STATEMENT OF
CHANGES IN
IMMIGRATION RULES

Presented to Parliament pursuant to section 3(2) of
the Immigration Act 1971

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(This document is accompanied by an Explanatory Memorandum)
STATEMENT OF CHANGES IN IMMIGRATION RULES


1 This Statement of Changes can be viewed at https://www.gov.uk/government/collections/immigration-rules-statement-of-changes
Implementation

The changes to Part 11 and Appendix FM set out in this statement shall take effect on 6 April 2018 and will apply to all decisions made on or after that date.

The other changes set out in this statement shall take effect on 6 April 2018. However, in relation to those changes, if an application has been made for entry clearance or leave to enter or remain before 6 April 2018, the application will be decided in accordance with the Immigration Rules in force on 5 April 2018.

Changes to Part 11

11.1 Delete paragraph 345(A)(i) and replace with:

“(i) another Member State has granted refugee status or subsidiary protection;”.

Changes to Appendix FM

FM1. In paragraph R-ILRP.1.1.1(c) after “remain;” insert “and”.

FM2. In paragraph R-ILRP.1.1., delete sub-paragraph (d).

FM3. After paragraph E-ILRP.1.3. (1)(b)(iii) insert:

“(1A) In respect of an application falling within sub-paragraph (1)(a) above, the applicant must meet all of the requirements of Section E-LTRP: Eligibility for leave to remain as a partner (except that paragraph E-LTRP.1.2. cannot be met on the basis set out in sub-paragraph (c) of that paragraph, and in applying paragraph E-LTRP.3.1.(b)(ii) delete the words “2.5 times”).

(1B) In respect of an application falling within sub-paragraph (1)(b) above:

(a) the applicant must meet all of the requirements of paragraphs E-LTRP.1.2.-1.12. (except that paragraph E-LTRP.1.2. cannot be met on the basis set out in sub-paragraph (c) of that paragraph) and E-LTRP.2.1 - 2.2.; and

(b) paragraph EX.1. must apply.”.
FM4. In paragraph R-ILRPT.1.1.(c) after “remain;” insert “and”.

FM5. In paragraph R-ILRPT.1.1., delete sub-paragraph (d).

FM6. For E-ILRPT.1.3. substitute:

“E-ILRPT.1.3. (1) The applicant must, at the date of application, have completed a continuous period of either:

(a) at least 60 months in the UK with:

(i) leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1.; or

(ii) limited leave to remain as a parent granted under paragraph D-LTRPT.1.1.; or

(iii) a combination of (i) and (ii);

or

(b) at least 120 months in the UK with:

(i) leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1. or D-ECPT.1.2.; or

(ii) limited leave to remain as a parent granted under paragraph D-LTRPT.1.1. or D-LTRPT.1.2.; or

(iii) a combination of (i) and (ii).

(1A) In respect of an application falling within sub-paragraph (1)(a) above, the applicant must meet all of the requirements of Section E-LTRPT: Eligibility for leave to remain as a parent.

(1B) In respect of an application falling within sub-paragraph (1)(b) above:

(a) the applicant must meet all of the requirements of paragraphs E-LTRPT.2.2.-2.4. and E-LTRPT.3.1.-3.2.; and

(b) paragraph EX.1. must apply.”.

Changes to Appendix V
V1. In Appendix 5 to Appendix V, in paragraph 1, for sub-paragraph (a) to (rr), substitute:

“
(a) Aberdeen International Youth Festival
(b) Africa Utopia (Southbank Centre)
(c) Alchemy (Southbank Centre)
(d) Aldeburgh Festival
(e) Barbican Festivals (Only Connect, Summer Festival, Autumn 1, Autumn 2)
(f) Barclaycard presents British Summer Time Hyde Park
(g) Belfast International Arts Festival
(h) Bestival
(i) Billingham International Folklore Festival of World Dance
(j) BoomTown Fair
(k) Breakin’ Convention
(l) Brighton Festival
(m) Brighton Fringe
(n) Brouhaha International Street Festival
(o) Cambridge Folk Festival
(p) Camp Bestival
(q) Celtic Connections
(r) Cheltenham Festivals (Jazz/Science/Music/Literature)
(s) Common People
(t) DaDaFest International
(u) Dance Umbrella
(v) Download
(w) Edinburgh Festival Fringe
(x) Edinburgh International Festival
(y) Edinburgh Jazz and Blues Festival
(z) Glasgow International Jazz Festival
(aa) Glyndebourne
(bb) Greenbelt
(cc) Harrogate International Festivals
(dd) Hay Festival
(ee) Huddersfield Contemporary Music Festival
(ff) Latitude
(gg) Leeds Festival
(hh) LIFT (London International Festival of Theatre)
(ii) Llangollen International Musical Eisteddfod
(jj) London Jazz Festival (EFG)
(kk) Meltdown (Southbank Centre)
(ll) Norfolk and Norwich Festival
(mm) Reading Festival
(nn) RiZE
(oo) Snape Proms
(pp) The Royal Edinburgh Military Tattoo
(qq) Wireless
(rr) WOMAD
(ss) WWE Live."