

2017 No. 885

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Fees) (Amendment)
Regulations 2017**

<i>Made</i> - - - -	<i>5th September 2017</i>
<i>Laid before Parliament</i>	<i>7th September 2017</i>
<i>Coming into force</i> - -	<i>2nd October 2017</i>

The Secretary of State makes the following Regulations with the consent of the Treasury, in exercise of the powers conferred by sections 68(1), (7), (8) and (10), 69(2), and 74(8)(a), (b) and (d) of the Immigration Act 2014(a). These Regulations are made further to provision in the Immigration and Nationality (Fees) Order 2016(b).

Citation and commencement

1. These Regulations may be cited as the Immigration and Nationality (Fees) (Amendment) Regulations 2017 and come into force on 2nd October 2017.

Amendment of the Immigration and Nationality (Fees) Regulations 2017

2. The Immigration and Nationality (Fees) Regulations 2017(c) are amended as follows.

Amendment of regulation 3

3. In regulation 3(a)(i) (setting of fees for the purposes of article 4 of the 2016 Order), omit “and variation of such leave”.

Amendment of regulation 4

4. In regulation 4(a)(i) (setting of fees for the purposes of articles 4 and 5 of the 2016 Order), after “leave to remain”, insert “and variation of such leave”.

Amendment of regulation 15

5. In regulation 15 (rate of exchange), for “the Consular Rate of Exchange” substitute “the Home Office Exchange Rate Policy(d)”.

(a) 2014 c. 22. Treasury consent has been obtained in pursuance of section 69(1) of the Immigration Act 2014.

(b) S.I. 2016/177; this Order was amended by S.I. 2017/440.

(c) S.I. 2017/515.

(d) Accessible at <https://www.gov.uk/government/publications/exchange-rate-policy>.

Amendment of Schedule 1

6.—(1) Schedule 1 (applications for entry clearance to enter and leave to enter the United Kingdom) is amended as follows.

(2) In table 1 (fees for applications for entry clearance to enter or leave to enter the United Kingdom)—

- (a) in the type of application described at 1.1.2, for “where the fee is not specified elsewhere in these Regulations”, substitute “where the fee at 1.1.8 does not apply”;
- (b) in the type of application described at 1.3.11, omit “Tier 2 (Intra-Company Transfer) Short Term Staff Migrant or a”.

(3) In table 2 (specified fees for dependants), in the type of application described at 2.1.5, at the end insert “or as the dependant of a Tier 2 (Intra-Company Transfer) Short Term Staff Migrant”.

(4) In table 4 (exceptions in respect of fees for applications for entry clearance to enter or leave to enter the United Kingdom), omit both the heading (entry 4.4 in that table) to the fee exception at 4.4.1, and the fee exception itself.

Amendment of Schedule 2

7.—(1) Schedule 2 (applications for leave to remain in the United Kingdom) is amended as follows.

(2) In table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications) in the type of application described at 6.2.11, omit “Tier 2 (Intra-Company Transfer) Short Term Staff Migrant or a”.

(3) In table 7 (fees for specified applications for limited leave to remain in the United Kingdom as a dependant), in the type of application described at 7.1.3, at the end insert “or as the dependant of a Tier 2 (Intra-Company Transfer) Short Term Staff Migrant”.

(4) In table 9 (exceptions in respect of fees for applications for, or in connection with, leave to remain in the United Kingdom), in the fee exception described at—

- (a) 9.8, omit “the initial period of”;
- (b) 9.9, in paragraph (a)(vi) of that exception, omit “D-ILRPT.1.1. and”.

Amendment of Schedule 3

8.—(1) Schedule 3 (documents and administration) is amended as follows.

(2) In table 13 (exceptions to the requirement to pay fees for applications for biometric immigration documents and the process used to take a record of biometric information)—

- (a) in the fee exception described at 13.2, for “had”, both times that it appears, substitute “has”;
- (b) in the fee exception described at 13.7, in paragraph (a)(vi) of that exception, omit “D-ILRPT.1.1. and”; and
- (c) in the fee exception described at 13.8, for “10.7” in the heading and in the fee exception itself, substitute “10.6”.

Amendment of Schedule 8

9. In paragraph 1(2) (interpretation) of Schedule 8 (nationality) omit “subject to regulation 16 of these Regulations.”.

Amendment of Schedule 9

10.—(1) Schedule 9 (applications for entry clearance to enter the Isle of Man) is amended as follows.

(2) In table 21 (fees for applications for entry clearance to enter the Isle of Man), in the type of application described at 21.2.10, omit “Tier 2 (Intra-Company Transfer) Short Term Staff Migrant or a”.

(3) In table 22 (specified fees for dependants), in the type of application described at 22.1.4, at the end insert “or as the dependant of a Tier 2 (Intra-Company Transfer) Short Term Staff Migrant”.

4th September 2017

Brandon Lewis
Minister of State
Home Office

We consent

David Evennett
Heather Wheeler

5th September 2017

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration and Nationality (Fees) Regulations 2017 (S.I. 2017/515). In particular, the Regulations make provision in respect of the exchange rate which the Home Office is to apply when receiving payments in currencies other than sterling (regulation 5).

The remainder of the changes made by these Regulations are minor and technical in nature.

A full impact assessment estimating the effect that the Immigration and Nationality (Fees) Regulations 2017 would have on the costs of business and the voluntary sector was published with an explanatory memorandum alongside the Immigration and Nationality (Fees) Order 2016 (S.I. 2016/177, as amended by S.I. 2017/440) and was based upon the maxima specified in that Order. The impact assessment is available alongside that instrument at www.legislation.gov.uk. No further impact assessment has been produced for this instrument.

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