Draft Regulations laid before Parliament under section 42(7) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2012 No.

IMMIGRATION

NATIONALITY

The Immigration and Nationality (Fees) Regulations 2012

Made - - - -	****
Coming into force - -	*6th April 2012*

The Secretary of State makes the following Regulations with the consent of the Treasury(**a**), in exercise of the powers conferred by sections 51(3) and 52(1), (3) and (6) of the Immigration, Asylum and Nationality Act 2006(**b**), and in reliance on section 42(1), (2) and (2A) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004(**c**).

These Regulations are made pursuant to the Immigration and Nationality (Fees) Order 2011(**d**).

In accordance with section 42(6) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, the Secretary of State has consulted with such persons as appear to her to be appropriate prior to making these Regulations.

In accordance with section 42(7) of that Act, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Immigration and Nationality (Fees) Regulations 2012 and shall come into force on 6th April 2012.

Interpretation

2. In these Regulations—

"the 1971 Act" means the Immigration Act 1971(**e**);

"the 2011 Order" means the Immigration and Nationality (Fees) Order 2011;

(**a**) In pursuance of section 52(5)(a) of the Immigration, Asylum and Nationality Act 2006 (c.13).
(**b**) 2006 c.13.
(**c**) 2004 c.19; section 42(1) was amended by, and section 42(2A) was inserted by, section 20 of the UK Borders Act 2007 (c.30).
(**d**) S.I. 2011/445.
(**e**) 1971 c.77.

"child" means a person under the age of 18;

"dependant" in respect of a person means-

(a) the spouse, civil partner or unmarried or same-sex partner, or

(b) a child,

of that person;

"EC Association Agreement with Turkey" means the agreement establishing an Association between the European Community and Turkey signed at Ankara on 12th September 1963;

"entry clearance" has the same meaning as provided in section 33(1) of the 1971 Act(**a**), as extended to the Channel Islands(**b**);

"immigration and nationality fees regulations" means regulations made under sections 51(3) and 52(1) and (3) of the Immigration, Asylum and Nationality Act 2006;

"immigration rules" means the rules for the time being laid down by the Secretary of State as mentioned in section 3(2) of the 1971 Act(**c**);

"leave to remain in the United Kingdom" means leave to remain in the United Kingdom given in accordance with the provisions of the 1971 Act or the immigration rules and any subsequent variation of that leave;

"Public Enquiry Office" means a public enquiry office of the United Kingdom Border Agency;

"sponsor" means a sponsor under Part 6A of the immigration rules;

"sponsor licence" means a licence granted by the Secretary of State to a person who, by virtue of such a grant, is licensed as a sponsor;

"transfer of conditions" means—

(a) the fixing of a stamp, sticker or other attachment on a passport or other document issued to the applicant, which indicates that a person has been granted limited, or indefinite, leave to enter or remain in the United Kingdom; or

(b) the issuing of a biometric immigration document within the meaning of section 5 of the UK Borders Act 2007(**d**) to replace a stamp, sticker or other attachment on a passport or other document issued to the applicant, which indicated a person had been granted limited, or indefinite, leave to enter or remain in the United Kingdom;

"United Kingdom Border Agency" means the United Kingdom Border Agency of the Home Office;

"unmarried or same-sex partner" of a person means someone who is living with that person in a relationship akin to a marriage or civil partnership which has subsisted for two years or more.

Fees for applications, processes and services in connection with immigration and nationality

3. Schedule 1 to these Regulations has effect to specify—

(a) the amount of the fees for specified applications for leave to remain in the United Kingdom and variation of such leave and related services for the purposes of articles 3(2)(a) and (c) and 4(i) of the 2011 Order and exceptions to the requirement to pay such fees;

(b) the amount of the fees for specified applications for entry clearance to enter the United Kingdom for the purposes of article 3(2)(b) of the 2011 Order, exceptions to the

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(**a**) The definition of "entry clearance" in section 33(1) was amended by paragraph 2 of Schedule 4 to the British Nationality Act 1981 (c.61) and paragraph 5 of the Schedule to the Immigration Act 1988 (c.14).

(**b**) Section 33(1) was extended with modifications to the Bailiwick of Guernsey by the Immigration (Guernsey) Order 1993 (S.I. 1993/1796), and to the Bailiwick of Jersey by the Immigration (Jersey) Order 1993 (S.I.1993/1797).

(**c**) Laid before Parliament on 23rd May 1994 (HC 395).

(**d**) 2007 c.30.

requirement to pay such fees, and circumstances in which such fees may be waived or reduced; and

(c) the amount of the fees for specified applications for sponsor licences, for changes to a sponsor's status, and for related processes for the purposes of articles 3(2)(t) and (u) and 5 of the 2011 Order.

4. Schedule 2 to these Regulations has effect to specify the amount of fees for applications in connection with nationality for the purposes of article 3(2)(h), (j), (k), (l), (m), (n), (o) and (p) of the 2011 Order.

5. Schedule 3 to these Regulations has effect to specify the amount of fees for applications for entry clearance to enter either of the Channel Islands for the purposes of article 6 of the 2011 Order.

6. Schedule 4 to these Regulations has effect to specify—

(a) the amount of the fees for applications for a transfer of conditions for the purposes of articles 3(2)(e) and (s) of the 2011 Order; and

(b) the amount of the fees for the provision of services outside office hours for the purposes of article 4(j) of the 2011 Order.

Consequences of failing to pay the specified fee

7. Where these Regulations specify a fee which must accompany an application for the purposes of the 2011 Order, the application is not validly made unless it is accompanied by the specified fee.

Revocation

8. The Immigration and Nationality (Fees) Regulations 2011(**a**) are revoked.

Home Office
Date

Name
Minister of State

We consent

Date

Name

Name

Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) S.I. 2011/1055.

SCHEDULE 1

Regulation 3

PART 1

INTERPRETATION

1.—(1) In this Schedule—

"Article 3 or Refugee Convention application" means an application for leave to remain in the United Kingdom made on the basis that the applicant is—

(a) a person making a claim for asylum within the meaning of section 94(1) of the Immigration and Asylum Act 1999(**a**) which has either not been determined or has been granted;

(b) a person who has been granted humanitarian protection under the immigration rules;

(c) a person who has been granted limited leave to enter or remain in the United Kingdom outside the provisions of the immigration rules or on rejection of their claim for asylum;

(d) a person who is a dependent of a person referred to in paragraph (a), (b) or (c) and is applying for leave to enter or remain in the United Kingdom under paragraphs 352A to 352FI of the immigration rules; or

(e) a child who does not come within paragraph (d) who was born in the United Kingdom to a person referred to in paragraph (a), (b) or (c);

"assistance by a local authority" means assistance, accommodation or maintenance provided by a local authority (or in Northern Ireland, an authority, which has the same meaning as provided in Article 2(2) of the Children (Northern Ireland) Order 1995(**b**)) under—

(a) section 17, 20 or 23 of the Children Act 1989(**c**);

(b) section 22, 25 or 26 of the Children (Scotland) Act 1995(**d**); or

(c) article 18, 21 or 27 of the Children (Northern Ireland) Order 1995;

"certificate of sponsorship" means an authorisation issued by the Secretary of State to a sponsor in respect of one of more applications, or potential applications, for leave to remain in or enter the United Kingdom;

"CESC national" means 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(**e**);

"Highly Skilled Migrant" has the same meaning as provided in the immigration rules;

"leave to enter the United Kingdom" means leave to enter the United Kingdom given in accordance with the provisions of the 1971 Act or the immigration rules and any subsequent variation of that leave;

"online application" means an application made via the public website maintained by the United Kingdom Border Agency;

"PEO application" means—

(a) an application made in person at a Public Enquiry Office; or

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(**a**) 1999 c.33; section 94(1) was amended by section 60(2) of the Nationality, Immigration and Asylum Act 2002 (c.41) and paragraph 180 of Schedule 3 to the Transfer of Tribunal Functions Order (S.I. 2008/2833).
(**b**) S.I. 1995/755 (N.I.2).
(**c**) 1989 c.41.
(**d**) 1995 c.36.
(**e**) (CETS NO.:035).

(b) an online application where the applicant, when making the application, chooses to use the procedure which requires applicants to attend a Public Enquiry Office for the purposes of processing the application;

"premium case-working basis" means the processing of applications for leave to remain in the United Kingdom under the super premium service offered by the United Kingdom Border Agency;

"premium sponsor status" has the same meaning as provided in the immigration rules;

"qualifying work permit holder" means an applicant for limited leave to remain in the United Kingdom who—

(a) was granted leave to remain in the United Kingdom for 3 years as a Tier 2 Migrant on the basis that they were a Qualifying Work Permit Holder under Part 6A of the immigration rules;

(b) is applying to extend the duration of the leave to remain referred to in paragraph (a) to 5 years; and

(c) is still working for the same employer and in the same role as they were when the leave to remain referred to in paragraph (a) was granted;

"small sponsor" means a sponsor that is—

(a) a company that qualifies as small in accordance with sections 382 and 383 of the Companies Act 2006(**a**);

(b) in the case of a person who is not a company for the purposes of those sections, a person who employs no more than 50 employees; or

(c) a charity within the meaning of section 1 of the Charities Act 2011(**b**), or section 1 of the Charities Act (Northern Ireland) 2008(**c**) or a body entered in the Scottish Charity Register.

"standard application" means either an application made by post or courier or an online application which is not a PEO application;

"Tier 1 Migrant", "Tier 1 (Entrepreneur) Migrant", "Tier 1 (Exceptional Talent) Migrant", "Tier 1 (General) Migrant", "Tier 1 (Graduate Entrepreneur) Migrant", "Tier 1 (Investor) Migrant", and "Tier 1 (Post-Study Work) Migrant" have the same meaning as provided in the immigration rules;

"Tier 2 Migrant" and "Tier 2 (Intra-Company Transfer) Migrant" have the same meaning as provided in the immigration rules;

"Tier 4 Migrant" and "Tier 4 (General) Student" have the same meaning as provided in the immigration rules;

"Tier 5 Migrant" and "Tier 5 (Temporary Worker) Migrant" have the same meaning as provided in the immigration rules;

"work permit holder" has the same meaning as provided in the immigration rules.

(2) For the purposes of this Schedule a claim for asylum is to be taken to be determined-

(a) on the day on which the Secretary of State notifies the claimant of the decision on the claim;

(b) if the claimant has appealed against the Secretary of State's decision, on the day on which the appeal is disposed of; or

(c) if the claimant has brought an appeal from within the United Kingdom, against an immigration decision under section 82 of the Nationality, Immigration and Asylum Act

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(**a**) 2006 c.46.
(**b**) 2011 c.25. This section is due to come into force on 14th March 2012 under section 355 of that Act.
(**c**) 2008 c.12.

2002(**a**) or section 2 of the Special Immigration Appeals Commission Act 1997(**b**) on the day on which the appeal is disposed of.

PART 2

FEES FOR APPLICATIONS FOR LEAVE TO REMAIN IN THE UNITED KINGDOM

Fees for standard applications and PEO applications for leave to remain in the United Kingdom

2.—(1) Subject to paragraph (7), Table 1 specifies, in respect of each of the applications for limited leave to remain in the United Kingdom listed in the second column of that table, the amount of the fee where the application is made as a standard application and the amount of the fee where it is made as a PEO application.

(2) Table 2 specifies, in respect of each of the applications for indefinite leave to remain in the United Kingdom listed in the second column of that table, the amount of the fee where the application is made as a standard application and the amount of the fee where it is made as a PEO application.

(3) Table 3 provides for exceptions to the requirement to pay the fees specified in Tables 1 and 2.

(4) The fees specified in Tables 1 and 2 for applications for leave to remain in the United Kingdom as the dependant of a person making such an application ("the main applicant") apply where—

(a) in the case of standard applications, the application is made at the same time and by the same method as the main applicant's application;

(b) in the case of PEO applications which are made in person at a Public Enquiry Office, the application is made at the same Public Enquiry Office and on the same day as the main applicant's application; or

(c) in the case of PEO applications which are online applications the application is made at the same time and by the same method as the main applicant's application.

(5) In a case not specified in paragraph (4), the fee for an application for leave to remain in the United Kingdom as the dependant of the main applicant will be the fee specified for the main applicant's application.

(6) The fees specified in Tables 1 and 2 are subject to paragraph 3 (Multiple applications for leave to remain in the United Kingdom).

(7) In respect of applications for limited leave to remain as a Tier 5 (Temporary Worker) migrant (including applications to remain as a dependant of such a person), Table 1 specifies the amount of the fee for a PEO application(**c**).

Table 1 (Fees for standard applications and PEO applications for limited leave to remain in the United Kingdom)

Number of fee	*Type of application for limited leave to remain*	*Amount of fee for standard applications*	*Amount of fee for PEO applications*

(**a**) 2002 c.41.
(**b**) 1997 c.68; section 2 was amended by paragraph 2 of Schedule 7 to the Nationality, Immigration and Asylum Act 2002 and paragraph 14 of Schedule 1 to the Immigration, Asylum and Nationality Act 2006.
(**c**) The fee for a standard application is specified in other immigration and nationality fees regulations.

1.1	**General fees for applications for limited leave to remain in the United Kingdom**		
1.1.1	Application for limited leave to remain where the fee is not specified elsewhere in this table or in other immigration and nationality fees regulations.	£561	£867
1.1.2	Application for limited leave to remain as the dependant of a person making an application for limited leave to remain to which fee 1.1.1 applies.	£281	£434
1.2	**Fees for applications for limited leave to remain in the United Kingdom under the Points-Based System**		
1.2.1	Application for limited leave to remain as a Tier 1 (Entrepreneur) Migrant or a Tier 1 (Exceptional Talent) Migrant where fee 1.2.2 does not apply.	£1,020	£1,326
1.2.2	Application for limited leave to remain as a Tier 1 (Entrepreneur) Migrant or a Tier 1 (Exceptional Talent) Migrant where the applicant is a CESC national.	£918	£1,193
1.2.3	Application for limited leave to remain as a Tier 1 (General) Migrant where fees 1.2.4 and 1.2.5 do not apply.	£1,500	£1,800
1.2.4	Application for limited leave to remain as a Tier 1 (General) Migrant where the applicant is a CESC national and fee 1.2.5 does not apply.	£1,350	£1,620
1.2.5	Application for limited leave to remain as a Tier 1 (General) Migrant where the applicant has been previously granted a Highly Skilled Migrant Approval Letter under Part 6A of the immigration rules that is valid for such an application.	£500	£700
1.2.6	Application for limited leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant where fee 1.2.7 does not apply.	£700	£1,000
1.2.7	Application for limited leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant where the applicant is a CESC national.	£630	£900
1.2.8	Application for limited leave to remain as a Tier 1 (Investor) Migrant.	£1,020	£1,326
1.2.9	Application for limited leave to remain as a Tier 2 Migrant where fees 1.2.10, 1.2.11 and 1.2.12 do not apply.	£561	£867
1.2.10	Application for limited leave to remain as a Tier 2 Migrant where the applicant is a CESC national and fee 1.2.12 does not apply.	£505	£780
1.2.11	Application for limited leave to remain as a Tier 2 (Intra-Company Transfer) Migrant for a period of not more than 12 months where fee 1.2.12 does not apply.	£400	£700
1.2.12	Application for limited leave to remain as a Tier 2 (Intra-Company Transfer) Migrant for a period of not more than 12 months where the applicant is a CESC national.	£360	£630
1.2.13	Application for limited leave to remain as a Tier 4 Migrant.	£394	£716
1.2.14	Application for limited leave to remain as a Tier 5 (Temporary Worker) Migrant where fee 1.2.15 does not apply.	-	£661

1.2.15	Application for limited leave to remain as a Tier 5 (Temporary Worker) Migrant where the applicant is a CESC national.	-	£595
1.3	**Fees for applications for limited leave to remain in the United Kingdom by dependants of those applying for limited leave to remain under the Points-Based System**		
1.3.1	Application for limited leave to remain as the dependant of a Tier 1 (Entrepreneur) Migrant or a Tier 1 (Exceptional Talent) Migrant.	£510	£663
1.3.2	Application for limited leave to remain as the dependant of a Tier 1 (General) Migrant where fee 1.3.3 does not apply.	£750	£900
1.3.3	Application for limited leave to remain as the dependant of a Tier 1 (General) Migrant who has been previously granted a Highly Skilled Migrant Approval Letter under Part 6A of the immigration rules that is valid for such an application.	£250	£350
1.3.4	Application for limited leave to remain as the dependant of a Tier 1 (Graduate Entrepreneur) Migrant.	£350	£500
1.3.5	Application for limited leave to remain as the dependant of a Tier 1 (Investor) Migrant.	£510	£663
1.3.6	Application for limited leave to remain as the dependant of a Tier 2 Migrant where fee 1.3.7. does not apply.	£281	£434
1.3.7	Application for limited leave to remain as the dependant of a Tier 2 (Intra-Company Transfer) Migrant with limited leave to remain in the United Kingdom for a period of not more than 12 months.	£200	£350
1.3.8	Application for limited leave to remain as the dependant of a Tier 4 (General) Student.	£197	£358
1.3.9	Application for limited leave to remain as the dependant of a Tier 5 (Temporary Worker) Migrant.	-	£330
1.4	**Fees for other applications for limited leave to remain in the United Kingdom**		
1.4.1	Application for limited leave to remain as a representative of an overseas business under Part 5 of the immigration rules.	£1,020	-
1.4.2	Application for limited leave to remain as the dependant of a representative of an overseas business under Part 5 of the immigration rules.	£510	-
1.4.3	Application for limited leave to remain as a retired person of independent means under Part 7 of the immigration rules.	£1,020	-
1.4.4	Application for limited leave to remain as the dependant of a retired person of independent means under Part 7 of the immigration rules.	£510	-

Table 2 (Fees for standard applications and PEO applications for indefinite leave to remain in the United Kingdom)

Number of fee	*Type of application for indefinite leave to remain*	*Amount of fee for standard applications*	*Amount of fee for PEO applications*
2.1	**General fees for applications for indefinite leave to remain in the United Kingdom**		
2.1.1	Application for indefinite leave to remain where the fee is not specified elsewhere in this table or in other immigration and nationality fees regulations.	£991	£1,377
2.1.2	Application for indefinite leave to remain as the dependant of a person making an application for limited leave to remain to which fee 2.1.1 applies.	£496	£689
2.2	**Fee for applications for indefinite leave to remain in the United Kingdom by dependent relatives of a person present and settled in the United Kingdom**		
2.2.1	Application for indefinite leave to remain as a parent, grandparent or other dependent relative of a person present and settled in the United Kingdom under paragraph 317 of the immigration rules.	£1,850	£2,258
2.3	**Fees for applications for indefinite leave to remain in the United Kingdom in respect of CESC nationals**		
2.3.1	Application for indefinite leave to remain where the applicant is a CESC national and a work permit holder.	£893	£1,239
2.3.2	Application for indefinite leave to remain where the applicant is a CESC national and a Highly Skilled Migrant.	£893	£1,239
2.3.3	Application for indefinite leave to remain where the applicant is a CESC national applying as a Tier 1 (Entrepreneur) Migrant, a Tier 1 (Exceptional Talent) Migrant, a Tier 1 (General) Migrant or a Tier 2 Migrant.	£893	£1,239

Table 3 (Exceptions)

Number and description of the exception		*Fees to which exception applies*
3.1	**Article 3 or Refugee Convention applications**	
	No fee is payable in respect of an Article 3 or Refugee Convention application**.**	Fees 1.1.1, 1.1.2, 2.1.1 and 2.1.2.
3.2	**Destitute victims of domestic violence**	
	No fee is payable in respect of an application as a victim of domestic violence under paragraph 289A of the immigration rules, where at the time of making the application the applicant appears to the Secretary of State to be destitute.	Fees 2.1.1 and 2.1.2.
3.3	**Short term variation of leave to enter or remain**	
	No fee is payable in respect of an application made to an immigration officer on arrival at a port of entry in the United Kingdom in respect of a person seeking variation of leave to remain in the United Kingdom for a period of up to 6 months.	Fees 1.1.2, 1.2.13 to 1.2.15, 1.3.1 to 1.3.9, 1.4.2 to 1.4.4.

3.4	**Children being provided with assistance by a local authority**	
	No fee is payable in respect of an application made in respect of a person who, at the time of making the application is a child and is being provided with assistance by a local authority.	Fees 1.1.1, 1.2.13 to 1.2.15, 2.1.1, 2.2.1 and 2.3.1 to 2.3.3.
3.5	**Applications under the EC Association Agreement with Turkey**	
	No fee is payable in respect of an application made under the terms of the EC Association Agreement with Turkey.	All fees in Table 1.
3.6	**Applications by Olympic or Paralympic Games Family Member Visitors**	
	No fee is payable in respect of an application made under paragraphs 56R to 56T of the immigration rules(**a**).	Fee 1.1.1
3.7	**Applications by Olympic or Paralympic Games Family Member Child Visitors**	
	No fee is payable in respect of an application made under paragraphs 56U to 56W of the immigration rules(**b**).	Fee 1.1.1.
3.8	**Applications from qualifying work permit holders**	
	No fee is payable in respect of an application from a qualifying work permit holder.	Fees 1.2.9 to 1.2.12.

Multiple applications for leave to remain in the United Kingdom

3.—(1) A single fee shall be payable where two or more applications for limited or indefinite leave to remain in the United Kingdom in respect of the same person—

(a) are made at the same time; or

(b) are being considered at the same time by the Secretary of State.

(2) Where the fees in respect of applications are different, the fee shall be the higher, or the highest, of the fees specified in respect of those applications.

Fees in respect of applications for leave to remain in the United Kingdom made on a premium case working basis

4.—(1) The fee for an application for leave to remain in the United Kingdom which is made on a premium case working basis is the fee that would be payable under these Regulations if the application was made as a PEO application.

(2) In addition to the fee specified in sub-paragraph (1), a fee of £6000 is payable for the attendance by a representative of the Secretary of State at a premises for the purposes of an application for leave to remain in the United Kingdom made on a premium case working basis.

PART 3

FEES FOR APPLICATIONS FOR ENTRY CLEARANCE TO ENTER THE UNITED KINGDOM

Fees for applications for entry clearance

5.—(1) Table 4 specifies the amount of the fees for the specified applications for entry clearance to enter the United Kingdom.

(**a**) Paragraphs 56R to 56T were inserted by the statement of changes in immigration rules presented to Parliament on 10th October 2011 (HC 1511).

(**b**) Paragraphs 56R to 56W were inserted by the statement of changes in immigration rules presented to Parliament on 10th October 2011 (HC 1511).

(2) Table 5 provides for exceptions to the requirement to pay the fees specified in Table 4 and Table 6 confers a discretion on the Secretary of State or the official determining an application to waive the fees specified in Table 4 in certain circumstances.

Table 4 (Fees for applications for entry clearance to enter the United Kingdom)

Number of fee	*Type of application for entry clearance to enter the United Kingdom*	*Amount of fee*
4.1	**General fee for applications for entry clearance to enter the United Kingdom**	
4.1.1	Application for entry clearance (other than an application by a person passing through the United Kingdom) where the fee is not specified elsewhere in this table or other immigration and nationality regulations.	£270
4.2	**Fees for applications for entry clearance to enter the United Kingdom under the Points-Based System**	
4.2.1	Application for entry clearance as a Tier 1 (Entrepreneur) Migrant or a Tier 1 (Exceptional Talent) Migrant where fee 4.2.2 does not apply.	£816
4.2.2	Application for entry clearance as a Tier 1 (Entrepreneur) Migrant or a Tier 1 (Exceptional Talent) Migrant where the applicant is a CESC national.	£734
4.2.3	Application for entry clearance as a Tier 1 (Investor) Migrant.	£816
4.2.4	Application for entry clearance as a Tier 2 Migrant where fees 4.2.5, 4.2.6 and 4.2.7 do not apply.	£480
4.2.5	Application for entry clearance as a Tier 2 Migrant where the applicant is a CESC national and fee 4.2.7 does not apply.	£432
4.2.6	Application for entry clearance as a Tier 2 (Intra-Company Transfer) Migrant for a period of not more than 12 months where fee 4.2.7 does not apply.	£400
4.2.7	Application for entry clearance as a Tier 2 (Intra-Company Transfer) Migrant for a period of not more than 12 months where the applicant is a CESC national.	£360
4.3	**Fees for applications for entry clearance by dependants of those applying for entry clearance to enter the United Kingdom under the Points-Based System**	
4.3.1.	Application for entry clearance as the dependant of a Tier 1 (General) Migrant, a Tier 1 (Entrepreneur) Migrant, a Tier 1 (Exceptional Talent) Migrant or a Tier 1 (Investor) Migrant.	£816
4.3.2	Application for entry clearance as the dependant of a Tier 1 (Post-Study Work) Migrant.	£483
4.3.3	Application for entry clearance as the dependant of a Tier 2 (Intra-Company Transfer) Migrant.	£400
4.3.4	Application for entry clearance as the dependant of a Tier 2 Migrant where fee 4.3.3. does not apply.	£480
4.4	**Fees for applications for entry clearance to enter the United Kingdom as a visitor**	
4.4.1	Application for entry clearance as a visitor for a period of more than 6 months but not more than 2 years.	£270
4.4.2	Application for entry clearance as a visitor for a period of more than 2 years but not more than 5 years.	£496
4.4.3	Application for entry clearance as a visitor for a period of more than 5 years but not more than 10 years.	£716
4.5	**Fees for other applications for entry clearance to enter the United Kingdom**	
4.5.1	Application for entry clearance for settlement in the United Kingdom.	£826
4.5.2	Application for entry clearance as a parent, grandparent, or other dependent relative of a person present and settled in the United Kingdom under paragraph 317 of the immigration rules.	£1,850

Number of fee	*Type of application for entry clearance to enter the United Kingdom*	*Amount of fee*
4.5.3	Application for entry clearance as the employee of an overseas newspaper, news agency or broadcasting organisation under paragraph 144(ii)(b) of the immigration rules.	£480
4.5.4	Application for entry clearance as the dependant of an armed forces member under paragraphs 276AD to 276AH or Part 8 of the immigration rules.	£810

Table 5 (Exceptions in respect of fees for applications for entry clearance to enter the United Kingdom)

Number and description of the exception		*Fees to which exception applies*
5.1	**Officials of Her Majesty's Government**	
	No fee is payable in respect of an application made in connection with the official duty of any official of Her Majesty's Government.	All fees in Table 4
5.2	**Dependants of refugees or persons granted humanitarian protection**	
	No fee is payable in respect of an application made under paragraphs 352A to 352FI of the immigration rules.	All fees in Table 4
5.3	**Applications under the EC Association Agreement with Turkey**	
	No fee is payable in respect of an application made under the terms of the EC Association Agreement with Turkey.	All fees in Table 4

Table 6 (Waivers in respect of fees for applications for entry clearance to enter the United Kingdom)

Number and description of the waiver		*Fees to which waiver applies*
6.1	**General waiver**	
	No fee is payable in respect of an application where the Secretary of State determines that the fee should be waived.	All fees in Table 4
6.2	**Scholarships funded by Her Majesty's government**	
	The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the application is made by a candidate for or holder of a scholarship funded by Her Majesty's government and is in connection with such a scholarship.	All fees in Table 4
6.3	**International courtesy**	
	The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee as a matter of international courtesy.	All fees in Table 4
6.4	**Visitors under a Foreign and Commonwealth Office Bilateral Programme**	
	The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the applicant intends to visit the United Kingdom in connection with programmes operated by the Foreign and Commonwealth Office to give funds directly to Embassies and Missions outside the United Kingdom to support activities directly connected to the United Kingdom's international priorities.	All fees in Table 4
6.5	**Visitors under a Foreign and Commonwealth Office Strategic Programme**	

	The official determining an application may decide to waive the payment of the fee or reduce the amount of the fee where the applicant intends to visit the United Kingdom in connection with programmes of funding operated by the Foreign and Commonwealth Office to promote action on global issues in areas of strategic importance to the United Kingdom.	All fees in Table 4

PART 4

FEES FOR SPONSOR LICENCES, PREMIUM SPONSOR STATUS AND RELATED PROCESSES

Fees for applications for sponsor licences, for premium sponsor status or for certificates of sponsorship

6. Table 7 specifies the amount of fees for applications for sponsor licences or the renewal of such a licence where the application is not in respect of a small sponsor, for premium sponsor status or for the issuing of certificates of sponsorship.

Table 7

Number of fee	*Type of application or process*	*Amount of fee*
7.1	**Fees for applications for sponsor licences where applicant is not a small sponsor**	
7.1.1	Application for sponsor licence in respect of Tier 2 Migrants.	£1,500
7.1.2	Application for sponsor licence in respect of Tier 2 and Tier 4 Migrants.	£1,500
7.1.3	Application for sponsor licence in respect of Tier 2 and Tier 5 Migrants.	£1,500
7.1.4	Application for sponsor licence in respect of Tier 2, Tier 4 and Tier 5 Migrants.	£1,500
7.2	**Fees for applications for premium sponsor status**	
7.2.1	Application for premium sponsor status where the applicant is a small sponsor.	£8,000
7.2.2	Application for premium sponsor status where the applicant is not a small sponsor.	£25,000
7.3	**Fees for the process of issuing certificates of sponsorship**	
7.3.1	The issuing of a certificate of sponsorship in respect of an application or potential application for leave to remain in or enter the United Kingdom as a Tier 2 Migrant where the application is not issued in respect of a CESC national.	£179

SCHEDULE 2

Regulation 4

Interpretation

1. In this Schedule—

"the 1981 Act" means the British Nationality Act 1981(**a**);

"the 1982 Order" means the British Protectorates, Protected States and Protected Persons Order 1982(**b**);

(**a**) 1981 c.61.
(**b**) S.I. 1982/1070.

"application for naturalisation as a British citizen" means an application for naturalisation as a British citizen under section 6(1) or (2) of the 1981 Act;

"application for naturalisation as a British overseas territories citizen" means an application for naturalisation as British overseas territories citizen under section 18(1) or (2) of the 1981 Act;

"application for registration as a British citizen under the 1981 Act" means an application for registration as a British citizen under section 1(3)(**a**), (3A)(**b**) or (4), 3(1), (2)(**c**) or (5)(**d**), 4(2) or (5), 4A(**e**), 4B(**f**), 4D(**g**), 10(1)(**h**) or (2)(**i**), or 13(1) or (3) of the 1981 Act, or paragraph 3(**j**), 4(**k**) or 5 of Schedule 2 to, the 1981 Act;

"application for registration as a British citizen under the 1997 Act" means an application for registration under section 1 of the British Nationality (Hong Kong) Act 1997(**l**);

"application for registration as a British overseas territories citizen" means an application for registration as a British overseas territories citizen under sections 13(1) or (3) of the 1981 Act (as applied by section 24(**m**) of that Act), or 15(3)(**n**) or (4)(**o**), 17(1)(**p**), (2)(**q**) or (5)(**r**), or 22(1)(**s**) or (2)(**t**) of, or paragraph 3, 4 or 5 of Schedule 2 to, the 1981 Act;

"application for registration as a British overseas citizen" means an application for registration as a British overseas citizen under section 27(1) of, or paragraph 4 or 5 of Schedule 2 to, the 1981 Act;

"application for registration as a British protected person" means an application for registration as a British protected person under article 7 of the 1982 Order(**u**);

"application for registration as a British subject" means an application for registration as a British subject under section 32 of, or paragraph 4 of Schedule 2 to, the 1981 Act.

Fees for applications relating to nationality

2.—(1) Table 8 specifies the amount of fees for applications relating to nationality.

(2) The fees specified in Table 8 are subject to paragraph 3 (fee reduction for applications for naturalisation by spouses or civil partners) and paragraph 4 (fee reduction for applications for registration in respect of two or more children).

(**a**) Section 1(3) was amended by section 42(1) and (3) of the Borders, Citizenship and Immigration Act 2009 (c.11).
(**b**) Section 1(3A) was inserted by section 42(1) and (4) of the Borders, Citizenship and Immigration Act 2009.
(**c**) Section 3(2) was amended by section 5 of, and paragraph 3(1) and (2) of Schedule 1 to, the British Overseas Territories Act 2002(c.8) and section 43(1) and (2) of the Borders, Citizenship and Immigration Act 2009.
(**d**) Section 3(5) was amended by section 5 of, and paragraph 3(1) and (4) of Schedule 1 to, the British Overseas Territories Act 2002.
(**e**) Section 4A was inserted by section 4 of the British Overseas Territories Act 2002.
(**f**) Section 4B was inserted by section 12 of the Nationality, Immigration and Asylum Act 2002 (c.41) and was amended by section 44(1), (2), (3), and (4) of, and paragraph 2(1) of Schedule 1 to the Borders, Citizenship and Immigration Act 2009.
(**g**) Section 4D was inserted by section 46 of the Borders, Citizenship and Immigration Act 2009.
(**h**) Section 10(1) was amended by Schedule 9 to the Nationality, Immigration and Asylum Act 2002.
(**i**) Section 10(2) was amended by Schedule 9 to the Nationality, Immigration and Asylum Act 2002 and by paragraph 73 of Schedule 27 to the Civil Partnership Act 2004.
(**j**) Paragraph 3 of Schedule 2 was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002 and Schedule 9 to the Nationality, Immigration and Asylum Act 2002.
(**k**) Paragraph 4 of Schedule 2 was amended by sections 1(1)(b) and 2(2)(b) of the British Overseas Territories Act 2002.
(**l**) 1997 c.20; section 1 was amended by s.2(3) of the British Overseas Territories Act 2002 and s.47(3) of the Borders, Citizenship and Immigration Act 2009.
(**m**) Section 24 was amended by section 2(2) of the British Overseas Territories Act 2002.
(**n**) Section 15(3) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.
(**o**) Section 15(4) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.
(**p**) Section 17(1) was amended by section 2(2) of the British Overseas Territories Act 2002.
(**q**) Section 17(2) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.
(**r**) Section 17(5) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002.
(**s**) Section 22(1) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002 and Schedule 9 to the Nationality, Immigration and Asylum Act 2002.
(**t**) Section 22(2) was amended by sections 1(1)(b) and 2(2) of the British Overseas Territories Act 2002, Schedule 9 to the Nationality, Immigration and Asylum Act 2002, and paragraph 77 of Schedule 27 to the Civil Partnership Act 2004 (c.33).
(**u**) S.I. 1982/1070; article 7 was amended by section 1(2) of the British Overseas Territories Act 2002 and paragraph 10(4)(a) and (b) of Schedule 1 to the Human Fertilisation and Embryology (Consequential Amendments and Transitional and Saving Provisions) Order 2009 (S.I. 2009/1892).

Table 8

Number of fee	*Type of application*	*Amount of fee*
8.1	**Fees for applications for naturalisation**	
8.1.1	Application for naturalisation as a British citizen.	£771
8.1.2	Application for naturalisation as a British overseas territories citizen.	£771
8.2	**Fees for applications for registration**	
8.2.1	Application for registration as a British citizen under the 1981 Act.	£551
8.2.2	Application for registration as a British citizen under the 1997 Act.	£551
8.2.3	Application for registration as a British overseas territories citizen.	£551
8.2.4	Application for registration as a British overseas citizen.	£551
8.2.5	Application for registration as a British subject.	£551
8.2.6	Application for registration as a British protected person.	£551

Fee reduction for applications for naturalisation by spouses or civil partners

3. Where either a husband and wife, or two people who are civil partners of each other, apply at the same time for naturalisation as British citizens or British overseas territories citizens and at the time the applications are made are residing together, the total fee payable in respect of those applications is £1,157.

Fee reduction for applications for registration in respect of two or more children

4.—(1) Where two or more applications are made at the same time for the registration of children as British citizens, British overseas territories citizens, British overseas citizens or British subjects and those children have the same parent, or parents, the total fee payable in respect of those applications shall be £827 for two applications, with an increase of £276 to that fee for every additional application.

(2) In this paragraph "parent" includes a step-parent and an adoptive parent.

SCHEDULE 3

Regulation 5

Interpretation

1. In this Schedule—

"work permit employment" means employment as a work permit holder under—

(a) Rules made by the Minister for Home Affairs in respect of the Bailiwick of Jersey under section 1(4) of the 1971 Act(**a**); or

(b) Rules made by the States of Guernsey Home Department in respect of the Bailiwick of Guernsey under section 3(2) of the 1971 Act(**b**).

Fees for applications for entry clearance to enter the Channel Islands

2. Table 9 specifies the amount of fees for applications received outside the British Islands for entry clearance to enter either of the Channel Islands.

(**a**) Section 1 was extended with modifications, to the Bailiwick of Jersey by the Immigration (Jersey) Order 1993 (S.I. 1993/1797).

(**b**) Section 3 was extended with modifications to the Bailiwick of Guernsey by the Immigration (Guernsey) Order 1993 (S.I.1993/1796).

Table 9

Number of fee	*Type of application for entry clearance to enter the Channel Islands*	*Amount of fee*
9.1	**General fee for applications for entry clearance to enter either of the Channel Islands**	
9.1.1	Application for entry clearance where the fee is not specified elsewhere in this table or in other immigration and nationality fees regulations.	£270
9.2	**Fees for applications for entry clearance to enter either of the Channel Islands as a visitor**	
9.2.1	Application for entry clearance as a visitor for single, double and multiple entries valid for a period of more than six months but not more than two years.	£270
9.2.2	Application for entry clearance as a visitor for single, double and multiple entries valid for a period of more than two years but not more than five years.	£496
9.2.3	Application for entry clearance as a visitor for single, double and multiple entries valid for a period of more than five years but not more than ten years.	£716
9.3	**Fees for applications for entry clearance to enter either of the Channel Islands for work permit employment or settlement**	
9.3.1	Application for entry clearance for work permit employment.	£480
9.3.2	Application for entry clearance for settlement.	£826

Exceptions and waivers in respect of fees for applications for entry clearance to enter the Channel Islands

3. No fee is payable in respect of an application referred to in this Schedule for entry clearance **to** enter the Channel Islands where that application is made under the terms of the EC Association Agreement with Turkey.

4. No fee is payable in respect of an application for entry clearance to enter the Channel Islands referred to in this Schedule where the Secretary of State determines that the fee should be waived.

SCHEDULE 4

Regulation 6

Fees for applications for the transfer of conditions

1. Table 10 specifies the amount of fees for applications for a transfer of conditions.

Table 10

Number of fee	*Type of application*	*Amount of fee*
11.1	**General fee for applications at a Public Enquiry Office for the transfer of conditions**	
	Application made in person at a Public Enquiry Office for a transfer of conditions where fee 11.2 does not apply.	£661
11.2	**Fees for applications at a Public Enquiry Office for the transfer of conditions by dependants**	
	Application made in person at a Public Enquiry Office for a transfer of conditions where the applicant is the dependant of a person making an application for a transfer of conditions at the same time and at the same office.	£331

Fees for the provision of services outside office hours

2.—(1) Table 11 specifies the amount of fees for the provision of services by a representative of the Secretary of State outside office hours.

(2) The fees specified in Table 11 are payable in addition to the fee specified in these Regulations or other immigration and nationality regulations in relation to the application in respect of which the services are provided.

(3) In Table 11 "immigration or nationality application" means an application for which a fee is specified in these Regulations or other immigration and nationality fees regulations.

Table 11

Number of fee	*Type of service provided*	*Amount of fee*
12.1	**General fee for the provision of services outside office hours**	
	The provision of a service by a representative of the Secretary of State at a Public Enquiry Office outside office hours in relation to an immigration or nationality application unless the applicant is making the application as a dependant of a person making an immigration or nationality application.	£300
12.2	**Fee for the provision of services outside offices hours in respect of dependants**	
	The provision of a service by a representative of the Secretary of State at a Public Enquiry Office outside officer hours in relation to an immigration or nationality application where the applicant is making the application as a dependant of a person making an immigration or nationality application.	£150

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under sections 51(3), 52(1) and 52(3) of the Immigration, Asylum and Nationality Act 2006, specify fees relating to immigration and nationality. They are made for the purposes of the Immigration and Nationality (Fees) Order 2011 (S.I. 2011/445), which sets out the applications, services and processes related to immigration and nationality for which fees may be specified in regulations.

These Regulations specify fees in cases where the amount of the fee either exceeds the administrative costs incurred by the Secretary of State or reflects the costs related to other applications, services or processes relating to immigration or nationality. The Secretary of State is permitted to set fees exceeding the administrative costs of processing an application or providing a process or service by section 42 (1), (2), and (2A) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Under section 42(7) of that Act any instrument made in reliance on sections 42(1), (2) and (2A), such as these Regulations, must be approved by both Houses of Parliament before it is made.

Fees relating to immigration and nationality applications, processes and services, which do not exceed the administrative costs involved, are specified in other regulations, subject to the negative resolution procedure, made under sections 51(3), 52(1) and 52(3) of the Immigration, Asylum and Nationality Act 2006. Consequently where fees are not specified in these Regulations in relation to certain types of applications they may be specified in those other regulations.

These Regulations replace, with modifications, the Immigration and Nationality (Fees) Regulations 2011. They specify fees relating to; applications for limited and indefinite leave to remain in the United Kingdom, applications for entry clearance to enter the United Kingdom, and applications relating to nationality. They include fees for applications for entry clearance or leave to remain made under the Points-Based System set out in Part 6A of the immigration rules and for sponsor licenses and premium sponsor status. These Regulations in addition specify the fees for various services and processes, including the expedited provision of residence cards and permanent residence cards, the processing of applications for limited leave to remain made on a premium case working basis and the provision of services by the United Kingdom Border Agency outside office hours. Finally these Regulations specify a number of fees for applications made outside the United Kingdom for entry clearance to enter the Channel Islands.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside the instrument at www.legislation.gov.uk.

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

Draft Regulations laid before Parliament under section 42(7) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2012 No.

IMMIGRATION

NATIONALITY

The Immigration and Nationality (Fees) Regulations 2012

ISBN 978-0-11-152015-4

£5.75

E2539 02/2012 122539T 19585

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