

**EXPLANATORY MEMORANDUM TO  
THE CONSULAR FEES (AMENDMENT) ORDER**

**2010 No. 2681**

1. This explanatory memorandum has been prepared by the Foreign and Commonwealth Office.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

- 2.1 The purpose of the Order in Council is to increase existing consular fees, specifically for the receiving, outside the United Kingdom, of applications for entry clearance to the Crown Dependencies and applications for certificates of entitlement to the right of abode in the Crown Dependencies.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 This Order makes increases to certain fees for receiving, outside the United Kingdom, applications for entry clearance to the Crown Dependencies and applications for certificates of entitlement to the right of abode in the Crown Dependencies above the rate of inflation. More detail as to these increases is provided in paragraph 7 below.
- 3.2 As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no regulatory impact assessment of the effect that this instrument will have on the costs of the business and voluntary sector is required.

4. **Legislative Context**

- 4.1 This Order amends the Consular Fees Order 2010.

5. **Territorial Extent and Application**

- 5.1 This instrument applies to all of the United Kingdom.

6. **European Convention on Human Rights**

- 6.1 As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

- *Why is a fee increase necessary?*

- 7.1. The Consular Fees Act 1980 provides that Her Majesty may by Order in Council prescribe the fees that can be levied for performance of consular services. Consular fees are levied so that the costs of providing such services can be recovered from the customers that use them. The Consular Fees Order 2010 came into force on 6 April 2010 and prescribes the current levels of fees to be charged for consular services. The Consular Fees Order 2010 made an increase to the fees levied for receiving, outside the United Kingdom, applications for entry clearance to the Crown Dependencies and applications for certificates of entitlement to the right of abode in the Crown Dependencies.
- 7.2 This Order increases the fees levied for receiving, outside the United Kingdom, applications for entry clearance to the Crown Dependencies and applications for certificates of entitlement to the right of abode in the Crown Dependencies, so as to correspond with the equivalent immigration fees charged under the Immigration and Nationality (Fees) (No.2) Regulations 2010 and the Immigration and Nationality (Cost Recovery Fees) (No.2) Regulations 2010.

- *What is being done?*

- 7.3 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a visitor, for single, double and multiple entries valid for up to six months from the date of issue will increase from £68 to £70.
- 7.4 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a visitor, for single, double and multiple entries valid for between six months and up to two years from the date of issue will increase from £230 to £245.
- 7.5 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a visitor, for single, double and multiple entries valid for between two years and up to five years from the date of issue will increase from £420 to £450.
- 7.6 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a visitor, for single, double and multiple entries valid for between five years and up to ten years from the date of issue will increase from £610 to £650.
- 7.7 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies for settlement will increase from £644 to £750.

- 7.8 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a student will increase from £199 to £220.
- 7.9 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a work permit holder, unless Schedule 1 Part V, fee 28(a)(ii)(v) applies, will increase from £270 to £350.
- 7.10 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a work permit holder where the application is in respect of a person who is a national of a State which has ratified the Council of Europe Social Charter will increase from £250 to £300.
- 7.11 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a temporary or voluntary worker, unless Schedule 1 Part V, fee 28(a)(ii)(vii) applies, will increase from £128 to £130.
- 7.12 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies as a temporary or voluntary worker where the application is in respect of a person who is a national of a State which has ratified the Council of Europe Social Charter will increase from £112 to £120.
- 7.13 The fee for receiving, outside the United Kingdom, an application for entry clearance to the Crown Dependencies for any purpose, other than those listed in Schedule 1 Part V, fee 28(a)(i) to (vii), will increase from £230 to £245.
- 7.14 The fee for receiving, outside the United Kingdom, an application for a certificate of entitlement to the right of abode in the Crown Dependencies will increase from £220 to £245

## **8. Consultation outcome**

- 8.1 No consultation has been carried out in relation to this Order. Treasury rules require that the full cost of fee-bearing services is recovered through the fees charged, but impose no requirement to consult. The Order introduces no changes in policy and the fees are not considered to have a disproportionate impact on any particular stakeholders.

## **9. Guidance**

- 9.1 Detailed information on the fees charged is provided on the <http://www.ukvisas.gov.uk/en/> website and hard copies of the fees table are on display at our offices overseas. This information will be updated to take into account the new fees set out in this Order.

## **10. Impact**

- 10.1 The impact on business, charities or voluntary bodies is minor.

- 10.2 The impact on the public sector is that the costs to the public sector of providing consular services will continue to be recovered from the fees charged for those services.
- 10.3 A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. Nevertheless, the UK Border Agency impact assessment in respect of the corresponding fee changes contained in the Immigration and Nationality (Fees) (No.2) Regulations 2010 and the Immigration and Nationality (Cost Recovery Fees) (No.2) Regulations 2010 can be found at <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/fees-wms-ia>.

## **11. Regulating small business**

- 11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

- 12.1 We will closely monitor the impact of fees for the applications contained in this Order. We review fees and charges for Visa, Immigration and Nationality applications regularly, and application trends are monitored by UK Border Agency on a monthly basis. Analysis of application trends is monitored by the cross-Whitehall fees committee to ensure that fee levels generate sufficient revenue to cover delivery costs but do not adversely impact on the UK economy. We would seek to amend these fee levels were there evidence of such adverse impact.

## **13. Contact**

- 13.1 Geetha Muthusamy at the Charging Policy Programme at the UK Border Agency can answer any queries regarding the instrument: Telephone number: 0114 207 3375 or email: [Geetha.Muthusamy@homeoffice.gsi.gov.uk](mailto:Geetha.Muthusamy@homeoffice.gsi.gov.uk).