



Home Office

# Retired persons of independent means and their dependants

Version 12

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# About this guidance

This guidance tells you about the immigration route for retired persons of independent means and their dependants.

It is based on the Immigration Rules:

- [part 7, paragraphs 266 to 270](#) for main applicants
- [part 7, paragraphs 271 to 273F](#) for dependent partners
- [part 7, paragraphs 274 to 276](#) for dependent children

On 27 November 2008, the retired persons of independent means immigration category was closed to new entrants. This means applicants:

- cannot enter the UK in this category
- already here in a different category cannot switch into retired persons of independent means

People who are already in the UK as a retired person of independent means can apply:

- to extend their stay up to a maximum period of 5 years
- for indefinite leave to remain

Dependants of a person with leave in this category can enter the UK providing they meet the entry requirements.

## 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 Economic Migration 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 **12.0**
- published for Home Office staff on **15 January 2018**

## Changes from last version of this guidance

This version includes references to Immigration Bail which were added in the 11 January 2018 Immigration Rules.

It replaces the retired persons of independent means guidance version 11.0 which has been withdrawn and archived.

**Related content**

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## Key facts

This page shows you the key facts for the category retired person of independent means.

Key facts	Summary
Eligibility requirements	<p>Applicants must:</p> <ul style="list-style-type: none"> <li>• have arrived with a valid entry clearance as a retired person of independent means</li> <li>• have made the UK their main home</li> <li>• have under their control, and disposable in the UK, an income of their own of not less than £25,000 a year (net of any overseas or UK tax)</li> <li>• be able to demonstrate a close connection with the UK (close relatives or previous long periods of stay in the UK)</li> <li>• have maintained and accommodated themselves and any dependants without working, either here or abroad, and without recourse to public funds</li> </ul>
Application forms	<p>Application made outside UK – not applicable            Extension (within UK)– FLR(IR)            Indefinite leave to remain – SET(O)</p>
Cost of application:	See <a href="#">Fees for Home Office services</a>
Is biometric information required for applications made in the UK?	Yes
Code of leave to remain granted	Code 3
Conditions of leave to remain	<p>Leave to remain under this route is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• No work or recourse to public funds</li> </ul>
How long is leave to remain normally granted for?	Applications can be made to extend their stay up to a maximum of 5 years
Are dependants allowed?	Yes
Work and study allowed?	No working, but can study
Is switching allowed?	No
Does this category lead to indefinite leave to remain?	Yes
Is knowledge of language and life required?	No, not for the retired person or child dependant. Yes, for partners.
CID case type	Retired persons of inde.means – LTR

Key facts	Summary
	Retired persons of inde.means - ILR
Immigration Rules paragraphs	Part 7 paragraphs 266 to 270

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# Extension requirements

This page tells you what checks to make when considering an extension application for a retired person of independent means.

Before you consider awarding points to an application, you must check that:

- the application is valid
- the applicant's passport or travel document is genuine
- general grounds for refusal do not apply
- both the application and biometric information are registered and verified

## Requirements of paragraph 266

To be granted an extension of leave to remain as a retired person of independent means, an applicant must:

- have arrived in the UK with valid entry clearance as a retired person of independent means
- have made the UK their [main home](#)
- have a [minimum disposable income](#) of their own of £25,000 a year under their control in the UK (net of any overseas or UK tax)
- demonstrate a [close connection with the UK](#)
- have [maintained and accommodated](#) themselves and any dependants without working here or abroad and without using public funds
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed by the Immigration Rules will be disregarded

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[Grant or refuse an extension application](#)



# Grant or refuse an extension application

This page tells you how to grant or refuse leave to remain as a retired person of independent means.

## Granting leave to remain

If they meet all the requirements, you may grant leave to remain under paragraph 267 of the Immigration Rules.

### Casetype

The GCID case type is:

- Retired persons of Inde.means - LTR

### CID codes

The statistical code is:

- P1 POIM - Extn Per of IND Means. P1

## Refusing leave to remain

If any of the requirements of paragraph 266 are not met, you must refuse the application under paragraph 268 of the Immigration Rules.

### Casetype

The GCID case type is:

- Retired persons of Inde.means - LTR

### CID codes

The statistical code is:

- P5 POIM - Refusal Test not met. P5
- P6 POIM - Refusal No switching. P6
- P7 POIM - Refusal Other reasons. P7
- X3 – Other – extension other reasons

### Refusal wording

'You have applied for leave to remain in the United Kingdom as a retired person of independent means...'

<b>Reason and paragraph</b>	<b>Suggested wording</b>
No switching Paragraph 268 with reference to 266(i)	'...but the Secretary of State is not satisfied that you entered the United Kingdom with valid United Kingdom entry clearance as a retired person of independent means'.
Insufficient income Paragraph 268 with reference to 266(ii)(a)	'...but the Secretary of State is not satisfied that you have an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom'.
Maintenance and accommodation Paragraph 268 with reference to 266(ii)(b)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are able to maintain and accommodate yourself [and any dependants] indefinitely from your own resources with no assistance from any other person and without taking employment or having recourse to public funds'.
Close connection with the United Kingdom Paragraph 268 with reference to 266(ii)(c)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you can demonstrate a close connection with the United Kingdom'.
Intention not to live elsewhere Paragraph 268 with reference to 266(iii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have made the United Kingdom your main home'.

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[Extension requirements](#)

# Settlement requirements

This page tells you what checks to make when considering an indefinite leave to remain (settlement) application for a retired person of independent means.

Before you consider awarding points to an application, you must check that:

- the application is valid
- the applicant's passport or travel document is genuine
- general grounds for refusal do not apply
- both the application and biometric information are registered and verified

## Requirements of paragraph 269

To be granted an extension of leave to remain as a retired person of independent means, an applicant must:

- have spent a continuous period of 5 years lawfully in the UK in this capacity, with absences from the UK of no more than 180 days in any 12 calendar months during that period
- have met the requirements of paragraph 266 throughout the 5 year period and must continue to do so- they must:
  - have arrived in the UK with valid entry clearance as a retired person of independent means
  - have made the UK their [main home](#)
  - have a [minimum disposable income](#) of their own of £25,000 a year under their control in the UK (net of any overseas or UK tax)
  - demonstrate a [close connection with the UK](#)
  - have [maintained and accommodated](#) themselves and any dependants without working here or abroad and without using public funds
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed by the Immigration Rules will be disregarded

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[Grant or refuse a settlement application](#)

# Grant or refuse a settlement application

This page tells you how to grant or refuse an indefinite leave to remain (settlement) application for a retired person of independent means.

## Granting indefinite leave to remain

If they meet all the requirements, you may grant indefinite leave to remain under [paragraph 269](#) of the Immigration Rules.

### Casetype

The GCID case type is:

- Retired persons of Inde.means - ILR

### CID codes

The statistical codes are:

- 1FA POIM - Settl. 4 yrs. 1FA
- 1NA 4 Yrs aggregate of 2 or more of (1A-1F, 1H-1M). 1NA

## Refusing indefinite leave to remain

If any of the requirements of paragraph 269 are not met, you must refuse the application under paragraph 270 of the Immigration Rules.

### Casetype

The GCID case type is:

- Retired persons of Inde.means - ILR

### CID codes

The statistical codes are:

- XOTRSOA05 Other - Refusal Settl. Disposable income - XOTRSOA05
- XOTRSOA06 Other - Refusal Settl. Independent means (Work / Public funds) - XOTRSOA06
- XOTRSOA07 Other - Refusal Settl. Close connection in the UK - XOTRSOA07
- XOTRSOA08 Other - Refusal Settl. Continuous leave on this route - XOTRSOA08

- X7 Indefinite leave to remain refusal - premature or inappropriate application (applicant still has concurrent leave)
- XOTRSOA11 – Other – Refusal sett – unspent conviction – XOTRSOA11

## Refusal wording

'You have applied for indefinite leave to remain in the United Kingdom as a retired person of independent means...'

<b>Reason and paragraph</b>	<b>Suggested wording</b>
Not 5 years in category Paragraph 270 with reference to 269(i)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have spent a continuous period of five years in the United Kingdom in this capacity'.
Insufficient income throughout 5 years Paragraph 270 with reference to 269(ii), 266(ii) (a)	'...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you have had an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom throughout the five year period'.
Insufficient income in the future Paragraph 270 with reference to 269(ii), 266(ii) (a)	'...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you will continue to have an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom'.
Maintenance and accommodation throughout 5 years Paragraph 270 with reference to 269(ii), 266(ii) (b)	'...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you have been able to maintain and accommodate yourself [and your dependants] from your own resources with no assistance from any other person and without taking employment or having recourse to public funds throughout the five year period'.
Maintenance and accommodation in the future Paragraph 270 with reference to 269(ii), 266(ii) (b)	'...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you will continue to be able [and willing] to maintain and accommodate yourself [and your dependants] from your own resources with no assistance from any other person

	and without taking employment or having recourse to public funds’.
Close connection with the United Kingdom throughout 5 years Paragraph 270 with reference to 269(ii), 266(ii)(c)	‘...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you can demonstrate a close connection with the United Kingdom throughout the five year period’.
Close connection with the United Kingdom in the future Paragraph 270 with reference to 269(ii), 266(ii) (c)	‘...but although you have spent a continuous period of five years in the United Kingdom in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you will continue to have a close connection with the United Kingdom’.
Intention to live elsewhere throughout 5 years Paragraph 270 with reference to 269(ii) and 266(iii)	‘...but although you have spent a continuous period of five years in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you have made the United Kingdom your main home throughout the five year period’.
Intention to live elsewhere in the future Paragraph 270 with reference to 269(ii) and 266(iii)	‘...but although you have spent a continuous period of five years in this capacity in view of [insert details for the refusal...] the Secretary of State is not satisfied that you will continue to make the United Kingdom your main home’.

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# Making the UK their main home

This page tells you how to decide if an applicant has made the UK their main home.

You must check how long the applicant has spent in the UK and in their home country. They can have a home abroad, but their main home must be in the UK.

If it appears that the applicant still has a home abroad you must ask:

- how much time they have spent abroad
- the reasons for any absence

You must refuse the application if you are not satisfied that the explanation shows the applicant has made the UK their main home.

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# Minimum disposable income

This page tells you how to decide if an applicant has the minimum disposable income required.

The applicant's income must be:

- a source that provides guaranteed income, for example a pension or investment in shares
- actual income- it is not enough to show a capital sum of several hundred thousand pounds and say it will produce £25,000 a year in interest
- a sum not less than £25,000 a year brought into the UK, net of any overseas tax
- available for the applicant to use freely, with nobody else having a controlling interest in the money
- available so that the applicant can freely transfer all the income to the UK and convert it to sterling (if you have any doubt about the applicant's ability to transfer the money to the UK, you must ask for evidence of this), for example, a letter from the bank or authorities concerned

You may count income that belongs to the applicant's partner as being under the applicant's own control, as long as the partner is applying as a dependant at the same time. If the partner is also applying as a retired person of independent means, their money can only be counted for their own application.

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# Close connection with the UK

This page tells you how to decide if an applicant has a sufficiently close connection with the UK.

The 2 most common acceptable connections are:

- close relatives, for example, parents, children, brothers or sisters, already settled here- more distant relatives are only acceptable if they have recently formed an established part of the applicant's household, or if they are the closest surviving relatives of the applicant
- long, relatively recent periods of previous residence here, or lengthy periods of study in the UK

Extra factors that you can take into account as part of a close connection (although they do not show a close connection on their own) are:

- longstanding ownership of substantial property in the UK
- long periods of employment by the government of the UK or a British overseas territory
- employment with a UK company involving frequent business trips to this country
- past service to the UK resulting in the establishment of close contacts with this country
- letters of support from eminent British citizens, such as councillors, MPs or members of the clergy (prominent people in the community)

## What is not acceptable as a 'close connection' with the UK

British status that is not full British citizenship, does not count as close connection with the UK, for example:

- British subject status
- British overseas citizenship
- British overseas territories citizenship
- British protected person status

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# Maintenance and accommodation

This page tells you whether a retired person of independent means can be employed and the requirements to maintain and accommodate themselves without access to public funds.

## Can the applicant work?

The applicant must not be employed in any capacity or take an active interest in the running of any business in the UK or any other country. As long as this is the case, a person in this category can take short business trips to discuss business interests abroad. If you think the applicant wishes to take an active interest in overseas business, you must advise them of the Tier 1 (Investor) category of the rules.

A retired person of independent means can do a limited amount of voluntary charity work, if it is unpaid and part-time.

## Maintaining and accommodating themselves indefinitely

The applicant must be able to continue to earn the income after they have been granted indefinite leave to remain. You must check there is no indication in the supporting evidence that the income will stop.

Applicants must not claim the majority of public funds.

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# Dependants – entry requirements

This page tells you the requirements a partner or child must meet, to get leave to enter as the dependant of a retired person of independent means who is already in the UK in this category.

## Dependant partners

A partner applying for entry as the dependant of a retired person of independent means is covered by paragraph 271 of the Immigration Rules. The requirements are that:

- the applicant is the spouse, civil partner, unmarried or same-sex partner of a person with limited leave to enter or remain in the UK as a retired person of independent means
- each of the parties intends to live with the other as their partner during the applicant's stay and the relationship is subsisting
- there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively
- the parties will be able to maintain themselves and any dependants adequately without recourse to public funds
- the applicant does not intend to stay in the UK beyond any period of leave granted to their partner
- the applicant does not fall for refusal under general grounds for refusal
- the applicant holds a valid UK entry clearance for entry in this capacity

Additionally, if the applicant is an unmarried or same-sex partner:

- any previous marriage or civil partnership (or similar relationship) by either partner must have permanently broken down
- the parties must not be involved in a consanguineous relationship (that is, related by blood) with one another
- the parties must have been living together in a relationship akin to marriage or civil partnership which has subsisted for 2 years or more

## Dependant children

A child applying for entry as a dependant of a retired person of independent means in this category is covered by paragraph 274 of the Immigration Rules. The requirements are that:

- they are the child of a parent who has been admitted to, or allowed to remain in the UK as a retired person of independent means
- they are under the age of 18 or has current leave to enter or remain in this capacity

- they are unmarried and not a civil partner, have not formed an independent family unit and are not leading an independent life
- they can, and will, be maintained and accommodated adequately without recourse to public funds in accommodation which their parents own or occupy exclusively
- they will not stay in the UK beyond any period of leave granted to their parent or parents
- both parents are being, or have been admitted to or allowed to remain in the UK, save where one of the following applies:
  - the parent the child is accompanying or joining is their sole surviving parent
  - the parent the child is accompanying or joining has had sole responsibility for their upbringing
  - there are serious and compelling family or other considerations which make exclusion from the UK undesirable and suitable arrangements have been made for the child's care
- they hold a valid UK entry clearance for entry in this capacity

## Additional information

A partner of a retired person of independent means does not have to be over retirement age to enter in this category. But they are not allowed to work in the UK and neither normally are dependent children. In some circumstances you may use discretion for [dependent children](#) who wish to work or train.

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# Dependants - grant or refuse entry

This page tells you how to grant or refuse entry to the UK as the dependent partner or child of a retired person of independent means.

## Granting entry

You may grant leave to enter in line with the main applicant on code 3 if all the requirements of the relevant Immigration Rules have been met.

## Refusing entry

You must refuse entry when a passenger does not hold a valid UK entry clearance for entry in this capacity.

### Refusal wording – partner

‘You have applied for leave to enter the United Kingdom as the partner of a retired person of independent means...’

Reason and paragraph	Suggested wording
No entry clearance – non-visa national Paragraph 273	‘...but under the Immigration Rules you are required to have valid entry clearance for this purpose and you have no such entry’.

### Refusal wording – child

‘You have asked for leave to enter the United Kingdom as the child of a retired person of independent means...’

Reason and paragraph	Suggested wording
No entry clearance – non-visa national Paragraph 276	‘...but under the Immigration Rules you are required to have valid entry clearance for this purpose and you have no such entry’.

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# Dependants – leave to remain requirements

This page tells you the requirements a partner, or child must meet, to get leave to remain as the dependant of a retired person of independent means.

## Dependents partners

A partner applying for leave to remain as the dependant of a retired person of independent means is covered by paragraph 273 of the Immigration Rules. The requirements are that:

- they are the spouse, civil partner, unmarried or same sex partner of a person who:
  - has limited leave to enter or remain in the UK as a retired person of independent means
  - has indefinite leave to remain in the UK or has become a British citizen, and who had limited leave to enter or remain in the UK as a retired person of independent means immediately before being granted indefinite leave to remain
- each of the parties intends to live with the other as their partner during the applicant's stay and the relationship is subsisting
- there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively
- the parties will be able to maintain themselves and any dependants adequately without recourse to public funds
- the applicant does not intend to stay in the UK beyond any period of leave granted to their partner
- the applicant does not fall for refusal under general grounds for refusal

## Dependent children

A child applying for leave to remain as the dependant of a retired person of independent means is covered by paragraph 274 of the Immigration Rules. The requirements are that:

- they are either:
  - the child of a parent who has been admitted to, or allowed to remain in the UK as a retired person of independent means
  - for leave to remain applications, the child of a parent with indefinite leave to remain in the UK who held limited leave as a retired person of independent means immediately before being granted indefinite leave
- they are under the age of 18 or have current leave to enter or remain in this capacity

- they are unmarried and not a civil partner, have not formed an independent family unit and are not leading an independent life
- they can, and will, be maintained and accommodated adequately without recourse to public funds in accommodation which their parent or parents own or occupy exclusively
- they will not stay in the UK beyond any period of leave granted to their parent or parents
- both parents are being or have been admitted to or allowed to remain in the UK, save where one of the following applies:
  - the parent the child is accompanying or joining is their sole surviving parent
  - the parent the child is accompanying or joining has had sole responsibility for their upbringing
  - there are serious and compelling family or other considerations which make exclusion from the UK undesirable and suitable arrangements have been made for the child's care

## Switching

If the applicant did not enter the UK as the dependent partner or child of a retired person of independent means, you may allow the applicant to switch into this category.

You may do this if you are satisfied the applicant was not last granted:

- entry clearance or leave as a visitor
- temporary admission
- temporary release
- immigration bail where they would previously have been granted temporary admission or temporary release.

and they have not been in the UK in breach of immigration laws, except that any period of overstaying allowed by the immigration rules will be disregarded.

## Discretion – allowing dependent children to train

You can exercise discretion if the dependent child of a retired person of independent means asks to undertake training, providing the request is made after their first year of living in the UK. You must grant them code 4 conditions.

You must refuse a request for a child to work other than as a trainee. This is because it may show that the child is no longer dependent on their parents. But, after the first year if you are satisfied that the child remains dependent and it would be unreasonable to ban their employment, refer to a senior executive officer (SEO). They must decide if discretion can be used.

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[Dependants - grant or refuse leave to remain](#)

# Dependants - grant or refuse leave to remain

This page tells you how to grant or refuse leave to remain in the UK as the dependent partner or child of a retired person of independent means.

## Granting leave to remain

You may grant leave to remain in line with the main applicant on code 3 if all the requirements of the relevant Immigration Rules have been met.

## CID codes

The statistical codes are:

- P1S – Spouse of person of independent means
- P1C – Child of person of independent means

## Refusing leave to remain

When any of the requirements of paragraph 273A (for dependent partner) or 274 (for dependent child) are not met, you must refuse the application under:

- paragraph 273C (dependent partner)
- paragraph 276 (dependent child)

## CID codes

The statistical codes are:

- P5[S/C] Refusal – tests not met
- P6[S/C] Refusal – no switching
- P7[S/C] Refusal – other reasons

## Refusal wording – partner

‘You have applied for leave to remain in the United Kingdom as the partner of a retired person of independent means...’

Reason and paragraph	Suggested wording
Main applicant’s application refused – no switching	‘...but your partner’s application for leave to remain has been refused for the reason that [he/she] was not admitted to the United Kingdom with valid United



<b>Reason and paragraph</b>	<b>Suggested wording</b>
Paragraph 273 with reference to 271(i)	Kingdom entry clearance as a retired person of independent means’.
Main applicant’s application refused – other reasons Paragraph 273 with reference to 271(i)	‘...but your partner’s application for leave to remain has been refused’.
Not related as claimed Paragraph 273 with reference to 271(i)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are [the spouse, civil partner, unmarried or same sex partner of] a person admitted or allowed to remain in the United Kingdom as a retired person of independent means’.
Partner not in the UK or not in appropriate category within the UK Paragraph 273 with reference to 271(i)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are in a relationship with a person admitted or allowed to remain in the United Kingdom as a retired person of independent means’.
Relationship not subsisting Paragraph 273 with reference to 271(iii)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that the relationship is subsisting’.
Maintenance Paragraph 273 with reference to 271(iv) and (v)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you and your partner will be able to maintain yourselves and any dependants without recourse to public funds’.
Intention to leave Paragraph 273 with reference to 271(vi)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you do not intend to stay in the United Kingdom beyond any period of leave granted to your partner’.
No switching Paragraph 273 with reference to 271(vii)	‘...but the Secretary of State is not satisfied that you were last granted entry clearance or leave in a capacity other than a visitor or that you are in the United Kingdom in a capacity other than on temporary admission, temporary release, or immigration bail’.

## Refusal wording – child

‘You have applied for leave to remain in the United Kingdom as the child of a retired person of independent means...’

Reason and paragraph	Suggested wording
Parent’s application refused – no switching Paragraph 276 with reference to 274(i)	‘...but your [mother/ father]’s application for leave to remain has been refused for the reason that [he/she] was not admitted to the United Kingdom with valid United Kingdom entry clearance as a retired person of independent means’.
Parent’s application refused – other reasons Paragraph 276 with reference to 274(i)	‘...but your [mother/ father]’s application for leave to remain has been refused’.
Not related as claimed Paragraph 276 with reference to 274(i)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are the child of a parent admitted to or allowed to remain in the United Kingdom as a retired person of independent means’.
Parent not in the UK or not in appropriate category within the UK Paragraph 276 with reference to 274(i)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are the child of a parent admitted to or allowed to remain in the United Kingdom as a retired person of independent means’.
Over age Paragraph 276 with reference to 274(ii)	‘...but [as you were born on.../ as you have failed to produce [satisfactory] evidence of your date of birth], the Secretary of State is not satisfied that you are under the age of 18 or that you have current leave to enter or remain in this capacity’.
Married or civil partner Paragraph 276 with reference to 274(iii)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are unmarried/ not in a civil partnership’.
Independent family unit Paragraph 276 with reference to 274(iii)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have not formed an independent family unit’.

<b>Reason and paragraph</b>	<b>Suggested wording</b>
Maintenance and accommodation Paragraph 276 with reference to 274(iv)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which your [mother/father/parents] own[s] or [occupy/occupies] exclusively'.
Not accompanying both parents Paragraph 276 with reference to 274(vi)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that both your parents have been admitted to or allowed to remain in the United Kingdom, or that the parent you are to accompany is your sole surviving parent or has had sole responsibility for your upbringing, or that there are serious and compelling family or other considerations which make your exclusion from the United Kingdom desirable'.
No switching Paragraph 276 with reference to 274(vii)	'...but the Secretary of State is not satisfied that you were admitted to the United Kingdom with valid entry clearance in this capacity'.

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[Dependants - leave to remain requirements](#)

# Dependants – settlement requirements

This page tells you the requirements a partner or child must meet to get indefinite leave to remain as the dependant of a retired person of independent means.

## Dependant partner

A partner applying for indefinite leave to remain as the dependant of a retired person of independent means is covered by paragraph 273D of the Immigration Rules. The requirements are that:

- they are the spouse, civil partner, unmarried or same-sex partner of a person who:
  - has limited leave to enter or remain in the UK as a retired person of independent means
  - has indefinite leave to remain in the UK or has become a British citizen, and who had limited leave to enter or remain in the UK as a retired person of independent means immediately before being granted indefinite leave to remain
- each of the parties intends to live with the other as their partner during the applicant's stay, and the relationship is subsisting
- there will be adequate accommodation for the parties and any dependants without recourse to public funds, in accommodation which they own or occupy exclusively
- the parties will be able to maintain themselves and any dependants adequately without recourse to public funds
- they do not intend to stay in the UK beyond any period of leave granted to their partner
- they do not fall for refusal under general grounds for refusal
- they have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK
- they were not last granted:
  - entry clearance or leave as a visitor, short-term student or short-term student (child)
  - temporary admission
  - temporary release
  - temporary release or immigration bail where they would previously have been granted temporary admission or temporary release
- they must not be in the UK in breach of immigration laws except that any period of overstaying allowed by the immigration rules will be disregarded

## Dependant child

A child applying for indefinite leave as the dependant of a retired person of independent means is covered by paragraph 275 of the Immigration Rules. The requirements are that:

- they are either:
  - the child of a parent with limited leave to enter or remain in the UK as a retired person of independent means who is, at the same time, being granted indefinite leave to remain
  - the child of a parent who has indefinite leave to remain in the UK and who had limited leave under as a retired person of independent means immediately before being granted indefinite leave
- they are under the age of 18 or have current leave to enter or remain in this capacity
- they are unmarried and are not a civil partner, have not formed an independent family unit and are not leading an independent life
- they can and will be maintained and accommodated adequately without recourse to public funds in accommodation which their parent or parents own or occupy exclusively
- they will not stay in the UK beyond any period of leave granted to their parents
- both parents are being or have been admitted to or allowed to remain in the UK, save where:
  - the parent the child is accompanying or joining is their sole surviving parent
  - the parent the child is accompanying or joining has had sole responsibility for his or her upbringing
  - there are serious and compelling family or other considerations which make exclusion from the UK undesirable and suitable arrangements have been made for the child's care
- they must not be in the UK in breach of immigration laws except that any period of overstaying allowed by the immigration rules will be disregarded
- if aged 18 or over, they have sufficient knowledge of the English language and sufficient knowledge about life in the UK
- the main applicant is being granted indefinite leave to remain at the same time, or already has indefinite leave to remain and the applicant has continued to have limited leave as their dependant because they were over 18 and could not meet the Life in the UK requirement

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[Dependants - grant or refuse settlement](#)

# Dependants - grant or refuse settlement

This page tells you how to grant or refuse indefinite leave to remain (settlement) in the UK as the dependent partner or child of a retired person of independent means.

## Granting indefinite leave to remain

You may grant indefinite leave to remain in line with the main applicant if all the requirements of the relevant Immigration Rules have been met.

## CID codes

The statistical codes are:

- 1FS - POIM - settl.4yrs. 1FS
- 1NC - 4 Yrs aggregate of 2 or more (1A-1F, 1H-1M). 1NS
- 1FC - POIM - settl.4yrs.1FC
- 1NC - 4 Yrs aggregate of 2 or more of 1A-1F, 1H-1M). 1NC

## Refusing indefinite leave to remain

If any of the requirements of paragraph 273E (for dependent partner) or 275 (for dependent child) are not met, you must refuse the application under:

- paragraph 273F (dependent partner)
- paragraph 276 (dependent child)

## CID codes – partner

The statistical codes are:

- XOTRSOS05 Other - Refusal Settl. Disposable income - XOTRSOS05
- XOTRSOS06 Other - Refusal Settl. Independent means (Work/Public funds) - XOTRSOS06
- XOTRSOS07 Other - Refusal Settl. Close connection in the UK - XOTRSOS07
- XOTRSOS08 Other - Refusal Settl. Continuous leave on this route - XOTRSOS08
- XOTRSOS11 Other - Refusal sett - unspent conviction - XOTRSOS11
- X7S Indefinite leave to remain refusal – premature or inappropriate application (applicant still has concurrent leave)

## CID codes - dependent child

The statistical codes are:

- XOTRSOC05 Other - Refusal Settl. Disposable income - XOTRSOC05
- XOTRSOC06 Other - Refusal Settl. Independent means (Work/Public funds) - XOTRSOC06
- XOTRSOC07 Other - Refusal Settl. Close connection in the UK - XOTRSOC07
- XOTRSOC08 Other - Refusal Settl. Continuous leave on this route - XOTRSOC08
- XOTRSOC11 Other - Refusal sett - unspent conviction - XOTRSOC11
- X7 Indefinite leave to remain refusal – premature or inappropriate application (applicant still has concurrent leave)

## Refusal wording – partner

‘You have applied for indefinite leave to remain in the United Kingdom as the partner of a retired person of independent means...’

<b>Reason and paragraph</b>	<b>Suggested wording</b>
No switching Paragraph 273F with reference to paragraph 273D(v)	‘...but the Secretary of State is not satisfied that you were last granted entry clearance or leave in a capacity other than a visitor or that you are in the United Kingdom in a capacity other than on temporary admission, temporary release or immigration bail.’
Main applicant’s application refused – no switching Paragraph 273F with reference to 273D(i) and 273D(ii)	‘...but your partner’s application for indefinite leave to remain has been refused for the reason that [he/she] was not admitted to the United Kingdom with a valid United Kingdom entry clearance as a retired person of independent means’.
Main applicant’s application refused – other reasons Paragraph 273F with reference to 273D(i) and 273D(ii)	‘...but your partner’s application for indefinite leave to remain has been refused’.
Not related as claimed Paragraph 273 with reference to 271(i)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied you are in a relationship with a person admitted or allowed to remain in the United Kingdom as a retired person of independent means’.
Partner not in the UK	‘...but in view of [insert details for the refusal ...] the

<b>Reason and paragraph</b>	<b>Suggested wording</b>
or not in appropriate category within the UK Paragraph 273 with reference to 271(i)	Secretary of State is not satisfied that you are in a relationship with a person admitted or allowed to remain in the United Kingdom as a retired person of independent means’.
Intention to live as partners Paragraph 273 with reference to 271(iii)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you and your partner intend to live with each other as partners’.
Relationship not subsisting Paragraph 273 with reference to 271(iii)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that the relationship is subsisting’.
Accommodation Paragraph 273 with reference to 271(iv)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that there will be adequate accommodation for you and your partner and any dependants without recourse to public funds in accommodation which you both own or occupy exclusively’.
Maintenance Paragraph 273 with reference to 271(v)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied you and your partner will be able to maintain yourselves and any dependants adequately without recourse to public funds’.
Intention to leave Paragraph 273 with reference to 271(vi)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied you do not intend to stay in the United Kingdom beyond any period of leave granted to your partner’.
Knowledge of English language and knowledge about life requirements Paragraph 273 (vii)	‘...but in view of the fact that you [insert full reasons for refusal...] the Secretary of State is not satisfied that you have sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom in accordance with Appendix KoLL’.

## Refusal wording – child

‘You have applied for indefinite leave to remain in the United Kingdom as the child of a retired person of independent means...’



<b>Reason and paragraph</b>	<b>Suggested wording</b>
No switching Paragraph 276 with reference to 274(vii)	'...but the Secretary of State is not satisfied that you were admitted to the United Kingdom with valid entry clearance for entry in this capacity'.
Parent's application refused – no switching Paragraph 276	'...but your [mother/ father]'s application for indefinite leave to remain has been refused for reason that [he/she] was not admitted to the United Kingdom with valid United Kingdom entry clearance as a retired person of independent means'.
Parent's application refused – no switching Paragraph 276	'...but your [mother/father]'s application for leave to remain has been refused for the reason that [he/she] was not admitted to the United Kingdom with valid United Kingdom entry clearance as a retired person of independent means'.
Parent's application refused – other reasons Paragraph 276	'...but your [mother/father]'s application for leave to remain has been refused.'
Not related as claimed Paragraph 276 with reference to 274(i)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are the child of a parent admitted to or allowed to remain in the United Kingdom as a retired person of independent means"
Over age Paragraph 276 with reference to 274(ii)	'...but [as you were born on.../as you have failed to produce [satisfactory] evidence of your date of birth] the Secretary of state is not satisfied that you are under the age of 18'.
Not in a partnership Paragraph 276 with reference to 274(iii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are not in a partnership'.
Independent family unit Paragraph 276 with reference to 274(iii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have not formed an independent family unit'.
Maintenance and accommodation Paragraph 276 with reference to 274(iv)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which your [mother/father/parents] own[s] or

Reason and paragraph	Suggested wording
	[occupy/occupies] exclusively’.
Intention to leave Paragraph 276 with reference to 274(v)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you will not stay in the United Kingdom beyond any period of leave granted to your [mother/father/parents]’.
Not accompanying both parents  Paragraph 276 with reference to 274 (vi)	‘...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that both your parents have been admitted to or allowed to remain in the United Kingdom, or that the parent you are to accompany is your sole surviving parent or has had sole responsibility for your upbringing, or that there are serious and compelling family or other considerations which make your exclusion from the United Kingdom undesirable’.

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