



If you wish to apply for an extension of stay in the UK on form FLR(M), please read these guidance notes and the separate UK Visas and Immigration photograph guidance before making your application.

CONTACTING US

Our main website address for contacting us is given below.

Our Website www.gov.uk/government/organisations/uk-visas-and-immigration

For information about immigration law and policy, the services offered by our Premium Service Centres, to see and download application forms and related guidance, and to book an appointment to apply in person.

OUR PREMIUM SERVICE CENTRES

Our Premium Service Centres are for premium service applications only. For details of the services and facilities provided by each of the Premium Service Centres, please go to www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre

1. For which applications must you use form FLR(M)?

Form FLR(M) must be used if you are applying for an extension of stay and your partner is:

- a British citizen in the UK
- present and settled in the UK
- in the UK with refugee leave or humanitarian protection

You and any children under 18 applying with you must be in the UK to apply. Anyone applying for an extension of stay in the above-mentioned categories must apply - also on form FLR(M) - for a biometric immigration document, otherwise known as a Biometric Residence Permit (BRP).

You must not use this form to make an application for an extension of stay in the following categories:

- As the partner of a serving member of HM Armed Forces under Appendix Armed Forces of the Immigration Rules. You must complete form FLR(AF).
- On the 10 year Partner route under Appendix FM of the Immigration Rules. You must complete form FLR(FP).
- As the partner of a person granted indefinite leave to remain in a work route, if you are currently in the UK as their dependant. See our website for further details: <https://www.gov.uk/visas-immigration>

2. Qualifying for an extension of stay

To qualify for an extension of stay in the categories of the Immigration Rules for which you have to use form FLR(M), you must meet the relevant requirements in the following parts of the Rules:

- Part 8 Family members -Transitional provisions for spouses and partners
- Appendix FM – Family life as a partner – 5 year route

The full Immigration Rules are on our website.

If you are applying for an extension of stay under the Part 8 Transitional provisions (rather than indefinite leave to remain) even though you have completed or are about to complete 2 years permitted stay as the partner of the same person, give the reason in section 2 of the application form and explain in more detail in a letter if necessary. Possible reasons are that you have not yet obtained a relevant qualification demonstrating your knowledge of the English language and life in the UK (KoLL); or that you prefer to apply for an extension of stay because of personal circumstances to do with your relationship with your partner.

3. Who may apply on this form?

You and your children under 18 if they are applying as your dependants.

Dependant children aged 18 or over may not be included unless they were initially granted leave in the category at a time when they were under 18. If there is some reason preventing your dependant children from applying with you, they must each apply individually and pay the specified fee.

4. The fee

If you do not pay the specified fee, the application will be invalid and will be returned to you.

We will not refund the fee if we refuse the application or if you withdraw it. Please note the following:

Please note that when making large or multiple payments using your credit card, the anti-fraud measures that banks operate sometimes stop the full payment being taken. This can happen for a number of reasons. To prevent this you should inform your bank of your intention to make large or multiple payments in advance so that your bank allows the full payment to be taken when you submit your application.

Please be aware that not all banks offer this service.

For information about methods of payment, please see the payment details guidance on page 4 of the form.

For more information about the current fees, please go to our website.

5. When to apply

You and any children under 18 applying with you should apply before the end of your/their permitted stay in the UK.

6. Making sure your application is valid

Paragraphs 34-34I of the Immigration Rules specify certain requirements with which an application on a form specified for the purpose of the Rules must comply. To make a valid application, you must:

- apply on the current version of form FLR(M).
- pay the specified fee by one of the methods specified in the payment guidance.
- provide photographs of yourself, your partner and any children under 18 applying with you as specified in the application form and which meet the mandatory format standards specified in the photograph guidance.
- complete sections 1,9 and 10 of the form as required and section 4 if you and/or your sponsor have any dependent children in the UK.
- make sure the relevant declarations in section 14 are signed by you and your partner.
- send the application by prepaid post to the Home Office or make it in person at a Premium Service Centre.

If you fail to do any of these things, your application will be invalid and we will return it to you. This could result in the loss of appeal rights if your permitted stay has run out by the time you make a valid application.

7. Ensuring your application is complete

You do this by completing every relevant section of the form as required and providing all the documents specified for your particular application, including your passport and those of any children who are applying with you.

If you do not do this, we reserve the right to decide your application on the basis of the information and documents provided.

It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

8. Completing the form

Please use a black pen to complete the form; write names, addresses and similar details in capital letters.

In the payment details and other sections where you give personal details and addresses, leave

an empty box between each part of the name and of the address.

Please note that we always use the personal details in an applicant's passport or travel document for official purposes, including any Biometric Residence Permit issued if the application is successful.

Take care to complete all sections as required, including the Personal History section. Follow the guidance on page 4 of the form when completing the payment details. Read the notes in various sections of the form.

As already emphasised in part 7 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

9. Photographs

For your application to be valid, it is mandatory to provide the following photographs:

- Two identical passport-size photographs of yourself with your full name written on the back of each one.
- One passport-size photograph of your partner with his or her full name written on the back of it.
- Two identical passport-size photographs of any children under 18 applying with you with their full name written on the back of each one.

The photographs you provide must also comply with the mandatory format requirements specified in the separate UK Visas and Immigration photograph guidance. The application will be invalid if they do not.

Please ensure that you place the photographs in a small sealed envelope and attach it to section 1 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

The photographs will be checked against the images taken when your biometric features and those of any children applying with you are enrolled.

10. Documents

Documents provided with the application must be originals.

Copies of any kind are not acceptable unless there are valid reasons for not being able to provide the original document. In such circumstances, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary.

The reasons for not being able to provide the original document must be explained in a covering letter. We are unlikely to grant your application without the original document.

From 28 October 2013, if you are making your application by post you can send a complete and full copy of your partner's current passport or travel document with your application. Every page of the passport must be copied including any blank pages. The copy does not need to be certified; your partner must sign the declaration at section 14 of the application form to confirm it is a complete and true copy of their current passport or travel document.

Any documents which are not in English must be accompanied by a reliable English translation.

Make sure passports or travel documents are signed.

11. Applying by post - the address

If you are applying by post, the address to which you must send an application on form FLR(M) is:

The Home Office

Leave to Remain - FLR(M)

PO Box 495

Durham

DH99 1WR

Posting it to any other address will not only delay your application but could make it invalid. This address is only to be used when sending your application. Please use the address given in part 15 for any other correspondence about your application.

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough.

You will receive a letter of acknowledgement within a few days of your application being received, unless there is a problem concerning the payment of the fee. The validity of your application will then be checked and we shall contact you in writing if your application is invalid.

12. Applying in person

We offer a service to people to apply in person at our Premium Service Centres. This service is available only for applications which are straightforward and do not require further enquiries.

Appointments. To apply in person, you must book an appointment in advance with one of the Premium Service Centres. You can do so online at: <https://gov.uk/ukvi-premium-service-centres>.

For applications made in person at a Premium Service Centre, the total fee includes a £100 appointment fee, which may be retained should the applicant fail to attend their appointment without good reason. Please note that you cannot pay by cheque or postal order if you are making an application in person using the premium service.

Please note that Biometric Residence Permits will be posted to successful applicants within 7 working days of your appointment; they cannot be issued on the day itself.

For the latest information about our Premium Service Centre opening times and services, please go to our website: www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre

13. Decision times

For the latest information on our service standards for deciding charged applications please go to our website.

Applications which are not straightforward or which need further enquiries take longer to decide. These include applications by people who have remained here unlawfully after the expiry of their permitted stay.

As we cannot tell in advance how long it will take to decide particular cases, our general advice is not to make any non-urgent travel arrangements until your passport(s) or travel document(s) are returned to you, followed by your Biometric Residence Permit(s) if your application is successful.

14. Your status while your application is being considered

If you and any children under 18 apply before the end of your permitted stay in the UK, your/their existing immigration status, including any permission to work, will continue until your/their application(s) is/are decided.

15. Contacting us after you have applied

If you need to contact us after you have applied, please do so as follows.

To send us more information about your application, write to the following address (not the one to which you posted your application):

The Home Office

Initial Consideration Unit - FLR(M)

Lunar House

40 Wellesley Road

Croydon

CR9 2BY

and give the following details in your letter:

- the applicant's full name, date of birth and nationality
- any Recorded or Special Delivery number
- the date on which the application was posted or made in person
- the Home Office reference number if you have one.

If you need your passport because you have to travel urgently and unexpectedly, use the return of documents request form at www.gov.uk/visa-documents-returned.

Your application will be treated as withdrawn if your passport is returned for travel abroad before we are able to decide the application.

16. Obtaining application forms

You can obtain application forms, the accompanying guidance notes and the UK Visas and Immigration photograph guidance from our website at www.gov.uk/government/organisations/uk-visas-and-immigration

17. Other enquiries

For enquiries other than obtaining an application form, consult our website www.gov.uk/government/organisations/uk-visas-and-immigration

We also have the following freephone textphone number: **0800 38 98 28 9**.

18. Choosing an immigration adviser

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC).

Their website at www.oisc.gov.uk contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives.

If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

Office of the Immigration Services Commissioner (OISC)

5th Floor

21 Bloomsbury Street

London WC1B 3HF

Telephone: **0345 000 0046**

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on **0870 606 2555** or visit their website at www.sra.org.uk

The address and telephone number for any complaints about a solicitor are:

Legal Ombudsman

PO Box 6806,

Wolverhampton,

WV1 9WJ

Telephone: 0300 555 0333

<http://www.legalombudsman.org.uk/>

19. Complaints about our service

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information on how to do so.

20. Data protection notice

We will treat all information provided by you in confidence but may disclose it to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

We may also use the information provided by you for training purposes.

The information in the payment details page will be known to the private contractor engaged by the Home Office to process fee payments.

21. The requirements you need to meet

In order to qualify you will need to meet the following requirements;

a) We will need to be satisfied that your relationship with your partner is genuine and continuing, and that you intend to live together permanently.

We will carefully consider the information and documents that you provide. If we have any concerns about whether your relationship is genuine or continuing we will make further enquiries, and may invite you for interview. Guidance on how we consider whether a marriage is genuine can be found on our website:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/263237/section-FM2.1.pdf

b) You must meet the suitability requirement

This relates to your character and conduct, your previous immigration history, whether you owe money to the NHS, and whether you have co-operated with our enquiries. Further information can be found on our website.

c) You must meet the immigration status requirement

You must not be in the UK as a visitor, or with leave for 6 months or less (unless you are here as a fiancé or proposed civil partner), or here with temporary admission. Your current stay in the United Kingdom must be lawful. You should not be here illegally or have remained here once your permission to stay has ended. We can however, overlook a period of up to 28 days where you have stayed here after your leave to remain ended.

d) You must meet the financial requirement

You need to meet the financial requirement if you made your first application to enter or remain here as a partner after 9th July 2012, or if your last leave was granted as a partner of a Relevant Points Based system migrant.

You can meet the financial requirement through:

- Income from employment or self employment of your sponsor
- Income from your employment or self employment if you are in the UK
- Certain income from sources other than employment
- State or private pensions of you and your sponsor
- Maternity allowances or bereavement benefits received in the UK
- Cash savings over a certain level - this will depend on what you are applying for and the level of other income that you and your sponsor have.

You will be exempt from the income threshold if your sponsor receives one of the following specified disability-related benefit or carers allowance in the UK:

- Carer's allowance
- Disability living allowance
- Severe disablement allowance
- Industrial injuries disablement benefit
- Attendance allowance
- Personal independence payment
- Armed forces independence payment or guaranteed income payment under the armed forces compensation scheme
- Constant attendance allowance, mobility supplement or war disablement pension under the war pensions scheme

You will be able to meet the financial requirement by providing evidence of "adequate maintenance" rather than meeting an income threshold.

The amounts required to meet the financial requirement are;

Partner - £18,600

1 child in addition to partner £22,400

2 children in addition to partner - £24,800

3 children in addition to partner - £27,200

There will be an increase of £2,400 for each additional child.

Information about this requirement, including the evidence you must provide, can be found on our website;

www.gov.uk/government/uploads/system/uploads/attachment_data/file/285985/ID16.doc.pdf

In addition you must have adequate accommodation for you and your partner and any dependents that live with you. The property must be occupied only by you, your partner and dependents. Further information about accommodation requirements is on our website: www.gov.uk/government/organisations/uk-visas-and-immigration

e) You must meet the English language requirement

A person under 65 who is applying for leave to remain as a spouse, civil partner, fiancé(e) or proposed civil partner, unmarried partner or same sex partner of a British citizen or person settled in the United Kingdom needs to show that they can speak and understand English. You can do this if:

- You are a national of a specified English speaking country.
- You have passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference or above, with a Home Office approved provider.
- You have an academic qualification recognised by UK NARIC as equivalent to the standard of a Bachelor's or Master's degree or PhD in the UK. This must have been taught in English.
- You are exempt from this requirement if you are over 65, have a physical or mental condition which prevents you from meeting this requirement or there are exceptional circumstances which would prevent you from meeting it.

You may not need to provide evidence of meeting the English language requirement if you have previously done so as part of a successful application for leave as a partner or parent.

Guidance on how to meet the English language requirement, including the evidence you must provide, can be found on our website:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/370611/Annex_FM_1_21_November_2014.pdf

22. Biometric residence permits

A leaflet explaining the Biometric Residence Permit including the application process is available to download at the following location:

<https://www.gov.uk/biometric-residence-permits>