
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Immigration (Application Fees) Order 2005

Matters to be taken into account in fixing fees for all relevant applications

3.—(1) In relation to any functions, the costs of which fall to be taken into account in the exercise of each of the powers to fix fees listed in paragraph (2), the recovery of any deficits incurred before as well as after the date when this Order was made, is hereby specified for the purposes of section 102(4) of the 1987 Act as a matter to be taken into account in determining the amount of those fees.

(2) The powers to fix fees are those in –

- (a) section 5(1)(a) of the 1999 Act to prescribe fees for leave to remain applications;
- (b) section 5(1)(b) of the 1999 Act to prescribe fees for applications for the variation of leave to enter or remain;
- (c) section 5(1)(c)(1) of the 1999 Act to prescribe fees for the transfer of limited or indefinite leave stamps to a new document;
- (d) section 122(1) of the 2002 Act to prescribe fees for applications for immigration employment documents;
- (e) section 41(2)(2) of the British Nationality Act 1981(3) to make provision for fees in connection with any applications made under that Act; and
- (f) section 1 of the Consular Fees Act 1980(4) and section 10 of the 2002 Act to prescribe fees for a certificate showing that the applicant has a right of abode in the United Kingdom.

(1) As amended by section 43 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c.19).
(2) As amended by S.I. 1986/948, and section 3 and Schedule 1, paragraphs 3 and 5(a) and (b) of the 2002 Act.
(3) 1981 c.61.
(4) 1980 c.23.