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 Consular Fees Act 1980 (Fees) Order 2005

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

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

Now, therefore, the Secretary of State for Foreign and Commonwealth Affairs, being the Minister of the Crown determined by the Treasury to be the appropriate authority in relation to the powers to fix fees under section 1 of the Consular Fees Act 1980(**2**), in exercise of the powers conferred by section 102 of the Finance (No. 2) Act 1987, hereby makes the following Order:

1. This Order may be cited as the Consular Fees Act 1980 (Fees) Order 2005 and shall come into force on the day after it is made.

2. In relation to the power under section 1(1) of the Consular Fees Act 1980 to fix fees charged for the performance of each of the consular functions listed in the Schedule to this Order, all of the functions so listed are hereby specified for the purposes of section 102(3) of the Finance (No.2) Act 1987 as functions, the costs of which are to be taken into account in determining the amount of each of those fees.

3.—(1) In relation to the functions listed in the Schedule to this Order, the costs of which fall to be taken into account on the exercise of the power under section 1 of the Consular Fees Act 1980 to fix fees to be levied for doing anything in exercise of those functions, the matter referred to in paragraph (2) is specified for the purposes of section 102(4) of the Finance (No.2) Act 1987 as one which is to be taken into account in determining those costs.

(2) The matter referred to in this paragraph is the costs which the Secretary of State for Foreign and Commonwealth Affairs estimates will be incurred in the exercise of those functions in each of the financial years 2005/2006 and 2006/2007.

4. In this Order "biometric passport" means a passport which contains unique biological data specific to the holder.

(**1**) 1987 c.51.
(**2**) 1980 c.23.