EXPLANATORY MEMORANDUM TO

THE IMMIGRATION AND NATIONALITY (FEES) (AMENDMENT) ORDER 2026

2026 No. [XXXX]

1. Introduction

1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Mike Tapp MP, Minister for Migration and Citizenship at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Nicola Sills, Deputy Director for Strategic Finance at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Milind Deshpande at the Home Office can be contacted with any queries regarding the instrument: feesandincomeplanning.requests@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument will amend the Immigration and Nationality (Fees) Order 2016 ("the 2016 Fees Order") to increase the maximum amounts that can be charged ("fee maxima") for certain visa applications, and services related to immigration and nationality, as set out below: –

i) entry clearance as a visitor for a period of more than 12 months

ii) visa on a route to settlement, and for settlement

iii) Electronic Travel Authorisation (ETA)

iv) naturalisation and registration as a British citizen or as one of the specified other categories of citizenship

v) certain nationality related services

4.2 These changes are intended to enable the Home Office to subsequently increase relevant fees through an amendment to the Immigration and Nationality (Fees) Regulations 2018 ("the 2018 Fees Regulations"), when parliamentary time allows.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland, and also to the Isle of Man and the Bailiwicks of Guernsey and Jersey to the extent it is specified in this instrument.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is the same as its extent.

5. Policy Context

What is being done and why? What was the previous policy, how is this different?

5.1 This instrument will increase specified fee maxima as set out at paragraphs 5.3 to 5.12 below. The purpose is to create additional headroom for certain fees charged in connection with immigration and nationality, in order to facilitate increases to those fees through a subsequent amendment to the 2018 Fees Regulations. The intention is to set the fee within the existing or at the new fee maxima level as a part of a wider planned package of fee increases. Only those fee increases that necessitate an increase to the relevant fee maxima are detailed below. Full details of wider fee increases will be outlined at the time that the amendment to the 2018 Fees Regulations is laid, when parliamentary time allows to do so.

5.2 Each fee maximum allows the setting of a fee for an application or service within its scope. Where a single fee maximum applies to multiple types of applications or services, the increase applies to the category as a whole. It is not intended, however, that all individual fees within that category will rise to the level of the new maximum. The specific fee increases that have informed the increase to fee maxima are detailed below.

Applications for entry clearance as a visitor for a period more than 12 months

5.3 The current fee maximum will increase **from £250 per annum to £253 per annum**. This fee maxima applies to the applications for visit visas of two, five, and ten years' duration. The intended increase in fee maxima will specifically support a planned increase to the two-year visit visa fee from £475 to £506.

5.4 This increase extends to the Isle of Man and Bailiwicks of Guernsey and Jersey.

Applications for a visa on a route to settlement and for settlement

5.5 There are two fee maxima, each currently set at £3,600; one applies to the applications for limited leave to enter or remain in the UK on visa routes leading to settlement, and the other to the applications for settlement itself. Both maxima are aligned at the same level to reflect their connection to settlement.

5.6 The proposed increase in the fee maximum from £3,600 to £3,635 for routes leading to settlement is specifically required to enable the planned rise in the fee from £3,413 to £3,635 for applications by other dependent relatives of a British citizen or a person with settled status. This route is typically used by families settled in the UK to reunite with dependent relatives (for example, elderly parents or other close relatives), and its fee has historically been higher than that for settlement applications.

5.7 Linked to this change, this instrument will also amend the separate maximum fee for settlement applications by the same amount, from £3,600 to £3,635. This change is to maintain alignment with the maxima for routes leading to settlement, rather than due to any specific planned increase to the settlement fee, which at £3,029 is currently well within the existing maxima.

Applications for Electronic Travel Authorisation (ETA)

5.8 An ETA is a permission to travel in electronic form (linked to an individual's passport) which specified individuals are required to apply for and obtain in advance

of their journey to the UK, as set out in the Immigration Rules. This instrument will increase the fee maximum **from £16 to £20** to support a planned increase to the ETA fee to £20.

5.9 This amendment extends to the Isle of Man and the Bailiwicks of Guernsey and Jersey. This is in order to support planned introduction of ETA in their respective Immigration Rules, with the fee to be set at the same level.

Applications for naturalisation and registration as a British citizen or as one of the specified other categories of citizenship

5.10 The current fee maximum for applications for naturalisation as a British citizen or a British Overseas Territories citizen will be increased **from £1,605 to £1,709**. This increase will specifically support a planned increase in the fee for naturalisation as a British Citizen from £1,605 to £1,709.

5.11 This instrument will also increase the fee maximum for registration as a British citizen, a British subject, a British protected person, a British overseas citizen or a British Overseas Territories citizen **from £1,500 to £1,540**. This increase will specifically support a planned increase in the fee for applications as an adult for registration as a British Citizen under the 1981 Act or section 4L of the 1981 Act or the 1997 Act from £1,446 to £1,540.

Applications for nationality related service

5.12 The following fee maxima in respect of nationality-related services will increase, to facilitate subsequent increases to related fees as specified below:

i) Applications for registration of a declaration of renunciation of British citizenship, British overseas citizenship, British Overseas Territories citizenship or of the status of British subject, British National (Overseas) or British protected person will be increased **from £482 to £513.**

ii) Applications for amendment of a certificate of registration or naturalisation as a British citizen will be increased **from £428 to £456**.

iii) Applications for issuance of a document confirming that a person has the right of abode in the United Kingdom (i.e. the right to live without any immigration restrictions) will be increased **from £589 to £627.** This will specifically enable a planned increase to the fee for applications for confirmation of right of abode (both within and outside the UK) from £589 to £627.

iv) Applications for an amendment of a certificate of registration or naturalisation as a British Citizen, or supply of a certified copy of a notice, certificate, order, declaration or entry given, granted or made under the 1981 Act, any of the former nationality Acts, or the 1997 Act, or supply of a copy, or replacement, or amended version of any of the documents specified above will be increased **from £428 to £456**.

v) Applications for review of a decision related to immigration and nationality will be increased **from £482 to £513**. This will specifically enable a planned increase to the fee for an application for review of an application for a certificate of registration or naturalisation, or for a certificate of entitlement related to nationality, from £482 to £513.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument amends the 2016 Fees Order which set out the maximum that may be charged for the applications and certain functions related to immigration and nationality. These provisions in turn underpin the specific fees charged as set out in the 2018 Fees Regulations. The effect of amending the 2016 Fees Order will enable the implementation of new fees, and changes to the existing fees through subsequent amendments to the 2018 Fees Regulations. The charging powers that underpin both these instruments are provided by Section 68 of the Immigration Act 2014.

Why was this approach taken to change the law?

6.2 This is the only possible approach to make the necessary changes in terms of the powers conferred by Section 68 in the Immigration Act 2014.

7. Consultation

Summary of consultation outcome and methodology

7.1 There was no specific public consultation on the above changes.

7.2 In November and December 2013, the Home Office conducted a targeted consultation on the practical operation of its charging strategy to inform future approaches.[1] This shaped the fee-charging powers in Section 68(9) of the Immigration Act 2014, including the ability to set fees reflecting the benefits to applicants and to recover costs for immigration, nationality, and wider migration functions. These powers underpin the approach in this instrument, which aims to increase the proportion of system costs met by end users rather than general taxpayers.

8. Applicable Guidance

8.1 An immigration and nationality fee table published on GOV.UK that sets out the fee maxima will be updated to reflect the changes made by this instrument on the date that it becomes effective. [2]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment is submitted with this memorandum and published alongside the Explanatory Memorandum on the legislation.gov.uk website. There is no economic impact from the Fees Order itself. The Impact Assessment assesses the theoretical impact of charging the proposed maxima in scope of the policy change, primarily in terms of income that could be generated to the government under potential future fee increase to the proposed maxima. When considered alongside the hypothetical estimated costs of the small proportion of potential deterred applicants, this gives an overall hypothetical Net Present Social Value (NPSV) of £1,785.4 million across a five-year appraisal period in a central scenario.

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1 https://assets.publishing.service.gov.uk/media/5a7c002be5274a7318b906b8/ImmigrationFeesChargingResponse.pdf

2 https://www.gov.uk/government/publications/visa-regulations-revised-table

Impact on businesses, charities, and voluntary bodies

9.2 There are no direct or indirect impacts on business, charities or voluntary bodies, as a result of these changes as the legislation does not change the fee being charged, only adjusting the maxima that could theoretically be charged in the future.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no impact on the public sector because the legislation does not change the fee being charged, only adjusting the maxima that grants the Home Office the ability to raise fees above their current maximum level and does not result in any changes to actual fees charged.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is that the Home Office keeps the fee provisions under review.

10.2 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015 Mike Tapp MP, Minister for Migration and Citizenship at the Home Office has made the following statement:

"Fees for products and services provided for by this instrument are kept under regular review. It is not appropriate in the circumstances to make provision for review. I am satisfied that these Regulations do not impact on small businesses."

10.3 Nevertheless, the Home Office will continue to monitor the impact of this Order.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

Increase in fee maxima over inflation rate

11.1 This instrument makes a number of changes to fee maxima, with the intention of increasing relevant fees to the new maxima level at subsequent date when parliamentary time allows, as set out above. The effect of these subsequent changes will be to increase these fees by more than the rate of inflation, with ETA fees increasing by 25% and immigration and nationality-related fees by 6.5% i.e. over and above the Consumer Price Index (CPI) inflation rate of 3.5% for 2025. The aim is to generate additional income from end users to support funding of the migration and borders system, and reduce reliance on the taxpayer funding. This approach aligns with the department's longstanding policy on immigration and nationality fees, and contributes to achieving a balanced financial position. These changes will form part of a wider package of fee increases, and the Home Office intends to set out full details whilst amending the 2018 Fees Regulations when parliamentary time allows.

11.2 In the financial year 2026-27, the proposed 3% increase above the inflation rate across immigration and nationality fees is forecast to generate an additional £160 million income. In addition, a 25% increase in the ETA fee is expected to deliver a further £103 million in revenue for the Home Office. These estimates are based on current forecasts, which remain subject to variation due to multiple factors and dependencies, but has a significant relevance to funding the wider costs of operating the immigration and border system.

12. European Convention on Human Rights

12.1 The Minister for Migration and Citizenship at the Home Office has made the following statement regarding Human Rights:

"In my view the provisions of the Immigration and Nationality (Fees) (Amendment) Order 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").