STATUTORY INSTRUMENTS

2005 No. 2112

FEES AND CHARGES

The Consular Fees Act 1980 (Fees) Order 2005

Made - - - -	*26th July 2005*
Coming into force - -	*27th July 2005*

Whereas a draft of this Order has been approved by resolution of the House of Commons in pursuance of section 102(5) of the Finance (No 2) Act 1987(**a**):

Now, therefore, the Secretary of State for Foreign and Commonwealth Affairs, being the Minister of the Crown determined by the Treasury to be the appropriate authority in relation to the powers to fix fees under section 1 of the Consular Fees Act 1980 (**b**), in exercise of the powers conferred by section 102 of the Finance (No. 2) Act 1987, hereby makes the following Order:

1. This Order may be cited as the Consular Fees Act 1980 (Fees) Order 2005 and shall come into force on the day after it is made.

2. In relation to the power under section 1(1) of the Consular Fees Act 1980 to fix fees charged for the performance of each of the consular functions listed in the Schedule to this Order, all of the functions so listed are hereby specified for the purposes of section 102(3) of the Finance (No.2) Act 1987 as functions, the costs of which are to be taken into account in determining the amount of each of those fees.

3.—(1) In relation to the functions listed in the Schedule to this Order, the costs of which fall to be taken into account on the exercise of the power under section 1 of the Consular Fees Act 1980 to fix fees to be levied for doing anything in exercise of those functions, the matter referred to in paragraph (2) is specified for the purposes of section 102(4) of the Finance (No.2) Act 1987 as one which is to be taken into account in determining those costs.

(2) The matter referred to in this paragraph is the costs which the Secretary of State for Foreign and Commonwealth Affairs estimates will be incurred in the exercise of those functions in each of the financial years 2005/2006 and 2006/2007.

4. In this Order "biometric passport" means a passport which contains unique biological data specific to the holder.

Signed with the authority of the Secretary of State

Triesman
Parliamentary Under Secretary of State
Foreign and Commonwealth Office

26th July 2005

(**a**) 1987 c.51.
(**b**) 1980 c.23.

SCHEDULE

Article 2

1. Issuing a passport of not more than 32 pages (which includes replacing an expired passport, and issuing a new passport of full validity when an original passport of restricted validity is unavailable) where the application is made abroad:

(i) where the applicant is aged 16 years or over and the passport issued is a biometric passport

(ii) where the applicant is under 16 years old (for a passport valid for 5 years) and the passport issued is a biometric passport

2. Issuing a passport of 48 pages (which includes replacing an expired passport and issuing a new passport of full validity when an original passport of restricted validity is unavailable) where the application is made abroad and the passport issued is a biometric passport.

3. Amending or extending an existing passport where the application is made abroad and the passport issued is a biometric passport.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that the costs of exercising certain passport related consular services, which the Secretary of State for Foreign and Commonwealth Affairs estimates will be incurred in the financial years 2005/2006 and 2006/2007, are to be taken into account in fixing the fees for those services.

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