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

2013 No.

IMMIGRATION

NATIONALITY

The Immigration and Nationality (Fees) Regulations 2013

Made - - - -	***
Coming into force - -	*6th April 2013*

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 2013 and shall come into force on 6th April 2013.

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; this Order was amended by the Immigration and Nationality (Fees)(Amendment) Order 2013 (S.I. 2013/249)
(**e**) 1971 c.77.

"biometric immigration document" has the same meaning as in section 5 of the UK Borders Act 2007(**a**);

"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(**b**);

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

"dependant" in respect of a person means-

(a) the spouse or civil partner of that person;

(b) someone who has been living with that person in a relationship akin to a marriage or civil partnership for at least two years; or

(c) a child of that person;

"designated competent body" has the same meaning as provided in the immigration rules;

"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(**c**), as extended to the Channel Islands(**d**);

"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(**e**);

"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;

"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;

"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;

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

"transfer of conditions" means—

(d) 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

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(**a**) 2007 c.30.
(**b**) (CETS NO.:035).
(**c**) 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).
(**d**) 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).
(**e**) Laid before Parliament on 23rd May 1994 (HC 395).

(e) the issuing of a biometric immigration document 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.

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

3. Schedule 1 (Fees for applications for leave to remain in the United Kingdom) to these Regulations has effect to specify the amount of the fees for specified applications for leave to remain in the United Kingdom and variation of such leave for the purposes of article 3(2)(a) and (c) of the 2011 Order and exceptions to the requirement to pay such fees.

4. Schedule 2 (Fees for applications for entry clearance to enter the United Kingdom) has effect to specify 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 requirement to pay such fees, and circumstances in which such fees may be waived or reduced.

5. Schedule 3 (Fees in relation to Sponsor Licences) to these Regulations has effect to specify the amount of the fees for specified applications for sponsor licences, for optional customer services for sponsors, and for related processes for the purposes of articles 3(2)(t) and (u), 4(m), and 5 of the 2011 Order.

6. Schedule 4 (Fees for applications in connection with nationality) to these Regulations has effect to specify the amount of fees for specified 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.

7. Schedule 5 (Fees for entry clearance to enter the Channel Islands) to these Regulations has effect to specify the amount of fees for specified applications for entry clearance to enter either of the Channel Islands for the purposes of article 6 of the 2011 Order and exceptions to the requirement to pay such fees and circumstances in which such fees may be waived or reduced.

8. Schedule 6 (Fees for expediting applications, applications made in person, and optional services for applicants) to these Regulations has effect to specify—

(a) the amount of the fees for—

(i) the specified applications for a transfer of conditions or a biometric immigration document for the purposes of article 3(2)(e) and (s) of the 2011 Order;

(ii) the attendance by a representative of the Secretary of State at premises other than an office of the United Kingdom Border Agency or consular premises within the meaning of Article 1(1)(j) of the Vienna Convention on Consular Relations set out in Schedule 1 to the Consular Relations Act 1968(**a**)for the purposes of article 4(i) of the 2011 Order;

(iii) for the provision of services outside office hours for the purposes of article 4(j) of the 2011 Order;

(iv) for the provision of arrangements for expediting the processing of applications for leave to remain in the United Kingdom, and variation of leave to enter or remain in the United Kingdom for the purposes of article 4(k) of the 2011 Order; and

(b) circumstances in which such fees may be waived or reduced.

Consequences of failing to pay the specified fee

9. 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.

(**a**) 1968 c.18.

Revocation

10. The Immigration and Nationality (Fees) Regulations 2012(**a**) are revoked.

Home Office — *Name*
Date — Minister of State

We consent

Name
Name
Date — Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) S.I. 2012/971.

SCHEDULE 1

Regulation 3

FEE FOR APPLICATIONS FOR LEAVE TO REMAIN IN THE UNITED KINGDOM

Interpretation

11.—(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 on the rejection of their claim for asylum;

(d) a person who is a dependant 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—

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

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

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

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

(i) 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;

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

(k) 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;

"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

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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.

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

Fees for applications for leave to remain in the United Kingdom

12.—(1) Table 1 specifies the amount of the fees for the specified applications for limited leave to remain in the United Kingdom.

(2) Table 2 specifies the amount of the fees for the specified applications for indefinite leave to remain in the United Kingdom .

(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 are subject to paragraph 3 (Applications by dependants), paragraph 4 (Separate applications by dependants of those applying under the Points-Based System) and 5 (Multiple applications for leave to remain in the United Kingdom).

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

Number of fee	*Type of application for limited leave to remain*	*Amount of fee*
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.	£578
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.	£433
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 where the applicant is not a CESC national.	£1,051
1.2.2	Application for limited leave to remain as a Tier 1 (Entrepreneur) Migrant where the applicant is a CESC national.	£946
1.2.3	Application for the endorsement by a designated competent body of a prospective application for limited leave to remain as a Tier 1 (Exceptional Talent) Migrant.	£420
1.2.4	Application for limited leave to remain as a Tier 1 (Exceptional Talent) Migrant where the applicant is not a CESC national	£631
1.2.5	Application for limited leave to remain as a Tier 1 (Exceptional Talent) Migrant where the applicant is a CESC national.	£526
1.2.6	Application for limited leave to remain as a Tier 1 (General) Migrant where the applicant is not a CSEC national.	£1,545
1.2.7	Application for limited leave to remain as a Tier 1 (General) Migrant where the applicant is a CESC national.	£1,391
1.2.8	Application for limited leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant where the applicant is not a CESC national.	£406

(**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.

1.2.9	Application for limited leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant where the applicant is a CESC national.	£365
1.2.10	Application for limited leave to remain as a Tier 1 (Investor) Migrant.	£1,051
1.2.11	Application for limited leave to remain as a Tier 2 Migrant where the applicant is not a CESC national and fee 1.2.13 does not apply.	£578
1.2.12	Application for limited leave to remain as a Tier 2 Migrant where the applicant is a CESC national and fee 1.2.14 does not apply.	£520
1.2.13	Application for limited leave to remain as a Tier 2 (Intra-Company Transfer) Migrant in the Short Term Staff, Graduate Trainee and Skills Transfer sub-categories of that route where the applicant is not a CESC national.	£412
1.2.14	Application for limited leave to remain as a Tier 2 (Intra-Company Transfer) Migrant in the Short Term Staff, Graduate Trainee and Skills Transfer sub-categories of that route where the applicant is a CESC national.	£371
1.2.15	Application for limited leave to remain as a Tier 4 Migrant.	£406
1.2.16	Application for limited leave to remain as a Tier 5 (Temporary Worker) Migrant where the applicant is not a CESC national.	£200
1.2.17	Application for limited leave to remain as a Tier 5 (Temporary Worker) Migrant where the applicant is a CESC national.	£180
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.	£788
1.3.2	Application for limited leave to remain as the dependant of a Tier 1 (General) Migrant.	£1,159
1.3.3	Application for limited leave to remain as the dependant of a Tier 1 (Graduate Entrepreneur) Migrant.	£305
1.3.4	Application for limited leave to remain as the dependant of a Tier 1 (Investor) Migrant.	£788
1.3.5	Application for limited leave to remain as the dependant of a Tier 1 (Post-Study Work) Migrant.	£312
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.	£434
1.3.7	Application for limited leave to remain as the dependant of a Tier 2 (Intra-Company Transfer) Migrant in the Short Term Staff, Graduate Trainee and Skills Transfer sub categories of that route.	£309
1.3.8	Application for limited leave to remain as the dependant of a Tier 4 (General) Student.	£305
1.3.9	Application for limited leave to remain as the dependant of a Tier 5 (Temporary Worker) Migrant.	£150
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.	£1,051
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.	£788
1.4.3	Application for limited leave to remain as a retired person of independent means under Part 7 of the immigration rules.	£1,051
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.	£788

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

Number of fee	*Type of application for indefinite leave to remain*	*Amount of fee*
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.	£1,051
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.	£788
2.2	**Fees for applications for indefinite leave to remain in the United Kingdom in respect of CESC nationals**	
2.2.1	Application for indefinite leave to remain where the applicant is a CESC national and a work permit holder.	£946
2.2.2	Application for indefinite leave to remain where the applicant is a CESC national and a Highly Skilled Migrant within the meaning provided in the immigration rules.	£946
2.2.3	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.	£946

Table 3 (Exceptions in respect of fees for applications for leave to remain in the United Kingdom)

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	**Applications for leave to remain under the Destitution Domestic Violence Concession**	
	No fee is payable in respect of an application made under the Destitution Domestic Violence concession operated outside the immigration rules by the United Kingdom Border Agency.	Fees 1.1.1, 1.1.2, 2.1.1 and 2.1.2.
3.3	**Applications for leave to remain as a victim of domestic violence under paragraph 289A or Appendix FM**	
	No fee is payable in respect of an application as a victim of domestic violence under paragraph 289A or Appendix FM of the immigration rules, where at the time of making the application the applicant appears to the Secretary of State to be destitute.	Fees 1.1.1, 1.1.2, 2.1.1 and 2.1.2.
3.4	**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, 1.2.15 to 1.2.18, 1.3.1 to 1.3.9, and 1.4.2 to 1.4.4.
3.5	**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, 1.2.15 to 1.2.17. 2.1.1. and 2.2.1 to 2.2.3.
3.6	**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.

3.7	**Applications from qualifying work permit holders**	
	No fee is payable in respect of an application from a qualifying work permit holder.	Fees 1.2.11 to 1.2.14.

Applications by dependants

13. 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") only apply where—

(a) the application is made at the same time and by the same method as the main applicant's application; or

(b) in the case of applications which are made in person, the application is made at the same place and on the same day as the main applicant's application.

Separate applications by dependants of those applying under the Points-Based System

14. Where—

(a) an application is made for leave to remain in the United Kingdom as the dependant of a main applicant applying for such leave as a Tier 1, Tier 2, Tier 4 or Tier 5 Migrant; and

(b) the fees specified in Tables in 1 and 2 for dependants of persons applying for leave to remain in the United Kingdom do not apply;

the fee for that application shall be the fee specified in Table 1 for the main applicant's application.

Multiple applications for leave to remain in the United Kingdom

15.—(1) 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.

a fee is payable only in respect of one of those applications.

(2) The fee payable under sub-paragraph (1), shall—

(a) be the higher, or the highest, of the fees specified in respect of those applications; or

(b) in any case where the fee specified for each application is the same, the fee for a single application.

SCHEDULE 2

Regulation 4

FEES FOR APPLICATIONS FOR ENTRY CLEARANCE TO ENTER THE UNITED KINGDOM

Fees for applications for entry clearance

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

(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 or reduce 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.	£278
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 where the applicant is not a CESC national.	£840
4.2.2	Application for entry clearance as a Tier 1 (Entrepreneur) Migrant where the applicant is a CESC national.	£756
4.2.3	Application for the endorsement by a designated competent body of a prospective application for entry clearance as a Tier 1 (Exceptional Talent) Migrant.	£420
4.2.4	Application for entry clearance as a Tier 1 (Exceptional Talent) Migrant where the applicant is not a CESC national.	£420
4.2.5	Application for entry clearance as a Tier 1 (Exceptional Talent) Migrant where the applicant is a CESC national.	£336
4.2.6	Application for entry clearance as a Tier 1 (Graduate Entrepreneur) Migrant where the applicant is not a CESC national.	£298
4.2.7	Application for entry clearance as Tier 1 (Graduate Entrepreneur) Migrant where the applicant is a CESC national.	£268
4.2.8	Application for entry clearance as a Tier 1 (Investor) Migrant.	£840
4.2.9	Application for entry clearance as a Tier 2 Migrant where the applicant is not a CESC national and where fee 4.2.11 does not apply.	£494
4.2.10	Application for entry clearance as a Tier 2 Migrant where the applicant is a CESC national and fee 4.2.12 does not apply.	£445
4.2.11	Application for entry clearance as a Tier 2 (Intra-Company Transfer) Migrant in the 'Short Term Staff', 'Graduate Trainee', and 'Skills Transfer' sub-categories of that route where the applicant is not a CESC national.	£412
4.2.12	Application for entry clearance as a Tier 2 (Intra-Company Transfer) Migrant in the 'Short Term Staff', 'Graduate Trainee', and 'Skills Transfer' sub-categories of that route where the applicant is a CESC national.	£371
4.2.13	Application for entry clearance as a Tier 4 Migrant.	£298
4.2.14	Application for entry clearance as a Tier 5 (Youth Mobility) Temporary Migrant.	£200
4.2.15	Application for entry clearance as a Tier 5 (Temporary Worker) Migrant where the applicant is not a CESC national.	£200
4.2.16	Application for entry clearance as a Tier 5 (Temporary Worker) Migrant where the applicant is a CESC national.	£180
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.	£840
4.3.2	Application for entry clearance as the dependant of a Tier 1 (Graduate Entrepreneur) Migrant.	£298
4.3.3	Application for entry clearance as the dependant of a Tier 1 (Post-Study Work) Migrant.	£498
4.3.4	Application for entry clearance as the dependant of a Tier 2 Migrant where fee 4.3.5 does not apply.	£494

Number of fee	*Type of application for entry clearance to enter the United Kingdom*	*Amount of fee*
4.3.5	Application for entry clearance as the dependant of a Tier 2 (Intra-Company Transfer) Migrant in the 'Short Term Staff', 'Graduate Trainee', and 'Skills Transfer' sub-categories of that route	£412
4.3.6	Application for entry clearance as the dependant of a Tier 4 Migrant.	£298
4.3.7	Application for entry clearance as the dependant of a Tier 5 (Temporary Worker) Migrant.	£200
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.	£278
4.4.2	Application for entry clearance as a visitor for a period of more than 2 years but not more than 5 years.	£511
4.4.3	Application for entry clearance as a visitor for a period of more than 5 years but not more than 10 years.	£737
4.4.4	Application for entry clearance as a student visitor under the English language concession operated outside the immigration rules by the United Kingdom Border Agency.	£144
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.	£851
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 Appendix FM of the immigration rules.	£1,906
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.	£494
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

SCHEDULE 3

Regulation 5

FEES IN RELATION TO SPONSOR LICENCES

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

17. In this Schedule—

"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;

"small or charitable sponsor" means a sponsor that is—

(a) a company that is subject to the small companies regime under section 381 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.

18. Table 7 specifies the amount of the fees for the specified applications for sponsor licences or the renewal of such a licence where the application is not in respect of a small sponsor, for the issuing of certificates of sponsorship, and for optional customer services for sponsors.

(**a**) 2006 c.46.
(**b**) 2011 c.25.
(**c**) 2008 c.12.

Table 7 (Fees in relation to sponsor licences)

Number of fee	*Type of application, service, or process*	*Amount of fee*
7.1	**Fees for applications for sponsor licences where applicant is not a small or charitable sponsor**	
7.1.1	Application for sponsor licence in respect of Tier 2 Migrants.	£1,545
7.1.2	Application for sponsor licence in respect of Tier 2 and Tier 4 Migrants.	£1,545
7.1.3	Application for sponsor licence in respect of Tier 2 and Tier 5 Migrants.	£1,545
7.1.4	Application for sponsor licence in respect of Tier 2, Tier 4 and Tier 5 Migrants.	£1,545
7.2	**Fees for optional customer services for sponsors**	
7.2.1	The provision of Tier 2 and Tier 5 premium customer services to a sponsor that is not a small or charitable sponsor for a period of 12 months.	£25,000
7.2.2	The provision of Tier 2 and Tier 5 premium customer services to a small or charitable sponsor for a period of 12 months.	£8,000
7.2.3	The provision of Tier 4 premium customer services to a sponsor for a period of 12 months beginning on or after 1st July 2013.	£8,000
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.	£184

SCHEDULE 4

Regulation 6

FEES FOR APPLICATIONS IN CONNECTION WITH NATIONALITY

Interpretation

19. 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**);

"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;

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

"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 as a British citizen 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

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

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.	£794
8.1.2	Application for naturalisation as a British overseas territories citizen.	£568
8.2	**Fees for applications for registration**	
8.2.1	Application for registration as a British citizen under the 1981 Act.	£673
8.2.2	Application for registration as a British citizen under the 1997 Act.	£673
8.2.3	Application for registration as a British overseas territories citizen.	£568
8.2.4	Application for registration as a British overseas citizen.	£568
8.2.5	Application for registration as a British subject.	£568
8.2.6	Application for registration as a British protected person.	£568

Fee reduction for applications for naturalisation by spouses or civil partners

21. 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 fee payable is—

(a) in respect of the first application £794; and

(b) in respect of the second application £596.

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

22. 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, step-parent or adoptive parent, the fee payable is—

(a) in respect of the first application £673;

(b) in respect of the second application £505; and

(c) in respect of each further application £505.

SCHEDULE 5

Regulation 7

FEES FOR ENTRY CLEARANCE TO ENTER THE CHANNEL ISLANDS

Interpretation

23. 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**).

(**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).

Fees for applications for entry clearance to enter the Channel Islands

24.—(1) Table 9 specifies the amount of fees for the specified applications for entry clearance to enter either of the Channel Islands where such applications are received outside the British Islands.

(2) Table 10 provides for exceptions to the requirement to pay the fees specified in Table 9 and confers a discretion on the Secretary of State to waive the fees specified in Table 9.

Table 9 (Fees for applications for entry clearance to enter the Channel Islands)

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.	£278
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.	£278
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.	£737
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.	£494
9.3.2	Application for entry clearance for settlement.	£851

Table 10 (Exceptions and waivers in respect of fees for applications for entry clearance to enter the Channel Islands)

Number and description of the exception or waiver		*Fees to which waiver applies*
10.1	**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 9
10.2	**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 9

SCHEDULE 6

Regulation 8

FEES FOR EXPEDITING APPLICATIONS, APPLICATIONS MADE IN PERSON, AND OPTIONAL SERVICES FOR APPLICANTS

Interpretation

25.—(1) In this Schedule—

"immigration or nationality application" means an application for which a fee is specified in these Regulations or other immigration and nationality fees regulations

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

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

"super premium service" means the super premium service for processing applications for leave to remain in the United Kingdom offered by the United Kingdom Border Agency.

(2) For the purposes of this Schedule an application is made in person if it is—

(a) an application made in person; or

(b) an online application made via a procedure under which the applicant is required to attend premises designated by the United Kingdom Border Agency for the purposes of processing the application.

Fees for expediting applications for leave to remain in the United Kingdom, the transfer of conditions, and the provision of services outside office hours

26. Table 11 specifies the amount of fees for the provision of the specified services and applications for the transfer of conditions.

Table 11

Number of fee	*Description of application or service provided*	*Amount of fee*
11.1	**Fee for expediting online and postal applications for leave to remain in the United Kingdom**	
11.1.1	The expedited processing of an application made by post or courier for leave to remain in the United Kingdom or an online application for such leave.	£275
11.2	**Fees for applications for leave to remain in the United Kingdom made in person**	
11.2.1	The arrangement of an appointment for the purposes of making an application for leave to remain in the United Kingdom in person that is not being made under the super premium service.	£100
11.2.2	The expedited processing of an application for leave to remain in the United Kingdom made in person where the application has not been made under the super premium service.	£275
11.3	**Fees in relation to applications for leave to remain in the United Kingdom made under the super premium service**	
11.3.1	The attendance by a representative of the Secretary of State at a premises for the purposes of processing an application for leave to remain in the United Kingdom made under the super premium service.	£6000
11.3.2	The expedited processing of an application for leave to remain in the United Kingdom made under the super premium service.	£375
11.4	**Fees for applications made in person for the transfer of conditions or a biometric immigration document**	
11.4.1	Application made in person for a biometric immigration document where the application is not for a transfer of conditions.	£413
11.4.2	Application made in person for a transfer of conditions.	£522
11.5	**Fees for the provision of services outside office hours**	
11.5.1	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 where fee 11.5.2 does not apply.	£300
11.5.2	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 where the applicant is making the application as a dependant of a person making an immigration or nationality application.	£225

Waiver in respect of fees for expediting applications for leave to remain in the United Kingdom, the transfer of conditions, and the provision of services outside office hours

27.—(1) No fee is payable in respect of an application or service referred to in Table 11 where the Secretary of State determines that the fee should be waived.

(2) The Secretary of State may reduce the amount of the fee in respect of an application or service referred to in Table 11.

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 2012. 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 customer services for sponsors. These Regulations in addition specify the fees for various services and processes, including the processing of applications for limited leave to remain made under the super premium service offered by the United Kingdom Border Agency 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 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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