Draft Order laid before the House of Commons under section 102(5) of the Finance (No.2) Act 1987, for approval by resolution of that House.

DRAFT STATUTORY INSTRUMENTS

2005 No.

FEES AND CHARGES

The Immigration (Application Fees) Order 2005

Made - - - -	*2005*
Coming into force - -	*2005*

Whereas a draft of this Order has bee approved by resolution of the House of Commons in pursuance of section 102(5) of the Finance (No.2) Act 1987(**1**);

Now, therefore, in exercise of the powers conferred on him by sections 102(3) and (4) of that Act, the Secretary of State hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Immigration (Application Fees) Order 2005 and shall come into force on the day after it is made.

(2) In this Order –

"the 1987 Act" means the Finance (No.2) Act 1987;

"the 1999 Act" means the Immigration and Asylum Act 1999(**2**);

"the 2002 Act" means the Nationality, Immigration and Asylum Act 2002(**3**).

Functions to be taken into account in fixing fees for leave to remain applications and variation of leave to enter or remain applications

2.—(1) In relation to each of the powers to fix fees specified in paragraph (2), the functions listed in paragraph (3) are hereby specified for the purposes of section 102(3) of the 1987 Act as functions, the costs of which are to be taken into account in determining the amount of those fees.

(2) The powers to fix fees are those in –

(a) section 5(1)(a) of the 1999 Act to prescribe fees for leave to remain applications; and

(b) section 5(1)(b) of the 1999 Act to prescribe fees for applications for the variation of leave to enter or remain.

(**1**) 1987 c.51.
(**2**) 1999 c.33.
(**3**) 2002 c.41.