
STATUTORY INSTRUMENTS

2020 No. 966

The Immigration and Nationality (Replacement of Tier 4 and Fees) and Passport (Fees) (Amendment) Regulations 2020

Amendments to the Immigration and Nationality (Fees) Regulations 2018

16. After regulation 13A (Windrush scheme: power to waive fees) insert—

“Power to waive fees: exceptional circumstances affecting a number of individuals

13B.—(1) Paragraph (2) applies where the Secretary of State considers that—

- (a) there are exceptional circumstances significantly affecting a number of individuals who are in the same or a similar situation, and
- (b) those circumstances are beyond the control of those individuals.

(2) Where the Secretary of State considers it appropriate to do so because of the effect of those circumstances on those individuals, the Secretary of State may decide, in relation to every one of those individuals, to waive the payment by them of any fee specified by these Regulations in respect of any particular description of application, request, process or service.

(3) The Secretary of State’s power under paragraph (2) is in addition to, and does not limit, the Secretary of State’s other powers under these Regulations to waive the payment of fees.

Power to waive fees in consequence of a decision of a court or tribunal

13C.—(1) The Secretary of State may waive the payment of any fee specified in these Regulations where the Secretary of State considers it appropriate to do so in consequence of a decision of any court or tribunal in the United Kingdom.

(2) The Secretary of State’s power under paragraph (1) is in addition to, and does not limit, the Secretary of State’s other powers under these Regulations to waive the payment of fees.

General power to refund fees

13D. The Secretary of State may refund any fee, or any part of a fee, paid under these Regulations.”