
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration and Nationality (Fees) Order 2016 (“the Fees Order”) and makes consequential amendments to the Immigration and Nationality (Fees) Regulations 2018 (“the Fees Regulations”). Together those instruments provide for fees to be payable for the exercise of various functions in connection with immigration and nationality, in accordance with section 68 of the Immigration Act 2014. The Fees Order specifies the functions in respect of which fees are to be charged (subject to exceptions and waivers provided for by the Fees Regulations) and specifies how each fee is to be calculated. The Fees Regulations set the actual amount or rate of each fee that is to be charged, including different fees and rates for different purposes.

Article 2 amends the Fees Order. It adds new functions for which fees are to be charged and specifies how some fees may be applied. It also amends the description of certain existing functions in the Fees Order, removing some functions entirely and reducing the scope of others.

Article 3 makes amendments to the Fees Regulations which are consequential on the amendments to the Fees Order. The result is that a number of existing fees are removed and others modified so that they are payable in more limited circumstances.

An impact assessment has been produced in relation to the introduction of the authorisation in electronic form to travel (“ETA”) published alongside the Immigration Rules laid on 9 March 2023. An impact assessment for changes to fee maxima has also been produced, and is published alongside this instrument on www.legislation.gov.uk.