

2022 No. 233

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Fees) (Amendment) Order
2022**

Made - - - - *7th March 2022*

Coming into force - - *8th March 2022*

The Secretary of State makes this Order with the consent of the Treasury in exercise of the powers conferred by sections 68(1), (3)(a), (4)(a) and (5)(a) and 69(2) of the Immigration Act 2014^(a).

In accordance with section 74(2)(j) of that Act, a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Immigration and Nationality (Fees) (Amendment) Order 2022.

(2) This Order comes into force on the day after the day on which it is made.

(3) The amendments made by this Order have the same extent as the provisions that are amended.

Amendments to the Immigration and Nationality (Fees) Order 2016

2.—(1) The Immigration and Nationality (Fees) Order 2016^(b) is amended as follows.

(2) In article 4, in table 1, in the row beginning “1.1”, in the fourth column, for “£95” substitute “£130”.

(3) In article 5, in table 2, in the row beginning “2.3”, in the third column, for “£480” substitute “£490”.

(a) 2014 c. 22. Treasury consent has been obtained pursuant to section 69(1). Sections 68 to 70 of the Immigration Act 2014 were extended, with modifications, to the Isle of Man by articles 5 to 7 of the Immigration (Isle of Man) (Amendment) Order (S.I. 2015/1765) which inserted new article 22 and new Schedule 9A in the Immigration (Isle of Man) Order 2008 (S.I. 2008/680). Article 22 of S.I. 2008/680 was amended by the Immigration (Isle of Man) (Amendment) Order 2019 (S.I. 2019/562) and further amended by the Immigration (Isle of Man) (Amendment) Order 2020 (S.I. 2020/1214). There are other amendments to S.I. 2008/680 not relevant to this 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. Sections 68 to 70 were also 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.

(b) S.I. 2016/177, amended by S.I. 2017/440; there are other amending instruments but none is relevant.

7th March 2022

Kevin Foster
Parliamentary Under Secretary of State
Home Office

We consent

7th March 2022

Rebecca Harris
Michael Tomlinson
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration and Nationality (Fees) Order 2016 (“the 2016 Order”). The 2016 Order provides for fees to be charged for the exercise of various functions in connection with immigration and nationality. It specifies whether the fees charged are to be fixed amounts or calculated in some other way and also specifies maximum amounts and maximum rates for these fees. The actual amounts and rates that are charged for the exercise of these functions are set by regulations under section 68(7) of the Immigration Act 2014. The current regulations under that section are the Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330) (as amended). Fees set by regulations under section 68(7) may not exceed the maximum amounts or rates specified in the 2016 Order.

This Order increases the maximum amounts chargeable for the exercise of two functions specified in the 2016 Order. The first specified function is the consideration of an application for entry clearance to enter the United Kingdom, the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man as a visitor for a period of six months or less. The maximum fee which can be set for the exercise of this function is increased from £95 to £130. The second of the two functions is the consideration of an application for entry clearance to enter the United Kingdom, the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man as a student, or for limited leave to enter or remain in the United Kingdom as a student. The maximum fee which can be set for the exercise of this function is increased from £480 to £490.

A full impact assessment of the effect that this Order will have on the costs of business, the voluntary sector and the public sector is available alongside this Order on www.legislation.gov.uk and from the Home Office, Fees and Income Planning Team, 2 Marsham Street, London SW1P 4DF.

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