STATUTORY INSTRUMENTS

2014 No. 2038

IMMIGRATION

NATIONALITY

The Immigration and Nationality (Fees) (Consequential Amendments) Order 2014

Made - - - -	*29th July 2014*
Laid before Parliament	*31st July 2014*
Coming into force - -	*1st September 2014*

The Secretary of State, in exercise of the powers conferred by section 73(2) and (3) of the Immigration Act 2014(**a**), makes the following Order:

Citation and commencement

1. This Order may be cited as the Immigration and Nationality (Fees) (Consequential Amendments) Order 2014 and comes into force on 1st September 2014.

Amendments to the Immigration and Nationality (Fees) Order 2011

2.—(1) The Immigration and Nationality (Fees) Order 2011(**b**) is amended as follows.

(2) In article 2 (definitions)—

(a) after the definition of "the 2006 Act", insert—

""the 2007 Act" means the UK Borders Act 2007(**c**);";

(b) after the definition of "basic service", insert—

""biometric information" has the same meaning as provided in section 15 of the 2007 Act(**d**)".

(3) In article 3(2) (Requirement to pay a fee for applications connected with immigration or nationality), for sub-paragraph (s) substitute—

"(s) a biometric immigration document within the meaning of section 5 of the 2007 Act;".

(4) In article 5 (Requirement to pay a fee in respect of a process connected with immigration or nationality)—

(**a**) 2014 c. 22.
(**b**) S.I. 2011/445; this Order was amended by the Immigration and Nationality (Fees) (Amendment) Order 2013 (S.I. 2013/249) and the Immigration and Nationality (Fees) Amendment Order 2014 (S.I. 2014/205).
(**c**) 2007 c. 30.
(**d**) 2007 c. 30; section 15 was amended by section 12 of the Immigration Act 2014 (c. 22).

(a) for "The Secretary of State, or any person acting on behalf of the Secretary of State,", substitute "The Secretary of State, or a contractor, or any person appointed by, or acting on behalf of, the Secretary of State,";

(b) for paragraph (c), substitute—

"(c) taking a record of a person's biometric information where the person is required by regulations made under section 41 of the 1981 Act(**a**), section 126 of the Nationality, Immigration and Asylum Act 2002(**b**), or section 5 of the 2007 Act to provide such information for the purposes of an application or claim in connection with immigration or nationality;".

Home Office
29th July 2014

Mike Penning
Minister of State

(**a**) 1981 c. 61; section 41 was amended by section 10 of the Immigration Act 2014 (c. 22).
(**b**) 2002 c. 41; section 126 was amended by section 8 of the Immigration Act 2014 (c. 22).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Immigration and Nationality (Fees) Order 2011, which are consequential upon provisions in relation to biometrics set out at sections 8 - 14 of the Immigration Act 2014. The latter provisions enable the Secretary of State to require individuals to provide biometric information when making certain applications or claims in connection with immigration or nationality. This Order enables a fee to be charged for the process of taking a record of such information. The fee itself will be specified in separate Regulations.

A full impact assessment has not been prepared as this instrument will have no impact on the costs of business or the voluntary sector.

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