

**CHAPTER 15
SECTION 4****ARMED FORCES: EMPLOYEES OF FIRMS
WORKING UNDER CONTRACT TO NATO FORCES****1. INTRODUCTION**

A number of United States firms are under contract to the Ministry of Defence and the United States Government to build and maintain forces' installations here. There are also some American educational organisations who provide courses for United States forces personnel based in the United Kingdom.

Persons in this category working under contract to the United States government do not, under a concession outside of the Rules, need a work permit (including those who work for firms which have offices in the United Kingdom) and, in the case of non-visa nationals, entry clearance is not required. Such persons are **not** to be treated as overseas government employees.

Employees working on local contracts but not for the United States Government will require a work permit.

2. LEAVE TO ENTER AS AN EMPLOYEE WORKING UNDER CONTRACT TO NATO FORCES

Foreign nationals in this category often arrive with movement orders similar to those carried by civilians directly employed by the forces except that the contracting firm is named in the order. ***Care must be taken to distinguish them from civilians employed by the forces.***

2.1. Granting leave to enter

Code 1 for the period of employment or 12 months whichever is shorter. Such employees are not required to register with the police.

See paragraph 5 (below) for advice on the entry of dependants.

2.2. INDECS

O Other person on limited leave to enter.

3. LEAVE TO REMAIN AS AN EMPLOYEE WORKING UNDER CONTRACT TO NATO FORCES

When leave is granted to a United States forces contractor's employee admitted as such, or to a person who is in the United Kingdom on some other basis but who takes employment with a United States forces contractor, ***the Inland Revenue should be notified at:***

Inland Revenue
Centre 1
Foreign Group
Queensway House
East Kilbride
Glasgow G79 1AA

The Inland Revenue should be informed that the case concerns an employee of a firm under contract to United States forces (or other) giving name, address and total length of permitted stay.

3.1. **Granting leave to remain**

Code 1 up to 4 years subject to length of contract. Registration with the police is not required.

See paragraph 5 (below) for advice about leave to remain in respect of dependants.

3.2. **Switching**

Persons admitted or given leave to remain as visitors, students, for other temporary purposes or for other employment may normally be allowed to remain as United States forces contractors' employees.

3.3. **INDECS**

F6 Extension - Other permit free employment

3.4. **Doubtful cases**

Most applicants in this category will be able to confirm their status as a United States contractors employee and there should be no need for further enquiries. If, however, there is reason to doubt whether an applicant qualifies for leave to remain on this basis, then the matter should be referred to Section 3, IPD.

4. **SETTLEMENT AS AN EMPLOYEE WORKING UNDER CONTRACT TO NATO FORCES**

After 4 years continuous employment in this category, an employee of a firm under contract to NATO forces may apply for settlement (see ***Chapter 5 Annex F "Settlement - guidance - general, for employment, business or investment cases"*** if further guidance is required).

See also paragraph 5 (below) for advice about settlement in respect of dependants.

4.1. INDECS

1CA

5. DEPENDANTS OF EMPLOYEES OF FIRMS WORKING UNDER CONTRACT TO NATO FORCES - LEAVE TO ENTER/REMAIN

When considering leave to enter or remain in respect of the dependants of United States forces contractor's employees the following factors apply:

- A person can qualify as a dependant **only if** the sponsor is serving in the United Kingdom;
- Unmarried children over 18 who have not joined the sponsor earlier because of completion of studies abroad should normally be granted leave to enter/remain for the sponsor's tour of duty;
- Unmarried children over 18 who have not joined the sponsor earlier because they were in employment do **not** qualify as dependents and must meet the requirements of the Rules in their own right;

In all cases where leave to remain is given as a dependant it should be made clear that the dependant is expected to leave the United Kingdom with the sponsor on completion of the sponsor's tour of duty (but see **paragraph 6**, below, regarding settlement for dependants in line with the sponsor).

Dependants of United States forces contractor's employees are not required to register with the police.

5.1. Granting leave to enter/remain

Dependants should be granted leave on Code 1 in line with the sponsor.

5.2. INDECS - On entry

- Other person on limited leave to enter

5.3. INDECS - Leave to remain

F6S or F6C (as appropriate) Extension - Other permit free employment

6. SETTLEMENT AS THE DEPENDANT OF A PERSON WORKING UNDER CONTRACT TO NATO FORCES

If after 4 years continuous employment in this category the sponsor, having applied for settlement, (see **paragraph 4** above) is granted indefinite leave to remain then his dependants, assuming that they continue to meet the above noted requirements, may be granted indefinite leave to remain in line (see **Chapter 5 ANNEX F "Settlement -**

guidance - general, for employment, business or investment cases" if further guidance is required).

6.1. **INDECS**

1CS or 1CC (as appropriate).