confers a discretion on the Secretary of State to waive, in specified circumstances, any fee specified in Table 10 or 12.”
- (3) In Table 10 (fees for miscellaneous documents and services) omit 10.1.2, 10.6.2 and 10.6.4.
- (4) In Table 12 (fees for applications for biometric immigration documents, the process used to take a record of biometric information and the reuse of biometric information)—
- (a) omit 12.2.2;
- (b) in 12.2.4 for the words in the second column substitute—

“The process used to take a record of a person’s biometric information for the purposes of, or the reuse of a person’s biometric information in connection with—

(a) an application referred to in fee 10.1.1, 10.5A.1, 10.5A.2, 10.6.3 or 10.6.5, or

(b) an application referred to in fee 10.6.1, other than an application for a biometric immigration document made in accordance with regulation 3 of the 2008 Regulations by a person falling within paragraph (3) of that regulation.”

- (5) In Table 13 (exceptions to the requirement to pay fees for applications for biometric immigration documents, the process used to take a record of biometric information and the reuse of biometric information)—
- (a) in 13.4.1 and 13.5.1 for the words in the third column substitute “Fee 12.2.1”
- (b) omit 13.6, 13.6.1, 13.7 and 13.7.1;
- (c) in 13.Z7A.1 in the third column omit “, 12.2.2”;
- (d) in 13.7A.1 for the words in the third column substitute “Fee 10.6.1”;
- (e) in 13.8.1 in the second column for “in any of 10.6.1 to 10.6.5” substitute “in 10.6.1, 10.6.3 or 10.6.5, or made an application at any time before 9.00 a.m. on 6th April 2022 for which a fee was specified in 10.6.2 or 10.6.4 when the application was made”.
- (6) At the end insert—

“Waiver of fee as a remedy for maladministration

4. The Secretary of State may waive the payment of any fee specified in Table 10 or 12 in respect of any application, request or process where the Secretary of State considers that—

- (a) the person in respect of whom the application or request is made or (as the case may be) in relation to whom the process is to be carried out has suffered any detriment in connection with immigration or nationality as a result of maladministration by the Home Office, and
- (b) the appropriate remedy (or part of the appropriate remedy) for that maladministration is to waive the payment of the fee in respect of the application, request or process.”