

2012 No. 2276

IMMIGRATION

NATIONALITY

**The Immigration and Nationality (Cost Recovery Fees)
(Amendment) Regulations 2012**

<i>Made</i> - - - -	<i>4th September 2012</i>
<i>Laid before Parliament</i>	<i>6th September 2012</i>
<i>Coming into force</i> - -	<i>1st October 2012</i>

The Secretary of State makes the following Regulations, with the consent of the Treasury^(a), in exercise of the powers conferred by sections 51(3) and 52(1), (3) and (6) of the Immigration, Asylum and Nationality Act 2006^(b).

These Regulations are made pursuant to the Immigration and Nationality (Fees) Order 2011^(c).

Citation and commencement

1. These Regulations may be cited as the Immigration and Nationality (Cost Recovery Fees) (Amendment) Regulations 2012 and shall come into force on 1st October 2012.

Amendments to the Immigration and Nationality (Cost Recovery Fees) Regulations 2012

2.—(1) Schedule 1 (Fees for applications and processes in connection with immigration) to the Immigration and Nationality (Cost Recovery Fees) Regulations 2012^(d) is amended as follows.

(2) In Part 2 (Fees for applications for leave to remain in the United Kingdom), after paragraph 3, insert—

“Fees for applications by victims of domestic violence for leave to remain in the United Kingdom under Appendix FM of the immigration rules

- 3A.** There is no fee for applications under Appendix FM of the immigration rules for—
- (a) limited leave to remain in the United Kingdom as a victim of domestic violence; or
 - (b) indefinite leave to remain in the United Kingdom as a victim of domestic violence where at the time of making the application the applicant appears to the Secretary of State to be destitute.”

(a) As required by section 52(5)(a) of the Immigration, Asylum and Nationality Act 2006 (c. 13).
(b) 2006 c. 13.
(c) S.I. 2011/445.
(d) S.I. 2012/813.

(3) In Part 3 (Fees for applications for entry clearance to enter the United Kingdom) in Table 3 (Fees), for the entry for fee 3.3.4 substitute—

“3.3.4	Application for entry clearance as a student visitor under the English language concession operated outside the immigration rules by the United Kingdom Border Agency.	£140”
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(4) In Part 5 (Fees for transfers of conditions and other documents relating to immigration) in Table 9 (Fees) substitute—

(a) £72.50 as the amount of the fee for fee 9.4.3; and

(b) £46 as the amount of the fee for fee 9.4.4.

(5) At the end of Table 10 (Exceptions) insert—

“10.6	Applications for biometric immigration documents by persons granted leave to remain under the Destitution Domestic Violence Concession	
	No fee is payable for an application for a biometric immigration document where the application is made in connection with the Destitution Domestic Violence concession operated outside the immigration rules by the United Kingdom Border Agency.	Fee 9.6.1”

(6) At the end of Table 11 (Exceptions) insert—

“11.12	Persons granted leave to remain under the Destitution Domestic Violence Concession	
	No fee is payable under paragraph 9 where the application for a biometric immigration document referred to in paragraph 9(1)(a) is made in connection with the Destitution Domestic Violence concession operated outside the immigration rules by the United Kingdom Border Agency.”	

Home Office
4th September 2012

Damian Green
Minister of State

We consent

3rd September 2012

James Duddridge
Brooks Newmark
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration and Nationality (Cost Recovery Fees) Regulations 2012 (which specify various fees relating to immigration and nationality) as follows.

Regulation 2(2) inserts additional fee exemptions for applications for leave to remain by victims of domestic violence.

Regulations 2(3) amends the wording of fee 3.3.4, so that the fee applies to those applying to enter under the English language concession (which operates outside the immigration rules).

Regulation 2(4) reduces certain fees for travel documents.

Regulation 2(5) inserts fees exemptions for applications for Biometric Immigration Documents in connection with the United Kingdom Border Agency's Destitution Domestic Violence concession.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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