STATUTORY INSTRUMENTS

2019 No. 475

EXITING THE EUROPEAN UNION IMMIGRATION NATIONALITY

The Immigration and Nationality (Fees) (Refund, Waiver and Amendment) (EU Exit) Regulations 2019

Made - - - -

6th March 2019

Laid before Parliament 7th March 2019 Coming into force in accordance with regulation 1(2) to (5)

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)(a) and (b), 69(2) and 74(8)(a) and (b) of the Immigration Act 2014(1). These Regulations are made further to provision in the Immigration and Nationality (Fees) Order 2016(2).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration and Nationality (Fees) (Refund, Waiver and Amendment) (EU Exit) Regulations 2019.

(2) Except as provided by paragraphs (3) to (5), these Regulations come into force on 29th March 2019.

- (3) The following come into force at 7.00 a.m. on 30th March 2019—
 - (a) paragraph (6) of this regulation;
 - (b) regulation 2;
 - (c) regulation 4(2);

^{(1) 2014} c. 22. Treasury consent has been obtained pursuant to section 69(1). Sections 68 to 70 were extended, with modifications, to the Isle of Man by articles 5, 7 and 8 of the Immigration (Isle of Man) (Amendment) Order 2015 (S.I. 2015/1765) which inserted new articles 22 and 23, new Schedule 9A and new Part 8 of Schedule 10 in the Immigration (Isle of Man) Order 2008 (S.I. 2008/680). There are other amendments to S.I 2008/680 not relevant to these Regulations. Sections 68 to 70 were extended to the Bailiwick of Jersey by article 3 of the Immigration (Jersey) Order 2016 (S.I. 2016/994) subject to modifications specified in the Schedule to that Order. Sections 68 to 70 were extended to the Bailiwick of Guernsey by article 4 of the Immigration (Guernsey) Order 2016 (S.I. 2016/996) subject to modifications specified in the Schedule to that Order.

⁽²⁾ S.I. 2016/177, amended by S.I. 2017/440, 2018/329.

- (d) regulation 5(4) so far as it inserts 4.5 and 4.5.1 in Table 4 in Schedule 1 to the Immigration and Nationality (Fees) Regulations 2018(3);
- (e) regulation 6(2) and (5) to (8);
- (f) regulation 7(2), (3)(b) and (d) to (f) and (4);
- (g) regulation 11(2), (3), (5) and (6);
- (h) regulation 12.

(4) Regulation 5(4), so far as it inserts 4.6 and 4.6.1 in Table 4 in Schedule 1 to the Immigration and Nationality (Fees) Regulations 2018, comes into force on 6th April 2019.

(5) Regulation 8(3)(d), (e) and (f) comes into force on 1st July 2019.

(6) Regulation 2 extends to England and Wales, Scotland and Northern Ireland.

(7) The amendments made by regulations 3 to 12 have the same extent as the provisions they amend.

EU Settlement Scheme applications: refund and waiver of fees

2.—(1) In this regulation "EU Settlement Scheme application" means an application under Appendix EU to the immigration rules(4) for leave to remain in the United Kingdom.

(2) The Secretary of State must refund any fee paid before 7.00 a.m. on 30th March 2019 under the Immigration and Nationality (Fees) Regulations 2018 in respect of—

- (a) an EU Settlement Scheme application (whether or not the application had been made immediately before that time), or
- (b) the processing of an EU Settlement Scheme application which was rejected as invalid prior to a decision being issued.

(3) The Secretary of State must waive the payment of any fee which was required to be paid under the Immigration and Nationality (Fees) Regulations 2018 in respect of an EU Settlement Scheme application made before 7.00 a.m. on 30th March 2019, where—

- (a) the fee had not been paid immediately before that time, and
- (b) the application had not been determined immediately before that time.
- (4) In paragraphs (2) and (3) any reference to a fee includes a reference to part of a fee.

Amendments to the Immigration and Nationality (Fees) Regulations 2018

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

4.—(1) Regulation 2 (interpretation) is amended as follows.

- (2) For the definition of "administrative review" substitute—
 - ""administrative review" means administrative review under Appendix AR or Appendix AR (EU) to the immigration rules;".
- (3) After the definition of "indefinite leave" insert—

"Innovator" has the meaning given in paragraph 6 of the immigration rules;".

(4) After the definition of "sponsored worker" insert-

"Start-up Migrant" has the meaning given in paragraph 6 of the immigration rules;".

⁽³⁾ S.I. 2018/330, amended by S.I. 2018/618, 2018/875, 2018/999.

⁽⁴⁾ Laid before Parliament on 23rd May 1994 (HC 395), as amended. The most recent amendments to the immigration rules are contained in the Statement of Changes laid before Parliament on 7th March 2019 (HC 1919).

(5) For the definition of "Tier 2 (Intra-Company Transfer) Long Term Staff Migrant, "Tier 2 (Intra-Company Transfer) Graduate Trainee Migrant", and "Tier 2 (Intra-Company Transfer) Short Term Staff Migrant" substitute—

""Tier 2 (Intra-Company Transfer) Long Term Staff Migrant" and "Tier 2 (Intra-Company Transfer) Graduate Trainee Migrant" mean a Tier 2 (Intra-Company Transfer) Migrant granted leave in, respectively, the Long Term staff sub-category or the Graduate Trainee sub-category within the meaning of Part 6A of the immigration rules;".

5.—(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 1.1.1 in the third column for "£93" substitute "£95";
- (b) in 1.1.2 in the third column for "£350" substitute "£361";
- (c) in 1.1.3 in the third column for "£636" substitute "£655";
- (d) in 1.1.4 in the third column for "£798" substitute "£822";
- (e) in 1.1.5 in the third column for "£186" substitute "£190";
- (f) in 1.1.6 in the third column for "£186" substitute "£190";
- (g) in 1.1.8 in the third column for "£93" substitute "£95";
- (h) after 1.3.13 insert-

"1.3A Fees for applications for entry clearance to enter the United Kingdom as an Innovator or Start-up Migrant

1.3A.1	Application for entry clearance as an Innovator.	£1,021
1.3A.2	Application for entry clearance as a Start-up Migrant.	£363"

(3) In Table 2 (specified fees for dependants) omit 2.1.4.

(4) In Table 4 (exceptions in respect of fees for applications for entry clearance to enter or leave to enter the United Kingdom) at the end insert—

"4.5	Applications for entry clearance under Appendix EU (Family P immigration rules	ermit) to the	
4.5.1	No fee is payable in respect of an application for entry clearance to enter Fees 1.4.4 the United Kingdom made under Appendix EU (Family Permit) to the and 1.5.1 immigration rules.		
4.6	Applications for entry clearance by relevant Afghan citizens and the under Part 7 of the immigration rules	ir dependants	
4.6.1	No fee is payable in respect of an application for entry clearance to enter the United Kingdom made by—	Fees 1.4.4 and 1.5.1"	
	(a) a relevant Afghan citizen (within the meaning given by paragraph 276BB1 of the immigration rules) in connection with an application under paragraph 276BA1 of the immigration rules for limited leave to enter the United Kingdom;		
	(b) the partner of a relevant Afghan citizen (within the meaning given by paragraph 276BK1 of the immigration rules) in connection with an		

application under paragraph 276BA1 or 276BJ1 of the immigration rules for limited leave to enter the United Kingdom; or

(c) the minor dependent child of a relevant Afghan citizen or their partner (within the meaning given by paragraph 276BP1 of the immigration rules) in connection with an application under paragraph 276BA1 or 276BO1 of the immigration rules for limited leave to enter the United Kingdom.

- (5) In paragraph 4(2)—
 - (a) omit the "or" after paragraph (d);
 - (b) after paragraph (e) insert—
 - "(f) an Innovator; or
 - (g) a Start-up Migrant."

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

(2) In paragraph 2—

- (a) in sub-paragraph (3) omit ", other than an application to which Table 8A applies";
- (b) omit sub-paragraph (3A);
- (c) in sub-paragraphs (4) and (6) for ", 8 and 8A" substitute "and 8".

(3) In Table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications) after 6.2.13 insert—

"6.2A	Fees for applications for limited leave to remain in the United Kingdom as an Innovator or Start-up Migrant
6.2A.1	Application for limited leave to remain in the United Kingdom as an £1,277 Innovator.
6.2A.2	Application for limited leave to remain in the United Kingdom as a Start- £493" up Migrant.

(4) In Table 7 (fees for specified applications for limited leave to remain in the United Kingdom as a dependant) omit 7.1.3.

(5) In Table 8 (fees for applications for indefinite leave to remain in the United Kingdom)—

- (a) in the table heading omit ", other than applications to which Table 8A applies";
- (b) in 8.1.1 in the second column omit ", other than an application to which Table 8A applies".

(6) Omit Table 8A (fees for applications for leave to remain in the United Kingdom made under Appendix EU to the immigration rules).

(7) In Table 9 (exceptions and waivers in respect of fees for applications for, or in connection with, leave to remain in the United Kingdom)—

- (a) in 9.6 in the third column omit ", 8A.1.1, 8A.1.2";
- (b) omit 9.13;
- (c) at the end insert—

"9.16 Applications for leave to remain in the United Kingdom made under Appendix EU to the immigration rules

No fee is payable in respect of an application for leave to remain in the Fees 6.1.1, United Kingdom made under Appendix EU to the immigration rules. 8.1.1"

- (8) In paragraph 3 omit "(other than an application to which Table 8A applies)".
- (9) In paragraph 4(2)—
 - (a) omit the "or" after paragraph (d);
 - (b) after paragraph (e) insert—
 - "(f) an Innovator; or
 - (g) a Start-up Migrant."
- 7.—(1) Schedule 3 (documents and administration) is amended as follows.
- (2) In paragraph 1 after the definition of "the 2016 Regulations" insert-

""Appendix EU biometric residence card" means a document (within the meaning given by section 126(9) of the Nationality, Immigration and Asylum Act 2002(5)) issued to a person granted leave to remain in the United Kingdom under Appendix EU to the immigration rules on which biometric information is recorded under regulation 6A of the Immigration (Provision of Physical Data) Regulations 2006(6);".

- (3) In Table 10 (fees for miscellaneous documents and administration)—
 - (a) in 10.5.1—
 - (i) after paragraph (d) insert "or";
 - (ii) omit the "or" after paragraph (e);
 - (iii) omit paragraph (f);
 - (b) after 10.5.1 insert-

"10.5A	Fees for applications for a replacement or amended Appendix EU biometric residence card
10.5A.1	Application for a replacement of an Appendix EU biometric residence £56 card that has been lost, stolen, damaged or destroyed.
10.5A.2	Application for an amended version of an Appendix EU biometric £56" residence card where information recorded on the card has ceased to be accurate.
(c) in	10.7.1 in the third column for "£15" substitute £30";
(d) in	10.8 in the heading in the second column for "Fees" substitute "Fee";
(e) in	10.8.1 in the second column omit ", other than an application to which 10.8.2 or 10.8.3

(f) omit 10.8.2 and 10.8.3.

applies";

(4) In Table 11 (exceptions to requirement to pay fees for applications for travel documents and for processing an application or claim later rejected as invalid), in 11.5—

(a) in the row below the heading—

^{(5) 2002} c. 41; the definition of "document" in section 126(9) was inserted by section 8(4) of the Immigration Act 2014 (c. 22).

⁽⁶⁾ S.I. 2006/1743, amended by S.I. 2011/1779, 2015/737, 2018/928.

- (i) in the first column insert "11.5.1";
- (ii) in the third column, for "Fees 10.8.1 to 10.8.3" substitute "Fee 10.8.1";
- (b) after that row insert—

No fee is payable in respect of the processing of an application for 10.8.1"	
leave to remain in the United Kingdom made under Appendix EU to	
the immigration rules before 7.00 a.m. on 30th March 2019 which is	
rejected as invalid at or after that time prior to a decision being issued.	
	leave to remain in the United Kingdom made under Appendix EU to the immigration rules before 7.00 a.m. on 30th March 2019 which is

- 8.—(1) Schedule 6 (premium services in the United Kingdom) is amended as follows.
- (2) In paragraph 1 omit the definition of "super premium service".
- (3) In Table 17 (premium services in the United Kingdom)—
 - (a) in 17.1.1 in the third column for "£477" substitute "£500";
 - (b) in 17.1.2 in the third column for "£610" substitute "£800";
 - (c) omit 17.2, 17.2.2, 17.4 and 17.4.1;
 - (d) in 17.5.1 in the third column for "£3.90" substitute "£5.20";
 - (e) omit 17.7.1;
 - (f) at the end insert—

"17.7.2	The provision, to a person other than a government department, of an immigration officer to provide any premium service relating to entry into or transit through the United Kingdom.	£77.40 hour officer	per per
17.7.3	The provision, to a government department, of an immigration officer to provide any premium service relating to entry into or transit through the United Kingdom.		per per

9.—(1) Schedule 7 (premium services outside the United Kingdom) is amended as follows.

- (2) In Table 18 (premium services outside the United Kingdom)—
 - (a) in 18.1 in the heading in the second column at the end insert "managed by a contractor";
 - (b) omit 18.1.2;
 - (c) in 18.2.1 in the third column for "£212" substitute "£220".

10.—(1) Schedule 9 (applications in relation to entry clearance to enter the Isle of Man and premium services) is amended as follows.

(2) In Table 21 (fees for applications for entry clearance to enter the Isle of Man)-

- (a) in 21.1.1 in the third column for "£93" substitute "£95";
- (b) in 21.1.2 in the third column for "£350" substitute "£361";
- (c) in 21.1.3 in the third column for "£636" substitute "£655";
- (d) in 21.1.4 in the third column for "£798" substitute "£822";
- (e) in 21.1.5 in the third column for "£186" substitute "£190";
- (f) in 21.1.6 in the third column for "£186" substitute "£190".

(3) In Table 25 (premium services outside the United Kingdom and the Isle of Man) in 25.2.1 in the third column for " \pounds 212" substitute " \pounds 220".

11.—(1) Schedule 10 (applications for entry clearance to enter the Bailiwick of Guernsey or the Bailiwick of Jersey and premium services) is amended as follows.

- (2) In paragraph 1—
 - (a) after "In this Schedule—" insert—

""Guernsey immigration rules" means the rules made by the States of Guernsey Committee for Home Affairs in respect of the Bailiwick of Guernsey under sections 1(4) and 3(2) of the 1971 Act as extended to that bailiwick(7);

"Jersey immigration rules" means the rules contained in the directions made by the Minister for Home Affairs in respect of the Bailiwick of Jersey under sections 1(4A) and 3(2) of the 1971 Act as extended to that bailiwick(**8**);";

(b) in the definition of "work permit employment" for paragraph (a) substitute—

"(a) the Guernsey immigration rules; or".

(3) In paragraph 2 after sub-paragraph (1) insert—

"(1A) Table 26A provides exceptions from the requirement to pay certain fees in respect of applications for entry clearance to enter the Bailiwick of Guernsey or the Bailiwick of Jersey."

(4) In Table 26 (fees for applications for entry clearance to enter the Bailiwick of Guernsey or the Bailiwick of Jersey)—

- (a) in 26.2.1 in the third column for "£93" substitute "£95";
- (b) in 26.2.2 in the third column for "£350" substitute "£361";
- (c) in 26.2.3 in the third column for "£636" substitute "£655";
- (d) in 26.2.4 in the third column for "£798" substitute "£822";
- (e) in 26.4.1 in the second column at the end insert ", other than an application for entry clearance to enter the Bailiwick of Jersey to which 26.4.1A applies";
- (f) after 26.4.1 insert-

"26.4.1A Application for entry clearance to enter the Bailiwick of Jersey for £244" the purposes of unskilled seasonal work permit employment for a period of 9 months or less.

(5) After Table 26 insert—

⁽⁷⁾ Sections 1 and 3 of the Immigration Act 1971 (c. 77) were extended with modifications to the Bailiwick of Guernsey by article 3 of, and paragraphs 1 and 3 of Schedule 1 to, S.I. 1993/1796. The rules made under section 1(4) and 3(2) are the Immigration (Bailiwick of Guernsey) Rules, 2008 (Guernsey Statutory Instrument No. 26 of 2008), as most recently amended by Guernsey Statutory Instrument No. 17 of 2019.

⁽⁸⁾ Sections 1 and 3 of the Immigration Act 1971 were extended with modifications to the Bailiwick of Jersey by article 3 of, and paragraphs 1 and 3 of Schedule 1 to, S.I. 1993/1797 as amended by S.I. 2017/981. For the Jersey immigration rules see www.gov.je/SiteCollectionDocuments/Life%20events/LD%20IMMIGRATION%20RULES%20TL.pdf.

"Table 26A (Exceptions in respect of fees for applications for entry clearance to enter the Bailiwick of Guernsey or the Bailiwick of Jersey)

Number and description of the exception		Fees to which exception applies
26A.1	Applications for entry clearance to enter the	11

	purposes of an application under Appendix EU to the Guernsey immigration rules	n
26A.1.1	No fee is payable in respect of an application for entry clearance Fees 26.1.1 to enter the Bailiwick of Guernsey made for the purposes of an 26.2.1, application under Appendix EU to the Guernsey immigration rules for 26.4.2 leave to enter or leave to remain in that bailiwick.	,
26A.2	2 Applications for entry clearance to enter the Bailiwick of Jersey for the purper of an application under Appendix EU(J) to the Jersey immigration rules	
26A.2.1	No fee is payable in respect of an application for entry clearance to Fees 26.1 enter the Bailiwick of Jersey made for the purposes of an application $26.2.1$, under Appendix EU(J) to the Jersey immigration rules for leave to $26.4.2$ enter or leave to remain in that bailiwick.	
26A.3	EU(J) (Family Permit) to the Jersey immigration rules	
26A.3.1		

(6) In paragraph 4 at the end insert ", subject to the exceptions in Table 26A".

(7) In Table 27 (premium services outside the United Kingdom and the relevant bailiwick) in 27.2.1 in the third column for " \pounds 212" substitute " \pounds 220".

12.—(1) Schedule 11, paragraph 3 (fee for the process of administrative review) is amended as follows.

(2) In sub-paragraph (3)—

- (a) in paragraph (a) after "in respect of any application" insert "other than an application for leave to remain in the United Kingdom made under Appendix EU to the immigration rules,";
- (b) after paragraph (a) insert—
 - "(aa) in respect of any application for leave to remain in the United Kingdom made under Appendix EU to the immigration rules before 7.00 a.m. on 30th March 2019, where no fee was payable in respect of the application (except where the payment of the fee was waived under regulation 2(3) of the Immigration and Nationality (Fees) (Refund, Waiver and Amendment) (EU Exit) Regulations 2019);
 - (bb) in respect of any application for leave to remain in the United Kingdom made under that Appendix at or after 7.00 a.m. on 30th March 2019, where the application was made in respect of a

person who, when the application was made, was a child and was being looked after by a local authority;".

(3) After sub-paragraph (5) insert—

"(5A) But sub-paragraph (5) does not apply where the decision under review—

- (a) was made in respect of an application for leave to remain in the United Kingdom made under Appendix EU to the immigration rules; and
- (b) is withdrawn pursuant to paragraph AR(EU)2.1.(c) of Appendix AR (EU) to the immigration rules (decision found to be incorrect as a result of information or evidence that was not before the original decision-maker) and not also pursuant to paragraph AR(EU)2.1.(a) or (b) of that Appendix."

Caroline Nokes Minister of State Home Office

6th March 2019

We consent

Craig Whittaker Mike Freer Two of the Lords Commissioners of Her Majesty's Treasury

6th March 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are concerned with fees payable for the exercise of functions in connection with immigration and nationality.

Regulation 2 requires the Secretary of State to refund fees paid before 7.00 a.m. on 30th March 2019 in respect of applications under Appendix EU to the United Kingdom immigration rules ("EU Settlement Scheme applications") for leave to remain in the United Kingdom, and also to refund any fee paid before that time for the processing of such an application where the application was rejected as invalid. Regulation 2 also requires the Secretary of State to waive the payment of any fee that was payable for an EU Settlement Scheme application made before 7.00 a.m. on 30th March 2019 where the application had not been determined by then and the fee had not been paid.

Regulations 3 to 12 amend the Immigration and Nationality (Fees) Regulations 2018 ("the principal Regulations").

Regulations 4(3) and (4), 5(2)(h) and (5) and 6(3) and (9) set new fees for applications for entry clearance to enter the United Kingdom and applications for limited leave to remain in the United Kingdom as an Innovator or a Start-up Migrant, and for the reduction of these fees in specified circumstances. The United Kingdom immigration rules have been amended to provide for such applications, and "Innovator" and "Start-up Migrant" are defined by reference to the rules.

Regulations 5(4), 6(2) and (5) to (8) and 7(3)(d) to (f) and (4) remove fees that were previously set in relation to EU Settlement Scheme applications. They also provide for new exceptions from fees that would otherwise be payable for such applications and applications for entry clearance to enter the United Kingdom under Appendix EU (Family Permit) to the United Kingdom immigration rules.

Regulation 5(4) also provides for exceptions from the fees for applications for entry clearance to enter the United Kingdom where the applications are made by certain Afghan citizens and their dependants in connection with applications for leave to enter the United Kingdom under specified paragraphs of the United Kingdom immigration rules.

Regulation 7(2) and (3)(b) sets fees in respect of applications for replacement and amended "Appendix EU biometric residence cards", which are cards containing biometric information issued to people who have been granted leave to remain in the United Kingdom under Appendix EU to the United Kingdom immigration rules.

Regulation 11(2), (3), (5) and (6) provides exceptions from fees for applications for entry clearance to enter the Bailiwick of Guernsey or the Bailiwick of Jersey for the purposes of an application for leave to enter or remain in Guernsey or Jersey under, respectively, Appendix EU to the Guernsey immigration rules or Appendix EU(J) to the Jersey immigration rules. It also provides a fee exception for applications for entry clearance to enter the Bailiwick of Jersey made under Appendix EU(J) (Family Permit) to the Jersey immigration rules.

Regulation 11(4)(e) and (f) reduces the fee for applications for entry clearance to enter the Bailiwick of Jersey for the purposes of unskilled seasonal work permit employment for a period of 9 months or less.

Regulation 12 amends paragraph 3 of Schedule 11 to the principal Regulations to preserve the fee for administrative review of decisions in respect of EU Settlement Scheme applications, subject to exceptions. It also amends that paragraph to provide that the obligation under sub-paragraph (5) to refund a fee does not apply where a decision in respect of an EU Settlement Scheme application is withdrawn because it is held to be incorrect solely in the light of information or evidence which

was not before the original decision-maker. The definition of "administrative review" is clarified by regulation 4(2).

The remaining provisions of these Regulations are concerned with removing redundant fees and increasing the amount of certain specified fees.

These Regulations refer to Appendix EU and Appendix EU (Family Permit) to the United Kingdom immigration rules, and to corresponding provisions of the Guernsey and Jersey immigration rules, which make provision in connection with the United Kingdom's withdrawal from the European Union. Appendix EU to the United Kingdom immigration rules provides for citizens of countries in the European Economic Area ("the EEA") and of Switzerland, and their family members, and the family members of certain British citizens, to obtain leave to enter or remain in the United Kingdom. Appendix EU (Family Permit) provides for citizens of countries outside the EEA and Switzerland to be granted entry clearance to join or accompany an EEA or Swiss citizen who has been granted leave under Appendix EU. Similar provision is made in relation to Jersey by Appendix EU(J) and Appendix EU(J) (Family Permit) to the Jersey rules, and Appendix EU to the Guernsey rules makes provision similar to that in Appendix EU to the United Kingdom rules.

An impact assessment of the effect of the EU Settlement Scheme was published in July 2018, and an updated impact assessment has been prepared to take account of the provisions of these Regulations relating to applications under that Scheme. An impact assessment of the effect of the Immigration and Nationality (Fees) Order 2016 was published in 2016, and a further impact assessment has been prepared supplementing that assessment to take account of the increase of certain fees by these Regulations. These two impact assessments are available alongside these Regulations at www.legislation.gov.uk and from the Home Office, Fees and Income Planning Team, 8th Floor, Southern House, Wellesley Grove, Croydon, CR0 1XG. In other respects no impact, or no significant impact, on the private, voluntary or public sector is foreseen and therefore a full impact assessment has not been produced.