

2003 No. 541

IMMIGRATION

**The Immigration Employment Document (Fees) Regulations
2003**

<i>Made</i>	<i>6th March 2003</i>
<i>Laid before Parliament</i>	<i>11th March 2003</i>
<i>Coming into force</i>	<i>1st April 2003</i>

In exercise of the powers conferred upon him by section 122 of the Nationality, Immigration and Asylum Act 2002(a), the Secretary of State hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Immigration Employment Document (Fees) Regulations 2003.
2. These Regulations shall come into force on 1st April 2003.
3. In these Regulations:
 - “application” means an application for an immigration employment document;
 - “excepted country” means a country listed in the Schedule to these Regulations;
 - “Highly Skilled Migrant Programme” means a programme operated by the Secretary of State for highly skilled migrants under the immigration rules; and
 - “school teacher” has the meaning given by section 5 of the School Teachers’ Pay and Conditions Act 1991(b).

Payment of a fee

4. An application shall, subject to regulations 5 and 6, be accompanied by a fee of £95.

Exceptions

5. An application need not be accompanied by a fee if it is made in respect of:
 - (a) a citizen or national of an excepted country;
 - (b) a person seeking to enter, or remain, in the United Kingdom under the Highly Skilled Migrant Programme; or
 - (c) a person seeking to enter, or remain, in the United Kingdom as a seasonal agricultural worker under the immigration rules.

Provision in respect of school teachers in England

6. An application that is not excepted by regulation 5(a) and which is made in respect of a person seeking to enter, or remain, in the United Kingdom as a school teacher employed in

(a) 2002 c.41.
(b) 1991 c.49.

England need not be accompanied by a fee but shall be subject to the special payment arrangement referred to in regulation 7.

Special payment arrangement

7. Payment of a fee in respect of an application referred to in regulation 6 shall be made in accordance with an arrangement entered into for this purpose between the Secretary of State for the Home Department and the Secretary of State for the Department for Education and Skills.

Home Office
6th March 2003

Beverley Hughes
Minister of State

SCHEDULE

Regulation 5(a)

Excepted countries

Czech Republic
Republic of Bulgaria
Republic of Cyprus
Republic of Estonia
Republic of Hungary
Republic of Latvia
Republic of Lithuania
Republic of Malta
Republic of Moldova
Republic of Poland
Romania
Republic of Slovenia
Republic of Turkey
Slovak Republic

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the fee which is to accompany an application for an immigration employment document within the meaning of section 122 of the Nationality, Immigration and Asylum Act 2002, subject to the exceptions described below. That fee is £95 (regulation 4).

No fee need accompany an application if it is made in respect of a citizen or national of an excepted country, as set out in the Schedule, in respect of a person seeking to enter, or remain, in the United Kingdom as part of the Highly Skilled Migrant Programme under the immigration rules or in respect of a person seeking to enter, or remain, in the United Kingdom as a seasonal agricultural worker under the immigration rules (regulation 5).

Additionally, no fee need accompany an application made in respect of a person seeking to enter, or remain, in the United Kingdom as a school teacher employed in England, although this exception does not have the effect that no fee shall be payable in respect of such an application, unless the application in question is made in respect of a citizen or national of an excepted country (regulation 6). Instead, where an application of this type is made, payment is to be made under a special payment arrangement entered into for that purpose between the Secretary of State for the Home Department and the Secretary of State for the Department for Education and Skills (regulations 6 and 7).

A Regulatory Impact Assessment in respect of these Regulations can be obtained from Work Permits (UK) by e-mail (charging.workpermits@wpuk.gov.uk), by telephone (0114 279 3420), or by visiting the Work Permits (UK) website (www.workpermits.gov.uk).

£1.75

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