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STATUTORY INSTRUMENTS

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**2022 No. 1062**

**The Immigration and Nationality (Fees)  
(Amendment) (No. 2) Regulations 2022**

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

2.—(1) The Immigration and Nationality (Fees) Regulations 2018<sup>(1)</sup> are amended as follows.

(2) In Schedule 1 (applications for entry clearance to enter, and leave to enter, the United Kingdom) in Table 1 (fees for applications for entry clearance to enter or leave to enter the United Kingdom) in 1.4.1 in the second column, in paragraph (a) for the words from “paragraphs 319V” to “the immigration rules,” substitute “Section EC-DR of Appendix FM to the immigration rules”<sup>(2)</sup>.

(3) In Schedule 2 (applications for leave to remain in the United Kingdom)—

- (a) in Table 6 (fees for applications for limited leave to remain in the United Kingdom and connected applications) omit 6.3.2;
- (b) in Table 9 (exceptions and waivers in respect of fees for applications for, or in connection with, leave to remain in the United Kingdom) in 9.5 in the third column omit “, 6.3.2”.

(4) In Schedule 3 (documents and administration)—

- (a) in paragraph 2 after sub-paragraph (6) insert—

“(7) Paragraph 5 confers a discretion on the Secretary of State to waive part of the specified fee in 10.8.1 in specified circumstances.”;
- (b) in Table 10 (fees for miscellaneous documents and services)—
  - (i) in 10.5A.1 in the third column for “£56” substitute “£19”;
  - (ii) in 10.5A.2 in the second column after “Application” insert “by an applicant who has limited leave to remain in the United Kingdom”;
  - (iii) in 10.6.5 in the second column after “Application” insert “by an applicant who has limited leave to remain in the United Kingdom”;
  - (iv) in 12.1.1 and 12.1.2 in the third column for “£56” substitute “£19”;

(c) after paragraph 4 insert—

**“Partial waiver of the fee specified at 10.8.1 (fee for processing an application or claim rejected as invalid)**

5.—(1) This paragraph applies where—

- (a) an application or claim in respect of which a fee (“the application fee”) is specified by these Regulations is rejected as invalid before a decision is issued in respect of that application or claim,
- (b) the fee specified in 10.8.1 is payable for the processing of that application or claim, and

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<sup>(1)</sup> [S.I. 2018/330](#); relevant amending instruments are [S.I. 2019/475](#), [2020/294](#), [2022/296](#), [2022/581](#).

<sup>(2)</sup> The United Kingdom immigration rules were laid before Parliament on 23rd May 1994 (HC 395) and have been subsequently amended.

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(c) the amount of the application fee paid in respect of the rejected application or claim is less than the amount of the fee specified in 10.8.1.

(2) The Secretary of State may waive the payment of the fee specified in 10.8.1 to the extent that the amount of that fee exceeds the amount of the application fee paid in respect of the rejected application or claim.”

(5) In Schedule 8 (nationality) in Table 20A (exceptions in respect of fees for registration and for services in connection with citizenship ceremonies and oaths) at the end insert—

“20A.4.3	No fee is payable for the arrangement of a citizenship ceremony (including the administration of a citizenship oath and pledge at the ceremony) in relation to the registration of a person as a British citizen under section 4K of the 1981 Act <sup>(3)</sup> where the person is entitled to be registered as a British citizen under that section because they are or would be entitled to be registered as a British overseas territories citizen under section 17H of that Act <sup>(4)</sup> .	Fee 20.4.1
20A.4.4	No fee is payable for the administration, otherwise than at a citizenship ceremony or by a Justice of the Peace, of a citizenship oath and pledge in relation to the registration of a person as a British citizen under section 4K of the 1981 Act where the person is entitled to be registered as a British citizen under that section because they are or would be entitled to be registered as a British overseas territories citizen under section 17H of that Act.	Fee 20.4.2
20A.4.5	No fee is payable for the administration of a citizenship oath and pledge in relation to the registration of a person as a British overseas territories citizen under section 17H of the 1981 Act.	Fee 20.4.2”

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(3) Section 4K of the British Nationality Act 1981 (c. 61) was inserted by section 4(2) of the Nationality and Borders Act 2022 (c. 36).

(4) Section 17H of the British Nationality Act 1981 was inserted by section 3 of the Nationality and Borders Act 2022.