STATUTORY INSTRUMENTS

2024 No. 928

IMMIGRATION

NATIONALITY

The Immigration and Nationality (Fees) (Amendment) Regulations 2024

Made - - - -	*9th September 2024*
Laid before Parliament	*10th September 2024*
Coming into force in accordance with regulation 1(2)	

The Secretary of State makes these Regulations with the consent of the Treasury(**a**) in exercise of the powers conferred by sections 68(1) and (10)(a) and (b) and 69(2) of the Immigration Act 2014(**b**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration and Nationality (Fees) (Amendment) Regulations 2024.

(2) These Regulations come into force as follows—

(a) this regulation, regulation 2 and regulation 3 come into force on 9th October 2024 at 9.00 a.m.;

(b) regulation 4 comes into force on 10th October 2024;

(c) regulation 5 comes into force on 8th November 2024;

(d) regulation 6 comes into force on 18th February 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendments to the Immigration and Nationality (Fees) Regulations 2018

2. The Immigration and Nationality (Fees) Regulations 2018(**c**) are amended in accordance with regulations 3 to 6.

(**a**) Treasury consent has been obtained pursuant to section 69(1) of the Immigration Act 2014 (c. 22).
(**b**) 2014 c. 22.
(**c**) S.I. 2018/330; relevant amending instruments are S.I. 2022/296, 2023/15, 349, 2024/398.

Amendments relating to bereaved partners

3.—(1) In Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom), in Table 5 (waivers or reductions in respect of fees for applications for entry clearance to enter or leave to enter the United Kingdom), after entry 5.6.1, insert—

"5.7	Bereaved partners	
5.7.1	The official determining an application for entry clearance and indefinite leave to enter under Appendix Bereaved Partner or Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997 to the immigration rules(**a**) may decide to waive the fee if at the time of making the application the applicant appears to the official to be destitute.	Fee 1.4.4A and 3.1.1".

(2) In Schedule 2 (applications for leave to remain in the United Kingdom), in Table 9 (exceptions and waivers in respect of fees for applications for, or in connection with, leave to remain in the United Kingdom), after entry 9.26.2, insert—

"9.27	Applications for indefinite leave to remain in the United Kingdom as a bereaved partner under Appendix Bereaved Partner or Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997	
9.27.1	No fee is payable in respect of an application as a bereaved partner under Appendix Bereaved Partner or Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997 to the immigration rules where, at the time of making the application, the applicant appears to the Secretary of State to be destitute.	Fee 8.1.1".

Amendment relating to VIP Delegate visas

4. In Schedule 1, in Table 4 (exceptions in respect of fees for and in connection with applications for entry clearance to enter or leave to enter the United Kingdom), after entry 4.14.2, insert—

"4.15	Applications for entry clearance as a VIP Delegate under Appendix VIP Delegate Visa to the immigration rules(**b**)	
4.15.1	No fee is payable in respect of an application for entry clearance to enter the United Kingdom as a VIP Delegate under Appendix VIP Delegate Visa to the immigration rules.	Fee 1.5.1".

Amendments relating to Appendix Family Reunion (Protection) and Appendix Child staying with or joining a Non-Parent Relative (Protection)

5. In Schedule 2, in paragraph 1(1) (interpretation)—

(**a**) The immigration rules were laid before Parliament on 23rd May 1994 (HC 395). Appendix Bereaved Partner was added to the UK immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 7th December 2023 (HC 246). Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997 was added to the UK immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 7th September 2023 (HC 1780).

(**b**) Appendix VIP Delegate Visa was added to the United Kingdom immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 10th September 2024 (HC 217).

(a) in the definition of "Article 3 or Refugee Convention application", in paragraph (d), omit "a dependant of a refugee or person granted humanitarian protection under the immigration rules and is";

(b) in the definition of "specified human rights application", after sub-paragraph (c), omit "or" and insert—

"(ca) Appendix Child staying with or joining a Non-Parent Relative (Protection) to the immigration rules(**a**); or".

Amendment relating to Diplomatic Visa Arrangement Visitor visas

6. In Schedule 1, in Table 4, after entry 4.15.1 (as inserted by regulation 4), insert—

"4.16	Applications for entry clearance as a Diplomatic Visa Arrangement Visitor under Appendix V:Visitor(**b**) to the immigration rules	
4.16.1	No fee is payable in respect of an application for entry clearance to enter the United Kingdom as a Diplomatic Visa Arrangement Visitor under Appendix V:Visitor to the immigration rules.	Fee 1.1.2".

Seema Malhotra
Parliamentary Under Secretary of State
Home Office

9th September 2024

We consent

Jeff Smith
Nicholas Dakin
Two of the Lords Commissioners of His Majesty's Treasury

4th September 2024

(**a**) Appendix Child staying with or joining a Non-Parent Relative (Protection) was added to the United Kingdom immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 9th March 2023 (HC 1160) and substituted by the Statement of Changes in Immigration Rules laid before Parliament on 10th September 2024 (HC 217).

(**b**) Appendix V: Visitor was added to the United Kingdom immigration rules by the Statement of Changes in Immigration Rules laid before Parliament on 22nd October 2020 (HC 813).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330) which set fees for the exercise of various functions in connection with immigration and nationality.

Regulation 3 amends Schedules 1 and 2 to the Regulations to provide for waivers of the fees applicable to applications for entry clearance and leave to enter (Schedule 1) or leave to remain (Schedule 2) as a bereaved partner where the applicant appears to be destitute.

Regulation 4 introduces a new exception to the requirement to pay fees for applications for entry clearance for persons accompanying Heads of State or Government ministers on official visits to the United Kingdom. The exception applies to applications under the new Appendix VIP Delegate Visa to the immigration rules.

Regulation 5 makes minor technical amendments. Regulation 5(a) aligns the wording of the existing exception from fees for in-country applications for leave to remain under Appendix Family Reunion (Protection) for dependants of a person with protection status in the United Kingdom with the wording of the exception for applications from overseas. It amends the definition of "Article 3 or Refugee Convention application" in paragraph 1 of Schedule 2, which is used in entry 9.1 in Table 9 of Schedule 2.

Regulation 5(b) clarifies the provision (at entry 9.4 of Table 9) which enables waiver of fees for "specified human rights applications" for leave to remain, where to require payment of the fee would be incompatible with the applicant's human rights. It amends the definition of "specified human rights application" in paragraph 1 of Schedule 2 to expressly include an application for limited leave to remain under Appendix Child staying with or joining a Non-Parent Relative (Protection).

Regulation 6 introduces a new exception to the requirement to pay fees for applications for entry clearance in respect of a new visitor visa for diplomatic passport holders under Appendix V:Visitor to the immigration rules. The Diplomatic Visa Arrangement Visitor visa replaces the diplomatic visa waiver for such persons.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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ISBN 978-0-34-826344-2

9 780348 263442

£5.78

http://www.legislation.gov.uk/id/uksi/2024/928