
STATUTORY INSTRUMENTS

2017 No. 420

The Immigration (Health Charge) (Amendment) Order 2017

Amendments to Schedule 2 to the Principal Order

- 3.—(1) Schedule 2 to the Principal Order is amended as follows.
- (2) In paragraph 1(b), for “entry clearance” substitute “entry clearance or leave to remain”.
 - (3) Omit paragraph 1(c).
 - (4) For paragraph 1(g), substitute—
 - “(g) for leave to remain for a Trafficking Convention reason, or under paragraph 159I of the immigration rules as a domestic worker who is the victim of slavery or human trafficking, where the applicant has received a positive conclusive grounds decision from a competent authority;”.
 - (5) In paragraph 1(i), for “sub-paragraph (c), (e), (f), (g) or (h)” substitute “sub-paragraph (e), (f), (g) or (h)”.
 - (6) After paragraph 3, insert—
 - “4. In this Schedule—
 - “competent authority” means a designated competent authority of the United Kingdom for the purposes of the Trafficking Convention;
 - “positive conclusive grounds decision” means a decision made by a competent authority that the applicant is either—
 - (a) a victim of human trafficking, or
 - (b) a victim of slavery, servitude or forced or compulsory labour;
 - “Trafficking Convention” means the Council of Europe Convention on Action against Trafficking in Human Beings⁽¹⁾;
 - “Trafficking Convention reason” means a reason, in accordance with the United Kingdom’s obligations under the Trafficking Convention, that the applicant’s stay in the United Kingdom is necessary—
 - (a) because of the applicant’s personal situation,
 - (b) because the applicant is co-operating with a police investigation or criminal proceedings, or
 - (c) in order to pursue a claim for compensation against the applicant’s trafficker or modern slavery facilitator.”.