



## **Amendments to the Immigration and Nationality (Fees) Order 2016**

2.—(1) The Immigration and Nationality (Fees) Order 2016(a) is amended as follows.

(2) In article 2—

(a) in the definition of “premium services” omit “applications”;

(b) in the definition of “transfer of conditions”, for the words from “the fixing” to “passport” substitute “an addition to a passport.”

(3) In article 6, in Table 3, in the row beginning “3.2.2”, in the second column, after “information” insert “or reusing that recorded information”.

(4) In article 9, in Table 6, in the row beginning “6.11”, in the second column, for “in addition to those (if any) required to provide a basic service” substitute “, other than immigration officers or facilities needed to provide a basic service”.

## **Amendments to the Immigration and Nationality (Fees) Regulations 2018**

3.—(1) The Immigration and Nationality (Fees) Regulations 2018(b) are amended as follows.

(2) In regulation 2, after the definition of “Points-Based System” insert—

““premium services” means optional premium services in connection with immigration or nationality;”.

(3) In Schedule 3, in paragraph 1, in the definition of “transfer of conditions”, for the words from “the fixing” to “passport” substitute “an addition to a passport.”

(4) In Schedule 4, in paragraph 1, in the definition of “premium services for sponsors”, for “optional premium customer services” substitute “premium services”.

Date *Name*  
Parliamentary Under Secretary of State  
Home Office

We consent

*Name*  
*Name*

Date Two of the Lords Commissioners of Her Majesty’s Treasury

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Immigration and Nationality (Fees) Order 2016 (S.I. 2016/177) (“the 2016 Order”) and the Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330) (“the Fees Regulations”). The 2016 Order and the Fees Regulations together provide for fees to be charged in respect of the exercise of functions in connection with immigration and nationality, in accordance with section 68 of the Immigration Act 2014. The 2016 Order specifies the functions in respect of which fees are to be charged (subject to exceptions and waivers provided for in the Fees Regulations) and specifies how each fee is to be calculated. The Fees Regulations set the actual amount or rate of each fee that is to be charged.

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(a) S.I. 2016/177; relevant amending instruments are S.I. 2017/440, 2018/329.

(b) S.I. 2018/330, to which there are amendments not relevant to this Order.

Article 2 amends the 2016 Order as follows.

Article 2(2)(a) amends the definition of “premium services” which applies for the purposes of articles 7, 9 and 9A of the 2016 Order. The definition is currently restricted to optional premium services in connection with immigration or nationality applications. As amended, “premium services” are optional premium services in connection with immigration or nationality. Article 2(2)(b) amends the definition of “transfer of conditions” which applies for the purposes of article 6 of the 2016 Order (see 3.1.2 in Table 3) so that it provides that the fee is for any addition (physical or electronic) to a passport, or other document issued to an applicant, which indicates that the person has been given leave to enter or remain in the United Kingdom.

Article 2(3) amends 3.2.2 in Table 3 in article 6 of the 2016 Order to extend the scope of the administrative activity so that it includes, as well as the taking of a record of a person’s biometric information, the reuse of that recorded information.

Article 2(4) amends 6.11 in Table 6 in article 9 of the 2016 Order. The amendment makes clear that the fee provided for in respect of premium service arrangements for the provision of immigration officers or facilities is not limited to arrangements to provide additional officers or facilities at a control port but also covers the provision of immigration officers or facilities in other circumstances.

Article 3 amends the Fees Regulations. Article 3(2) and (4) adds a definition of “premium services” in regulation 2 of those Regulations and amends the definition of “premium services for sponsors” in Schedule 4. These amendments make clear that the expression “premium services” has the same meaning in the Fees Regulations as it does in the 2016 Order. Article 3(3) makes an amendment to the Fees Regulations equivalent and consequential to the amendment to the 2016 Order made by article 2(2)(b).

A full impact assessment was prepared for the 2016 Order and made available alongside that Order on [www.legislation.gov.uk](http://www.legislation.gov.uk). That assessment has been amended to take account of the amendments made by this Order and the amended impact assessment is available alongside this Order on [www.legislation.gov.uk](http://www.legislation.gov.uk) and from the Home Office, Fees and Income Planning Team, 2 Marsham Street, London SW1P 4DF.

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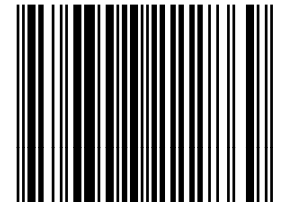
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