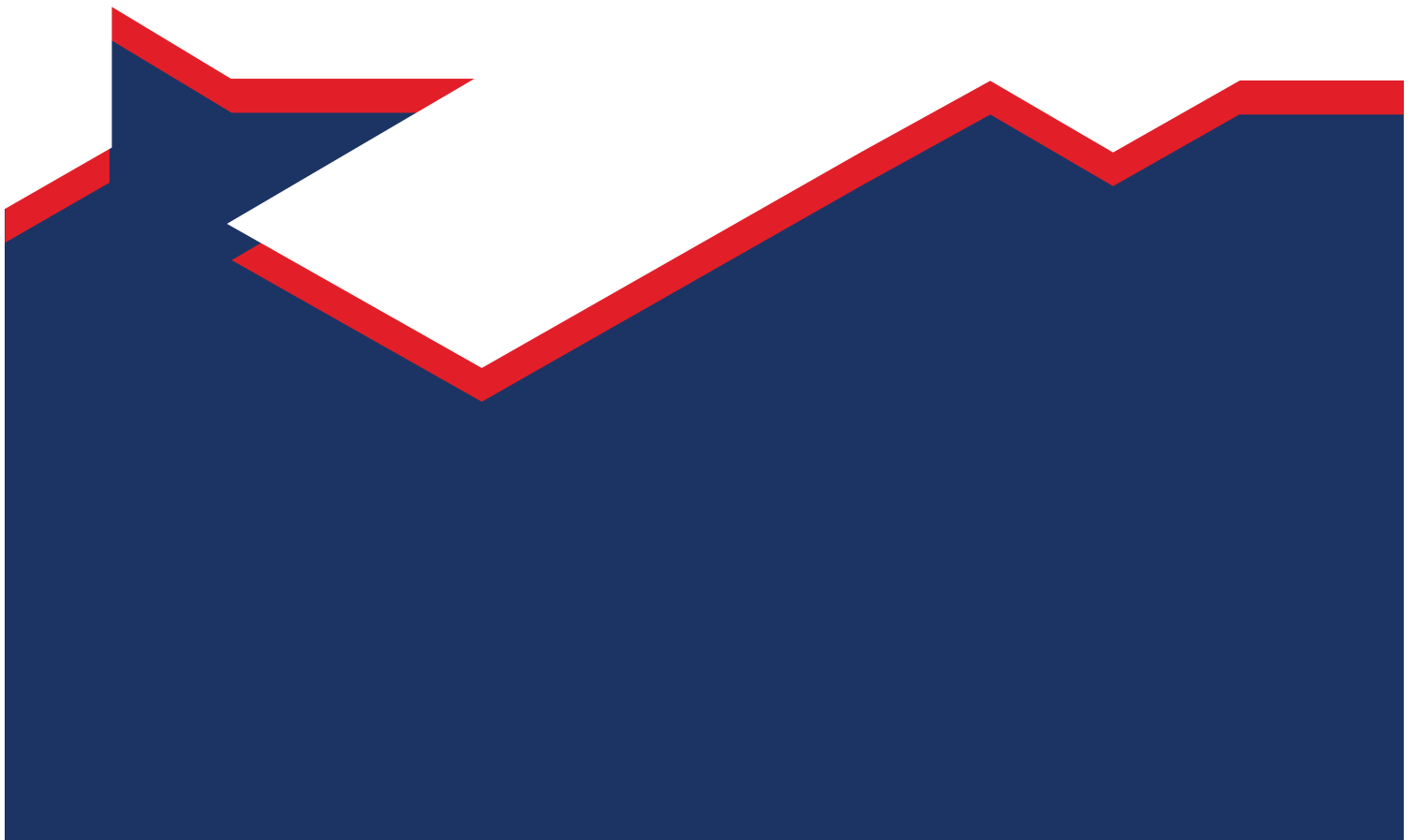




CONSULTATION ON CHARGING FOR IMMIGRATION & VISA APPLICATIONS

Pro-forma for Responses

September 2009



Completed Consultation Pro-forma should be sent no later than midnight on 1 December 2009 to the following address:

Electronic:

Charging.Consultation@homeoffice.gsi.gov.uk

By Post to:

Charging Consultation Team
Block B, 10th Floor East
Whitgift Centre, 15 Wellesley Road
Croydon CR9 1AT

This document is available in electronic format on the UK Border Agency website:
www.ukba.homeoffice.gov.uk/aboutus/consultations/current

YOUR DETAILS

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CCPR

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Please feel free to provide comments on additional sheets of paper if there is not sufficient space on this form. Please specify which question(s) you are responding to on any additional sheets.

Q1. Do you agree that we should continue to set fees flexibly by taking into account wider policy objectives such as attracting specific groups of migrants that are beneficial to the UK?

- Yes
- No
- Don't know

Comments:

Flexibility should be maintained for fees. The current sports visa charge should remain at £67 in order to enable national governing bodies of sport in the UK to promote this country as a viable destination to international sports federations for the hosting of international events. This is essential for the Government's promise of a 'golden decade of sport'. As noted in the consultation document itself (p9), "visiting... sportsmen and women enrich our cultural life". In order for this to continue competitive visa rates must exist in order to provide affordable access to sportsmen and women from across the world, many of whom are amateurs.

Please see Q20 & Q21 for more details.

EARNED CITIZENSHIP

Q2. Do you agree that fees for the different stages of the journey to citizenship should be set at different levels to reflect the different benefits provided at each stage?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on earned citizenship

Q3. Do you agree that when setting the fees for the different stages of the journey to citizenship, the UK Border Agency should take into account wider factors?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on earned citizenship

Q4. There are a number of factors that could be used to inform how much the fee for citizenship would cost. What factors, if any, do you think should be used to set this fee?

Please specify:

CCPR has no comments on earned citizenship

DIFFERENTIAL PRICING & PREMIUM SERVICES

Q5. Do you agree that the UK Border Agency should set different fees for the same type of application?

- Yes
 No
 Don't know

Comments:

It is understandable that different countries will incur different costs through the application procedure due to high local security requirements or additional verification procedures on documentation. However, as your consultations says, UKBA aims to recoup costs from those who directly benefit from the system. In this instance, the increased security benefits not the applicant, but UK citizens- so passing on increased costs to applicants seems unreasonable.

Countries with increased security needs often suffer from lower disposable incomes and it would be a shame to increase fees in these circumstances; particularly in the field of sport which is recognised as having a positive effect on international relations.

It would, however, seem reasonable to charge increased fees for premium services (speed, timing and bespoke delivery)- however it is important that the creation of premium services does not affect standard visa delivery times. In sport, due to the selection of participants for events and replacements through injury, lead times for visas can already be problematic.

**Q6. For which of the following methods, if any, do you think we should offer different fee levels?
Please tick all that apply**

- Method of application
 Methods of payment
 Timing of application
 Location of application
 Other option. Please specify:

If some methods of application or payment incur more cost for UKBA it seems reasonable to charge more.

As in Q.5, premium services for quick returns seem reasonable as long as standard applications are guaranteed.

As in Q.5 location of application seems difficult to justify.

Q7. Do you agree that we should set fees flexibly, setting fees for optional premium services at a higher level than equivalent standard applications, depending on the speed/tailoring/convenience of service received?

- Yes
- No
- Don't know

Comments:

See Q5 and Q6.

CONSULTANCY SERVICES AND DOCUMENT VERIFICATION

Q8. Do you agree that we should charge for consultancy services provided to customers and third parties?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on consultancy services and document verification

Q9. What types of consultancy and document verification services, if any, do you think the UK Border Agency should charge for?

Please specify:

CCPR has no comments on consultancy services and document verification

ACCESS TO INFORMATION

Q10. Do you agree that the UK Border Agency should charge third parties to access the information we hold, within the confines of the Data Protection Act?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on access to information

Q11. What type of fee, if any, do you think third parties should pay to access the information held by the UK Border Agency?

- One-off subscription fee
- Annual subscription fee
- Fee for each information request
- Fee based on how much information is required
- None of the above

DEPENDANTS

Q12. Do you agree that each dependant applying for leave to remain in the UK should pay an additional, separate fee for their application in line with the practice overseas?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on dependants

Q13. Do you agree that migrants who come under the dependant relative route, and who are over the standard age of retirement, should pay more at the point of application?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on dependants

CHARGING FOR OVER-STAYERS

Q14. Do you agree that we should charge over-stayers more than the cost of consideration of such applications?

- Yes
- No
- Don't know

Comments:

CCPR has no comments on over-stayers

SPONSORSHIP UNDER THE POINTS BASED SYSTEM

Q15. Do you agree that we should charge sponsors of migrants in accordance with how well they comply with their sponsorship responsibilities?

- Yes
- No
- Don't know

Comments:

There should be no degree of compliance to sponsorship responsibilities and therefore charging someone on how well they comply is counter intuitive. Standards should be met, or not. The only way of discerning between how well sponsors comply would be through the tier A and B ratings, but the transitional nature of B ratings do not naturally lend themselves to different fees to the A rating.

CERTIFICATES OF SPONSORSHIP

Q16. Do you agree that the certificate of sponsorship should be priced more flexibly?

- Yes
- No
- Don't know

Comments:

Certificates of sponsorship should vary depending on size of organisation as currently is the case.

ADMINISTRATIVE REVIEW / RE-CONSIDERATION / APPEAL

Q17. Do you agree that a fee should be charged to applicants who request an administrative review of an application that has been refused?

- Yes
 No
 Don't know

Comments:

A cost should be associated with an administrative review, but this should be refunded if an administrative error was made by UKBA/ Home Office.

Q18. Do you agree that a fee should be charged to applicants who request a reconsideration of an application that has been refused?

- Yes
 No
 Don't know

Comments:

Currently in sport, it is the national governing body that is responsible for the review procedure when individuals fail to meet the criteria set for PBS. This is set out in the sports' code of conduct defined by UKBA (see point 23 in the code, available at <http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/employingmigrants/sportsgoverningbodies/#header2>).

It is often necessary that a fee is charged for a thorough, impartial re-evaluation- although sports would often prefer more UKBA assistance in this procedure.

Q19. Do you agree that users of the immigration system should contribute to the costs of the appeal system and, if so, should the costs be paid for by:

- A. All visa and immigration applicants by ensuring that visa fees contribute towards the cost of the whole system by a small increase**
- B. Those visa and immigration applicants who have a right to appeal against their decisions by increasing the relevant visa fees**
- C. Only those who wish to make an appeal against their original decision by charging a larger fee on appeal**

Yes. If so please specify (A), (B) or (C) C

No

Don't know

Comments:

Applicants who have successfully completed the application procedure without mistake should not be penalised by paying for those who have made administrative errors or who wrongly believe they have been incorrectly denied entry. If, however, mistakes were made in assessing the application and it should in fact have been successful, the cost of appeal should be waived.

WIDER IMPACTS AND ADDITIONAL INFORMATION

Q20. Do you think that any proposal outlined above could have an impact upon community relations?

Yes

No

Don't know

Comments:

As previously mentioned (Q1), changes in visa and PBS regulations could have an adverse affect on sports competitions in the UK such as major sporting events (World Cup, international event bids)

The UK has a proud tradition of hosting major sporting events, and the impact on the economy is huge and beneficial. Euro 96, for example, added 1% to Britain's GDP for 1996 and £64m to the exchequer in taxes through merchandise, tickets, betting and so on . For reasons of prestige and financing, it must be made as easy as possible to host major sporting events in the UK. The need to encourage sporting events has been recognised in Europe in the draft report on Community Code Visas (COM(2006) 0403), and as the United Kingdom has opted out of this programme it is vital that our legislation is at least as favourable as European proposals in order to continue attracting such events.

It must also be made very clear that not all major sporting events depend on professional athletes. The London Marathon, for example, is calculated to bring in an estimated £25m income in one day alone , and in this instance, many of the competitors will not be professional athletes, but many will come from overseas. It is important that the ability of overseas participants, who of course are more likely to add to the economy through expenditure in accommodation, are not discouraged from such events.

Q21. Do you think that any proposals outlined would impact adversely upon small/medium sized businesses? Please provide comments on how this impact might be minimised.

- Yes
- No
- Don't know

Comments:

The effect on small sized sports business and local/regional sporting events (for example, non-international football clubs) on increased costs could be significant.

Allowing sport tourists in through a competitively priced sports visa may well be vital for the longevity of local sporting communities. According to academic research there is growing evidence that smaller events have great economic potential , often because they do not extend the resource capacity of the local infrastructure resulting in high community benefit for low opportunity cost .

Non-professional events (e.g. the world fire-fighters games) and youth events also often stimulate extra benefit as it is becoming increasingly popular for families to take vacations revolving around such events. Indeed, according to studies by the Sports Tourism International Council, the economic impact of sports tourism equates to 32% of overall tourism receipts.

An example of a small event which should be encouraged was the Rounders World Cup in Sheffield in 2008. Teams were invited from as far afield as Pakistan, USA and Sri Lanka and it is events such as these that can raise the profile of smaller sports. They should be made as easy as possible to organise and competitors themselves must also not be discouraged from attending sporting events by excessive application procedures and costs.

Q22. Do you think any proposals outlined above would have a disproportionate effect upon any particular group according to:

- Race
- Gender
- Age
- Disability
- Religion
- Belief
- Sexual orientation

Comments:

See previous comments on countries with lower disposable incomes (Q5).

Q23. Are there any other products or services that we should charge for?

Comments:

INFORMATION ABOUT YOU / YOUR ORGANISATION

(The following information will help with the analysis of responses to the consultation)

On average, how many applications do you make to UK Border Agency per year?

- Less than 1 per year
- 1 – 10 applications per year
- 11 – 20 applications per year
- 21 – 50 applications per year
- 51 – 100 applications per year
- More than 100 applications per year

Please tick one of the following boxes which would best describe you / your organisation.

- Individual
- Micro company (1 – 9 employees)
- Small business (10 – 49 employees)
- Small – medium enterprise (50 – 249 employees)
- Large company (over 250 employees)

Which of the following categories does your organisation fall into?

- Voluntary Organisation/Charity
- Public Sector Employer
- Employer/Trade Association
- Union
- Private company
- Immigration advisor/Immigration Law Practitioner
- Applicant
- Sponsor
- Educational Institution
- Other, please specify:

Please note that CCPR does not apply to the UKBA directly, but our members will apply for several hundred visas and PBS places per year. CCPR liaises with UKBA, the Home Office and sports directly in order to make this happen.

Please tick the box that best describes the Industrial Sector your organisation falls into.

- Administration, business & management services
- Agriculture activities
- Computer services
- Construction & land services
- Education & cultural activities
- Entertainment & leisure services
- Extraction industries
- Financial services
- Government
- Private health & medical services
- NHS Trust
- Hospitality, hotel and catering & other related services
- Law related services
- Manufacturing
- Real estate & property services
- Retail & related services
- Security & protective services
- Sporting activities
- Telecommunications
- Transport
- Utilities – gas, electricity, water
- Other services, please specify:

For statistical purposes, please indicate in which region/s of the UK your business is based.

- England
- Scotland
- Wales
- Northern Ireland
- Other (if overseas)