

Draft Order laid before Parliament under section 74(2)(b) of the Immigration Act 2014, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2020 No.

IMMIGRATION

The Immigration (Health Charge) (Amendment) Order 2020

Made - - - - *****
Coming into force - - *1st October 2020*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 38(1) and (3) and 74(8) of the Immigration Act 2014⁽¹⁾.

In accordance with section 38(4) of that Act, in specifying the amount of the charge under section 38(3)(b) of the Act, the Secretary of State has (among other matters) had regard to the range of health services which are likely to be available free of charge to persons who have been given immigration permission.

In accordance with section 74(2)(b) of that Act, a draft of this Order was laid before and approved by a resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Immigration (Health Charge) (Amendment) Order 2020 and comes into force on 1st October 2020.

(2) In this Order, “the Principal Order” means the Immigration (Health Charge) Order 2015⁽²⁾.

Amendment to Schedule 1 to the Principal Order

2.—(1) Schedule 1 (amount of the charge) to the Principal Order is amended as follows.

(2) In the second column of the table (annual amount)—

- (a) in the entry “Application for entry clearance or leave to remain as a student, in accordance with the immigration rules”, for “£300” substitute “£470”;
- (b) in the entry “Application for entry clearance or leave to remain as the dependant of a student, in accordance with the immigration rules”, for “£300” substitute “£470”;

(1) 2014 c. 22.

(2) S.I. 2015/792, amended by S.I. 2016/400, S.I. 2017/420, S.I. 2018/1389.

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, *The Immigration (Health Charge) (Amendment) Order 2020* ISBN 978-0-348-21023-1

- (c) in the entry “Application for entry clearance as a Tier 5 (Youth Mobility Scheme) Temporary Migrant in accordance with the immigration rules”, for “£300” substitute “£470”;
- (d) for the entry “All other applications for entry clearance or leave to remain”, substitute—

“All other applications for entry clearance £624
or leave to remain, made in respect of a
person aged 18 years or over at the date of the £470”.
application.

All other applications for entry clearance
or leave to remain, made in respect of a
person aged under 18 years at the date of
the application (whether that person is the
applicant or the dependant of the applicant).

Transitional provision

3. In relation to an application for entry clearance or leave to remain made before the coming into force of this Order, the Principal Order applies without the amendments made by this Order.

Date

Name
Parliamentary Under Secretary of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Health Charge) Order 2015 ([S.I. 2015/792](#)) (“the Principal Order”), which requires a person who applies for entry clearance for a limited period, or for limited leave to remain in the United Kingdom, to pay an immigration health charge.

Article 2 amends Schedule 1 to the Principal Order which specifies the annual amount of the immigration health charge in respect of applications by different categories of person. In respect of applications by students, dependants of students and Youth Mobility Scheme Temporary Migrants, the annual amount is increased from £300 to £470. In respect of all other applications for entry clearance or leave to remain (for which the fee was previously £400), article 2(2)(d) draws a distinction between applications made in respect of persons over the age of 18 years at the date of the application, and applications made in respect of those under that age. In respect of applications made in respect of persons aged 18 years or over at the date of the application, the annual amount is set at £624. In respect of applications made in respect of persons aged under 18 years at the date of the application (including both applications made by applicants themselves aged under 18 years and also applications made in respect of a dependant where the dependant is aged under 18 years at the date of the application), the annual amount is set at £470.

Article 3 makes transitional provision so that the amendments made to the Principal Order by this Order do not apply to an application for entry clearance or leave to remain made before the Order comes into force.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is submitted alongside the Explanatory Memorandum which is available alongside the instrument at www.legislation.gov.uk. A hard copy can be obtained by writing to the Immigration Health Charge policy team, Home Office, 2 Marsham Street, London SW1P 4DF.