



Home Office

# Family Policy

## Adult dependent relatives

Version 5.0

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# About this guidance

This guidance tells decision makers how to decide adult dependent relative applications for entry clearance, or for limited or indefinite leave to remain where the applicant is already in the UK.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Family Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

## Publication

Below is information on when this version of the guidance was published:

- version **5.0**
- published for Home Office staff on **07 August 2023**

## Changes from last version of this guidance

This guidance has been updated to:

- correct the earlier error relating to partners of Adult Dependent Relatives
- provide clarification on when the financial undertaking must be made

## Related content

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# Introduction

The purpose of this route is to allow an adult dependent relative (ADR) of:

- a British citizen in the UK
- a person settled in the UK
- a person in the UK with protection status
- an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix

to settle here. The applicant must also demonstrate that, as a result of age, illness or disability, they require a level of long-term personal care that can only be provided in the UK by their relative here and without recourse to public funds.

The policy intention behind the ADR Rules is, firstly, to reduce the burden on the taxpayer for the provision of NHS and local authority social care services to ADRs whose needs can reasonably and adequately be met in their home country.

Secondly, it is to ensure that those ADRs whose needs can only be reasonably and adequately met in the UK are granted immediate settled status (where their sponsor has this or is a British citizen) and full access to the NHS and local authority social care services. This is intended to avoid creating a disparity between ADRs depending on their own or their sponsor's wealth, and to give those ADRs who qualify certainty about their long-term status in the UK.

For those ADRs whose sponsor is not yet settled or a British citizen (and who instead has limited permission to stay as a person with protection status or an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix), the ADR may be granted limited leave in line with their sponsor and once their sponsor has made an application for settlement the ADR is also able to apply for settlement.

An applicant for this route must be outside the UK: a person cannot switch into this route in the UK.

In summary an applicant under the ADR route must:

- as a result of age, illness or disability, require long-term personal care: that is, help performing everyday tasks, for example washing, dressing and cooking
- be unable, even with the practical and financial help of the sponsor, to obtain the required level of care in the country where they are living because it is not available and there is no person in that country who can reasonably provide it or because it is not affordable

The Entry Clearance Officer (ECO) must also be satisfied that the applicant will be adequately maintained, accommodated and cared for in the UK by the sponsor without recourse to public funds:

- if the sponsor is a British citizen or settled in the UK, they must sign a 5-year undertaking to that effect, at the entry clearance stage - this undertaking must cover a period of 5 years from the date the applicant arrives in the UK
- if the sponsor has limited leave for the reasons given above, the undertaking will be for the period of permission to be granted in line with the sponsor

On 24 May 2017, the Court of Appeal upheld the lawfulness of the adult dependent relative Rules in [Britcits v The Secretary of State for the Home Department \[2017\] EWCA Civ 368](#). This guidance has taken account of the judgment.

#### **Related content**

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# Grounds for refusal

This section applies to entry clearance and leave to remain applications.

## Applications under Appendix ADR

Applicants applying as an ADR under Appendix ADR of the Immigration Rules are not subject to the grounds for refusal, except in the limited categories set out in paragraph 9.1.1. of Part 9 of the Immigration Rules. The relevant provisions are set out in paragraph 9.1.1.(q).

Guidance on considering the grounds for refusal can be found here:

- [Grounds for refusal](#) (internal link)
- [Grounds for refusal](#) (external link)

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# Suitability requirements

This section tells you about the suitability requirements an applicant must meet when applying for entry clearance or permission to stay under the Appendix ADR.

## Suitability

In considering **all** applications on the basis of a person's family life as an ADR, you must consider whether the applicant meets the suitability requirements.

- applicants for entry clearance must meet the requirements under ADR 2.1 (a) in appendix ADR
- applicants for permission to stay must meet the requirements under paragraph ADR 2.1 (b) and ADR 2.2
- applicants for settlement as an ADR by someone who already has permission to stay as an ADR must meet the requirements under paragraphs ADR 11.1 to ADR 11.5

When considering whether the presence of an applicant in the UK is not conducive to the public good, any legal or practical reasons why the applicant cannot presently be removed from the UK must be ignored.

## Addressing suitability

In considering the suitability criteria in Appendix FM and Part 9 of the Immigration Rules as set out above, you must refer:

to the Criminality guidance:

- Criminality guidance in ECHR cases (internal)
- [Criminality guidance in ECHR cases](#) (external)

to the Restricted leave guidance:

- Restricted leave guidance (internal)
- [Restricted leave guidance](#) (external)

and to the Grounds for refusal guidance:

- Grounds for refusal guidance (internal)
- [Grounds for refusal guidance](#) (external)

Where an applicant will normally be refused if they fail to meet these suitability requirements or may be refused if they fail to meet these suitability requirements, you should look at the nature of the suitability issues being considered in the context of the application as a whole. You should decide whether those issues are sufficiently serious to refuse on the basis of suitability (bearing in mind that anything which comes within these criteria should normally or may be refused) or whether

there are compelling reasons to decide that the applicant meets the suitability criteria. This will be a case-specific consideration.

In light of the findings in the case of Balajigari and Others v [Secretary of State for the Home Department \[2019\] EWCA Civ 673](#), an applicant should be given the opportunity to respond to an allegation which may cause their application to fail on grounds of suitability before the application is finally decided. This includes but is not limited to behaviour such as dishonesty.

Full information on how to consider suitability in an application under the family Rules can be found here: Family life (as a partner or parent), private life and exceptional circumstances

## Refusal on the grounds of suitability

Applications which do not meet the suitability requirements must be refused, unless there are exceptional circumstances – see Unjustifiably harsh consequences and ECHR Article 8

### **Related content**

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# Entry clearance

This section tells you about applications made outside the UK for entry clearance as an adult dependent relative.

## Entry clearance as an adult dependent relative

Paragraphs ADR 1.1 and ADR 1.2 set out all of the requirements that are to be met for an application for entry clearance as an adult dependent relative to be valid.

All those arriving in the UK seeking entry as an adult dependant relative must meet the requirements at paragraph ADR 3.1

## Eligibility for entry clearance as an adult dependent relative

To be eligible for entry clearance as an adult dependent relative an applicant must meet all of the requirements set out in paragraphs [ADR 1.2. and ADR 3.1 to ADR 6.4.](#)

## Relationship requirements

When considering the relationship requirements, you must be satisfied that the applicant meets all of the requirements set out in paragraph ADR 4.1.

If the applicant is the sponsor's parent or grandparent, you should check that they are not in a subsisting relationship with a partner unless that partner is also the sponsor's parent or grandparent and is applying for entry clearance at the same time as the applicant (ADR 5.2).

The relationship requirements state that, at the date of the application, sponsor must be 18 years or over as well as either a British citizen in the UK, present and settled in the UK, in the UK with protection status or be an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix, as detailed in ADR 4.2.

The Immigration Rules also set out a minimum level of care that an applicant requires from their sponsoring relatives. The applicant must be unable, even with the practical and financial help of the sponsor, to obtain the required level of care in the country where they are living. This would be applicable where the sponsor's parents or grandparents do not have access to the required care and there is no person in the country where they are living who can reasonably provide it or it is not affordable. Where a couple, who are both the parents or grandparents of the sponsor, are applying as Adult Dependent Relatives, only one of them must require long term personal care. Both must apply at the same time and the partner must be unable to offer care.

## Financial requirements

To meet the financial requirements set out at ADR 6.1 to 6.3., the applicant must be able to provide evidence to prove they can be adequately maintained, accommodated and cared for in the UK by the sponsor without recourse to public funds.

The evidence to be provided in order to meet the financial requirement is set out in paragraphs 1, 12A and 12B of Appendix FM-SE.

For further guidance see: [Appendix FM 1.7: financial requirement](#)

If the applicant's sponsor is a British citizen or settled in the UK, the applicant must provide an undertaking signed by the sponsor confirming that the applicant will have no recourse to public funds. The sponsor will be responsible for their maintenance, accommodation and care, for a period of 5 years from the date the applicant enters the UK if they are granted indefinite leave to enter.

If the applicant's sponsor is a person in the UK with protection status or an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix, this undertaking will be required for the duration of the period of permission to be granted which will be in line with the period of leave held by the sponsor. For further information see: [Indefinite Leave to Remain](#)

The sponsor will be required to submit a fresh undertaking at each stage of the journey to settlement (entry clearance, further leave to remain and settlement).

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# Assessing the requirements

This section explains how each of the requirements of the rules should be considered.

## Require long-term personal care as a result of age, illness or disability

As a result of age, illness or disability, the applicant must require long-term personal care to perform everyday tasks, for example washing, dressing and cooking. This means that they must be incapable of performing such everyday tasks for themselves.

This situation may have been arrived at recently – such as the result of a serious accident resulting in long-term incapacity – or it could be the result of deterioration in the applicant’s condition over several years. The evidence required to show this is set out [below](#).

## Unable to receive the required level of care in the country where they are living

The applicant must demonstrate that the applicant has no access to the required level of care in the country where they are living, even with the practical and financial help of the sponsor in the UK. This could be because it is not available and there is no person in that country who can reasonably provide it, or because it is not affordable.

The “required level of care” is a matter to be objectively assessed, with reference to the specific needs of the applicant. The level of long-term personal care must be what is required by the individual applicant to perform everyday tasks, in light of their physical needs and any emotional or psychological needs, in each case as established by evidence provided by a doctor or other health professional.

In considering whether the care is available in the country in which the applicant is living, the Entry Clearance Officer (ECO) will consider both what care is available, and whether it is realistically accessible to the applicant. As to the latter, consideration should be given both to the geographical location and the cost of such care.

The evidence required to establish this is set out [below](#). If the required level of care is available or affordable in the country where the applicant is living, the application should be refused.

## No person in that country who can reasonably provide that care

The ECO should consider whether there is anyone in the country where the applicant is living who can reasonably provide the required level of care. This might be a close family member: son, daughter, brother, sister, parent, grandchild, grandparent, a wider family member, friend or neighbour, or another person who can reasonably provide the care required, for example a home-help, housekeeper, nurse, carer or care or nursing home.

If an applicant has more than one close family member in the country where they are living, those family members may be able to pool resources to provide the required care.

The concept of whether another person can “reasonably” provide care may require consideration of such matters as the location of that person, their own circumstances and other commitments, and their willingness to provide such care. The fact that a person or organisation has been providing care for a period may suggest that they can continue to do so, however, if evidence is provided as to the temporary nature of such care, or as to a change in circumstances, this must be carefully considered.

The provision of the care in the applicant’s home country must be reasonable both from the perspective of the provider of the care and the perspective of the applicant.

The ECO should bear in mind any relevant cultural factors, such as in countries where women are unlikely to be able to provide support in some circumstances.

## Adequately maintained, accommodated and cared for

The accommodation in which the applicant will live in the UK must be owned, or occupied exclusively, by the sponsor. The addition of the applicant to the accommodation must not contravene the UK statutory regulations on overcrowding or on public health.

The ECO must be satisfied that adequate maintenance and the required level of care can and will be met by the sponsor in the UK without recourse to public funds.

Maintenance may be provided by the sponsor or by any combination of the funds available to the sponsor and the applicant. Promises of third-party support will not be accepted as these are vulnerable to a change in another person’s circumstances or in the sponsor’s or the applicant’s relationship with them. Cash savings which have originated from a gift (not a loan) from a third party can count towards the required maintenance, but those cash savings must be in an account in the name of the sponsor or the applicant and under their control. For further information see ADR 6.2.

These requirements also apply to applicants when applying at the [indefinite leave to remain](#) stage.

Otherwise, maintenance and accommodation should be assessed using the following guidance: [Appendix FM and Adult Dependent Relative Adequate maintenance and accommodation](#).

## Example scenarios

The following are examples, but each case must be considered on its merits in the light of all the circumstances:

### Example 1

A person (aged 25) has a learning disability that means he cannot feed, wash or dress himself. His parents (with whom he lived) have recently died in an accident and his only surviving close relative is a brother in the UK who has been sending money to the family for some time. The person has been cared for temporarily by family friends since his parents' death, but they are no longer able to do this. The sponsor is unable to meet the costs of full-time residential care, but he and his family have sufficient financial and other means to care for the applicant in their home. This **could** meet the criteria if the applicant can demonstrate that they are unable even with the practical and financial help of the sponsor to obtain the required level of care in the country where they are living because it is not available and there is no person in that country who can reasonably provide it or it is not affordable (and other relevant criteria are met).

### Example 2

A person (aged 30) has lived alone in Sri Lanka for many years. His parents are settled in the UK; other siblings live in the UK and USA. The person has recently been involved in a road accident and as a result has developed a long-term condition which means that he can no longer care for himself. The mother has been visiting Sri Lanka to care for her son but needs to return to the UK to care for her younger children. This **could** meet the criteria if the applicant can demonstrate that they are unable even with the practical and financial help of the sponsor to obtain the required level of care in the country where they are living because it is not available and there is no person in that country who can reasonably provide it or it is not affordable and other relevant criteria are met.

### Example 3

A person (aged 70) lives alone in India. Her daughter lives in the UK; her son and his family live in the UAE. The daughter sends her mother money to pay for someone to do her cleaning but is concerned that her mother is becoming increasingly frail and forgetful. This would **not** meet the criteria as the applicant is able to perform everyday tasks and / or has help available with these tasks.

### Example 4

A person (aged 26) entered the UK as a visitor. His parents and younger siblings are settled in the UK. The applicant lived in Canada to complete his higher education. He has diabetes which is managed by medication. This would **not** meet the criteria as

the applicant is able to perform everyday tasks. Also, he cannot apply from within the UK.

### **Example 5**

A person (aged 85) lives alone in Pakistan. With the onset of age, he has developed very poor eyesight, which means that he has had a series of falls, one of which resulted in a hip replacement. His only son lives in the UK and sends money to enable his father to pay for a carer to visit each day to help him wash and dress, and to cook meals for him. This would **not** meet the criteria because the sponsor is able to arrange the required level of care in Pakistan.

### **Example 6**

A person (aged 45) lives in China and was widowed 5 years ago. They are disabled and cannot perform everyday tasks for themselves. Their son lives in the UK. The person lives with their new husband in China. The son wants his mother to come and live with him in the UK. This would **not** meet the criteria because the applicant is in a subsisting relationship with a partner who is not the sponsor's parent.

### **Example 7**

A husband and wife (both aged 70) live in Pakistan. Their daughter lives in the UK. The wife requires long-term personal care owing to ill health and cannot perform everyday tasks for herself. The husband is in good health but cannot provide his wife with the level of care she needs. They both want to come and live in the UK. The daughter can care for her mother full time in her home as she does not work whilst her husband provides the family with an income from his employment. Her sister in the UK will also help with care of the mother. The applicant provides the ECO with the planned care arrangements in the UK. This **could** meet the criteria if the applicant can demonstrate that they are unable even with the practical and financial help of the sponsor to obtain the required level of care in the country where they are living because it is not available and there is no person in that country who can reasonably provide it or it is not affordable (and other relevant criteria are met).

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# Evidence in support of the application

This section sets out what the Entry Clearance Officer (ECO) should expect to see as part of an application as an adult dependant relative.

## Evidence of the family relationship

Evidence of the relationship between the applicant and the sponsor will need to be provided. This should be in the form of birth or adoption certificates, or other evidence. The ECO will need to assess whether other evidence is needed.

## Evidence that, as a result of age, illness or disability, the applicant requires long-term personal care

Medical evidence that the applicant's physical or mental condition means that they require long-term personal care because they cannot perform everyday tasks, for example washing, dressing and cooking. This must be from a doctor or other health professional.

Under [paragraphs 36 to 39 of the Immigration Rules](#), the ECO has the power to refer the applicant for medical examination and to require that this be undertaken by a doctor or other health professional on a list approved by the British Embassy or High Commission.

## Evidence that the applicant is unable, even with the practical and financial help of the sponsor in the UK, to obtain the required level of care in the country where they are living

Evidence that the required level of care:

- is not, or is no longer, available in the country where the applicant is living - this evidence should be from a central or local health authority, a local authority, or a doctor or other health professional in the country in question - if the required care has been provided through a private arrangement, the applicant must provide details of that arrangement and why it is no longer available
- is not, or is no longer, affordable in the country where the applicant lives - if payment is currently being made for care, or was made previously, the ECO should ask to see records of such payments and an explanation of why this payment cannot continue - if financial support has been provided by the sponsor or other close family in the UK, the ECO should ask for an explanation of why this cannot continue or is no longer sufficient to enable the required level of care to be provided

## Evidence of adequate maintenance, accommodation and care in the UK

Where the sponsor is a British citizen or settled in the UK, the applicant must provide a signed undertaking from the sponsor confirming that the applicant will have no recourse to public funds, and that the sponsor will be responsible for the applicant's maintenance, accommodation and care, for a period of 5 years from the date the applicant enters the UK if they are granted indefinite leave to enter.

If the applicant's sponsor is a person in the UK with protection status or an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix, this undertaking will be required for the duration of the period of permission to be granted which will be in line with the period of leave held by the sponsor.

In addition, in all cases the applicant must provide evidence from the sponsor that the sponsor can meet the requirements of ADR 6.2 to 6.5 provide the maintenance, accommodation and care required, in the form of any or all of the following:

- original bank statements covering the last 6 months
- other evidence of income – such as pay slips, income from savings, shares, bonds – covering the last 6 months
- relevant information on outgoings, for example Council Tax, utilities, and on support for anyone else who is dependent on the sponsor
- a copy of a mortgage or tenancy agreement showing ownership or occupancy of a property
- planned care arrangements for the applicant in the UK (which can involve other family members in the UK) and the cost of these (which must be met by the sponsor, without undertakings of third party support)

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# Unjustifiably harsh consequences and ECHR Article 8

Where the applicant does not meet the requirements of the adult dependent relative rules, the decision-maker must go on to consider:

- firstly, whether, in the particular circumstances of the case, the ECHR Article 8 right to respect for private and family life is engaged
- secondly, whether there are exceptional circumstances which would render refusal a breach of Article 8 because it would result in unjustifiably harsh consequences for the applicant or their family

Article 8 protects the right to respect for private and family life. However, the “family life” element of Article 8 is not normally engaged by the relationship between adult family members who are not partners. Neither blood ties nor the bonds of concern and affection that ordinarily go with them are, by themselves or together, enough to constitute family life for the purposes of Article 8. Accordingly, in order to establish that family life exists between adults who are not partners, there must be something more than such normal emotional ties. Whether such family life exists will depend on all of the facts of the case. Relevant factors will include the age, health and vulnerability of the applicant, the closeness and previous history of the family, the applicant’s dependence on the financial and emotional support of the family, and the prevailing cultural tradition and conditions in the country where the applicant lives.

Where such family life exists, such that Article 8 is engaged, the decision-maker must assess whether refusal would lead to unjustifiably harsh consequences for the applicant or family members which would lead to a breach of Article 8, under [paragraph ADR 7.1](#).

## Exceptional circumstances

Under paragraph ADR 7.1 and ADR 7.2., where an application for entry clearance or leave to enter or remain does not otherwise meet all of the suitability requirements (subject to ADR 7.2) or does not meet all of the eligibility requirements in ADR 3.1 to ADR 6.4, the decision-maker must go on to consider, on the basis of the information provided by the applicant, whether there are exceptional circumstances which would render refusal a breach of Article 8. A breach will arise if such refusal would result in unjustifiably harsh consequences for the applicant, their partner, a relevant child or another family member whose Article 8 rights it is evident from that information would be affected by a decision to refuse the application. Where such a breach occurs, the Applicant will meet the Article 8 ECHR eligibility requirement.

A “relevant child” is a person under the age of 18 years at the date of application who, it is evident from the information provided by the applicant, would be affected by a decision to refuse the application.

Under [section 55 of the Borders, Citizenship and Immigration Act 2009](#) and under paragraph 7.1. of Appendix Adult Dependent Relative, the decision maker must take into account, as a primary consideration, the best interests of any relevant child in considering whether it would result in unjustifiably harsh consequences.

## Definition

“Exceptional circumstances” means circumstances which would render refusal of the application a breach of Article 8, because it would result in unjustifiably harsh consequences for the applicant, their partner, a relevant child or another family member whose Article 8 rights it is evident from the application would be affected.

“Exceptional” does not mean “unusual” or “unique”. Whilst all cases are to some extent unique, those unique factors do not generally render them exceptional. For example, a case is not exceptional just because the criteria set out in the Immigration Rules have been missed by a small margin.

Instead, “exceptional” means circumstances in which refusal of the application would result in unjustifiably harsh consequences for the individual or their family such that refusal would not be proportionate under Article 8.

“Unjustifiably harsh consequences” are ones which involve a harsh outcome or outcomes for the applicant or their family which is not justified by the public interest, including in maintaining effective immigration controls, preventing burdens on the taxpayer, promoting integration and protecting the public and the rights and freedoms of others.

This involves consideration of whether refusal would be proportionate, taking into account all the facts of the case and, as a primary consideration, the best interests of any relevant child. The case-law makes clear that where the applicant does not meet the requirements of the rules and has established their family life in “precarious” circumstances (for example when they have limited leave to enter or remain in the UK), something “very compelling” is required to outweigh the public interest in refusal. Likewise, where family life is formed or exists with a person outside the UK who has no right to enter the UK and does not meet the requirements of the rules for entry clearance, Article 8 does not require that they be granted entry, in the absence of such exceptional circumstances.

For further guidance, see the Family life (as a partner or parent), private life and exceptional circumstances guidance.

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# Grant of entry clearance

This section tells you about the leave to be issued to an applicant who meets the requirements of the Rules as an adult dependent relative (ADR).

## **Adult dependent relative of a British citizen or a person present and settled in the UK**

If the requirements of the ADR Rules are met (and whether or not there are exceptional circumstances as described under ADR 7.1, and ADR 7.2 does not apply) and the applicant's sponsor is a British citizen in the UK or a person present and settled in the UK, the applicant will be granted indefinite leave to enter (ILE).

## **Adult dependent relative of a person in the UK with protection status or an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix**

If the requirements of the ADR Rules are met (and whether or not there are exceptional circumstances as described under paragraph ADR 7.1 and ADR 7.2 does not apply) the application will be granted. If the applicant's sponsor is a person in the UK with protection status or an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix, the applicant will be granted entry clearance as an ADR of a duration which will expire at the same time as the sponsor's limited leave, and subject to a condition of no recourse to public funds.

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# Refusal of entry clearance

If the requirements of the adult dependent relative (ADR) Rules are not met (and there are no exceptional circumstances as described under paragraph ADR 7.1; or ADR 7.1 does apply but they do not meet the suitability requirements set out in paragraph ADR 7.2, the application for entry clearance as an ADR will be refused.

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## Further limited leave

If the applicant's sponsor is a person in the UK with limited permission to stay as a person with protection status or as an EEA national with limited permission to enter or stay granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix and the sponsor applies for and is granted further limited permission in that category, in accordance with ADR 9.2. the applicant may apply for further limited permission of the same duration. The applicant must continue to meet all the suitability and relevant eligibility requirements in accordance with ADR 8.1. Leave will be subject to a condition of no recourse to public funds.

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# Indefinite leave to remain

This section sets out how to consider applications for settlement from those in the UK with permission to stay as an adult dependent relative (ADR).

## Requirements for indefinite leave to remain as an adult dependent relative

The ADR Rules are set out in [Appendix ADR to the Immigration Rules](#).

The applicant must meet all of the requirements for settlement as an ADR as set out in sections ADR 10.1 to ADR 10.4

## Eligibility for settlement as an adult dependent relative

To qualify for settlement as an adult dependent relative all of the requirements of paragraphs ADR 12.1. must be met. This includes the requirement, at ADR 12.1 (b) or (d). that the applicant's sponsor must be either present and settled in the UK or have made an application for settlement.

These requirements are designed to provide a route to settlement for ADRs of sponsors with leave as a person with protection status or as an EEA national with limited permission to enter or stay granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix These individuals would have been granted limited leave to enter, rather than indefinite leave to enter, for a period of leave in line with their sponsor. Once their sponsors are eligible for settlement their ADR family members are also able to apply in line.

## Financial requirements

To meet the financial requirement set out in ADR 6.1 to 6.3., the applicant must be able to provide evidence to prove they can be adequately maintained, accommodated and cared for in the UK by the sponsor without recourse to public funds.

Information on the evidence required to meet the financial requirement is set out in Appendix FM and Adult Dependent Relative Adequate maintenance and accommodation. Details on how to consider this requirement are set out above, see: [Assessing the requirements](#)

As part of an application for settlement, in accordance with ADR 6.4., the applicant must provide an undertaking signed by their sponsor confirming that the applicant will have no recourse to public funds. The sponsor will be responsible for their maintenance, accommodation and care, for a period ending 5 years from the date the applicant entered the UK with limited leave as an adult dependent relative.

## Grant of leave

If the applicant meets all of the requirements, and the applicant's sponsor is settled in the UK, the applicant will be granted settlement under paragraph 9.1 of Appendix ADR.

If the applicant does not meet the requirements for settlement as an adult dependent relative for the reasons set out in paragraph ADR 11.5, the applicant may be granted further limited permission to stay as an adult dependent relative for a period not exceeding 30 months, and subject to a condition of no recourse to public funds under paragraph ADR 9.3.

If the applicant's sponsor has made an application for settlement and that application is refused, the applicant's application for settlement will be refused. If the sponsor is granted limited permission to stay, the applicant will be granted further limited permission to stay as an adult dependent relative of a duration which will expire at the same time as the sponsor's further limited permission to stay, and subject to a condition of no recourse to public funds under paragraph ADR 9.4

## Refusal of leave

Where the applicant does not meet the requirements for settlement or further limited permission to stay, the application will be refused under paragraph ADR 14.6 of Appendix ADR.

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