Draft Order laid before Parliament under section 52(4)(b) of the Immigration, Asylum and Nationality Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

IMMIGRATION

The Immigration and Nationality (Fees) (Amendment) Order 2014

Made - - - -

Coming into force in accordance with article 1

The Secretary of State makes the following Order with the consent of the Treasury(**1**), in exercise of the powers conferred by sections 51(1) and (2) and 52(1) and (3) of the Immigration, Asylum and Nationality Act 2006(**2**).

In accordance with section 52(4)(b) of that Act a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Immigration and Nationality (Fees) (Amendment) Order 2014 and shall come into force on the day after the day on which it is made.

Amendments to the Immigration and Nationality (Fees) Order 2011

2.—(1) The Immigration and Nationality (Fees) Order 2011(**3**) is amended as follows.

(2) In article 2 (definitions)—

(a) after the definition of "action plan", insert—

> ""basic service" has the same meaning as provided in regulation 3 of the Immigration Control (Charges) (Basic Service) Regulations 2003(**4**);";

(b) after the definition of "consular premises", insert—

> ""contractor" means a person with whom the Secretary of State has entered into a contract, by which the person agrees to provide certain services in connection with immigration and nationality to applicants outside the United Kingdom;";

(**1**) In pursuance of section 52(4)(a) of the Immigration, Asylum and Nationality Act 2006 (c.13).
(**2**) 2006 c.13.
(**3**) S.I. 2011/445, amended by S.I. 2013/249.
(**4**) S.I. 2003/1502.

(c) after the definition of "contractor", insert—

""control port" means a port in which a control area is designated under paragraph 26(3) of Schedule 2 to the 1971 Act;".

(3) In article 3(2) (Requirement to pay a fee for applications connected with immigration or nationality)—

(a) at the end of sub-paragraph (u) omit "and";

(b) after sub-paragraph (v) insert—

"; and

(w) a registration certificate, a residence card, a document certifying permanent residence, a permanent residence card or a derivative residence card, issued pursuant to Part 3 of the Immigration (European Economic Area) Regulations 2006(**5**)."

(4) In article 4 (Requirement to pay a fee in respect of the provision on request of a service connected with immigration or nationality)—

(a) For "The Secretary of State, or any person acting on behalf of the Secretary of State,", substitute "The Secretary of State, or a contractor, or any person appointed by, or acting on behalf of, the Secretary of State,";

(b) for paragraph (i), substitute—

"(i) attendance by a representative of the Secretary of State, or a contractor, or any person appointed by the Secretary of State, at premises other than an office of the Home Office or consular premises for the purposes of any application, service or process referred to in this Order;"

(c) in paragraph (j), after "Secretary of State", insert ", or a contractor, or any person appointed by the Secretary of State";

(d) for paragraphs (k) and (l), substitute—

"(k) arrangements for expediting the processing (or any element of the processing) of a claim or application in connection with immigration or nationality;

(l) the arrangement of an appointment for the purposes of making a claim or application in connection with immigration or nationality in person, either at an office of the Home Office, at consular premises or at any other place;"

(e) after paragraph (m) omit "and";

(f) after paragraph (n) insert—

"(o) the acceptance or processing of a claim or application in connection with immigration or nationality at a place other than an office of the Home Office or consular premises;

(p) the provision of a service or process in connection with immigration or nationality at a place other than an office of the Home Office or consular premises;

(q) arrangements for expediting the entry of passengers into, or transit through, the United Kingdom; and

(r) arrangements for the provision of immigration officers or facilities at a control port in addition to those (if any) required to provide a basic service."

(**5**) S.I. 2006/1003, amended by S.I. 2012/1547 and S.I. 2013/1391.