
STATUTORY INSTRUMENTS

2023 No. 349

**The Immigration and Nationality
(Fees) (Amendment) Regulations 2023**

PART 2

Amendments to the principal Regulations coming into force on 12th April 2023

Amendments to regulation 2

- 3.—**(1) Regulation 2 (interpretation) is amended as follows.
- (2) Omit the definition of “Tier 1 (General) Migrant” and “Tier 1 (Post-Study Work) Migrant”.
- (3) In the definition starting “Tier 1 (Entrepreneur) Migrant” omit “, Tier 1 (Graduate Entrepreneur) Migrant”.
- (4) Insert in the appropriate place—
- ““Tier 1 (Graduate Entrepreneur) Migrant” has the meaning given by paragraph 6 of the Isle of Man immigration rules;”.

Amendment to Schedule 1

- 4.—**(1) Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom) is amended as follows.
- (2) In Table 1 (fees for applications for entry clearance to enter or leave to enter the United Kingdom), in 1.4.1, for paragraph (b) substitute—
- “(b) Appendix Child staying with or joining a Non-Parent Relative (Protection) to the immigration rules⁽¹⁾ for entry clearance as the child of a relative, who is not a parent, and who has limited leave to enter or leave to remain in the United Kingdom with protection status within the meaning given by paragraph 6 of the immigration rules.”.
- (3) In Table 2 (specified fees for dependants), omit 2.1.1A.
- (4) For paragraph 3 substitute—

“Applications by dependants

- 3.—**(1) The fee for an application for entry clearance to enter or leave to enter the United Kingdom made by the dependant of a main applicant is—
- (a) where the dependant’s application is not made at the same time as the main applicant’s application, the fee paid by the main applicant under Table 1 in respect of their last application for limited leave to remain in the United Kingdom which was made before the dependant’s application;

(1) The United Kingdom immigration rules were laid before Parliament on 23rd May 1994 (HC 395). Appendix Child joining a Non-Parent Relative (Protection) was added to the United Kingdom immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 9th March 2023 (HC 1160).

- (b) in any other case, the fee specified in Table 1 in respect of the main applicant's application.
- (2) Sub-paragraph (1) does not apply in respect of applications for which a fee is specified in—
 - (a) 1.3C.1, 1.3C.2, 1.4.1 or 1.4.5 of Table 1;
 - (b) Table 2; or
 - (c) Table 3.
- (3) The fee payable in accordance with sub-paragraph (1) is subject to—
 - (a) the exceptions and waivers set out in Tables 4 and 5; and
 - (b) paragraph 3A.”.

Amendments to Schedule 2

- 5.—(1) Schedule 2 (applications for leave to remain in the United Kingdom) is amended as follows.
- (2) In Table 7 (fees for specified applications for limited leave to remain in the United Kingdom as a dependant) omit 7.1.1A.
- (3) For paragraph 3 substitute—

“Applications by dependants

- 3.—(1) The fee for an application for leave to remain in the United Kingdom made by the dependant of a main applicant is—
 - (a) where the dependant's application is not made at the same time as the main applicant's application, the fee paid by the main applicant under Table 6 or 8 (as the case may be) in respect of their last application for limited leave to remain in the United Kingdom which was made before the dependant's application;
 - (b) in any other case, the fee specified in Table 6 or 8 (as the case may be) in respect of the main applicant's application.
- (2) Sub-paragraph (1) does not apply in respect of applications for which a fee is specified in—
 - (a) 6.2C.1 or 6.2C.2 of Table 6; or
 - (b) Table 7.
- (3) The fee payable in accordance with sub-paragraph (1) is subject to—
 - (a) the exceptions and waivers set out in Table 9 (other than the exception in 9.18 of that Table); and
 - (b) paragraph 3A.”.

Amendments to Schedule 9

- 6. In Schedule 9 (applications in relation to entry clearance to enter the Isle of Man and premium services), in Table 22 (specified fees for dependants), omit 22.1.2 and 22.1.3.