

# STATEMENT OF CHANGES IN IMMIGRATION RULES

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

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15 March 2018*

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## **<sup>1</sup>STATEMENT OF CHANGES IN IMMIGRATION RULES**

The Home Secretary has made the changes hereinafter stated in the rules laid down by her as to the practice to be followed in the administration of the Immigration Acts for regulating entry into and the stay of persons in the United Kingdom and contained in the statement laid before Parliament on 23 May 1994 (HC 395) as amended. The amending statements were laid before, or presented to, Parliament on 20 September 1994 (Cm 2663), 26 October 1995 (HC 797), 4 January 1996 (Cm 3073), 7 March 1996 (HC 274), 2 April 1996 (HC329), 29 August 1996 (Cm 3365), 31 October 1996 (HC 31), 27 February 1997 (HC 338), 29 May 1997 (Cm 3669), 5 June 1997 (HC 26), 30 July 1997 (HC 161), 11 May 1998 (Cm 3953), 7 October 1998 (Cm 4065), 18 November 1999 (HC 22), 28 July 2000 (HC 704), 20 September 2000 (Cm 4851), 28 August 2001 (Cm 5253), 16 April 2002 (HC 735), 27 August 2002 (Cm 5597), 7 November 2002 (HC 1301), 26 November 2002 (HC 104), 8 January 2003 (HC 180), 10 February 2003 (HC 389), 31 March 2003 (HC 538), 30 May 2003 (Cm 5829), 24 August 2003 (Cm 5949), 12 November 2003 (HC 1224), 17 December 2003 (HC 95), 12 January 2004 (HC 176), 26 February 2004 (HC 370), 31 March 2004 (HC 464), 29 April 2004 (HC523), 3 August 2004 (Cm 6297), 24 September 2004 (Cm 6339), 18 October 2004 (HC 1112), 20 December 2004 (HC 164), 11 January 2005 (HC 194), 7 February 2005 (HC 302), 22 February 2005 (HC 346), 24 March 2005 (HC 486), 15 June 2005 (HC 104), 12 July 2005 (HC 299), 24 October 2005 (HC 582), 9 November 2005 (HC 645), 21 November 2005 (HC 697), 19 December 2005 (HC 769), 23 January 2006 (HC 819), 1 March 2006 (HC 949), 30 March 2006 (HC 1016), 20 April 2006 (HC 1053), 19 July 2006 (HC 1337), 18 September 2006 (Cm 6918), 7 November 2006 (HC 1702), 11 December 2006 (HC 130), 19 March 2007 (HC 398), 3 April 2007 (Cm 7074), 4 April 2007 (Cm 7075), 7 November 2007 (HC 28), 13 November 2007 (HC 40), 19 November 2007 (HC 82), 6 February 2008 (HC 321), 17 March 2008 (HC 420), 9 June 2008 (HC 607), 10 July 2008 (HC 951), 15 July 2008 (HC 971), 4 November 2008 (HC 1113), 9 February 2009 (HC 227), 9 March 2009 (HC 314), 24 April 2009 (HC 413), 9 September 2009 (Cm 7701), 23 September 2009 (Cm 7711), 10 December 2009 (HC 120), 10 February 2010 (HC 367), 18 March 2010 (HC 439), 28 June 2010 (HC 59), 15 July 2010 (HC 96), 22 July 2010 (HC 382), 19 August 2010 (Cm 7929), 1 October 2010 (Cm 7944), 21 December 2010 (HC 698), 16 March 2011 (HC 863), 31 March 2011 (HC 908), 13 June 2011 (HC 1148), 19 July 2011 (HC 1436), 10 October 2011 (HC 1511), 7 November 2011 (HC 1622), 8 December 2011 (HC 1693), 20 December 2011 (HC 1719), 19 January 2012 (HC 1733), 15 March 2012 (HC 1888), 4 April 2012 (Cm 8337), 13 June 2012 (HC 194), 9 July 2012 (HC 514), 19 July 2012 (Cm 8423), 5 September 2012 (HC 565), 22 November 2012 (HC 760), 12 December 2012 (HC 820), 20 December 2012 (HC 847), 30 January 2013 (HC 943), 7 February 2013 (HC 967), 11 March 2013 (HC 1038), 14 March 2013 (HC 1039), 9 April 2013 (Cm 8599), 10 June 2013 (HC 244), 31 July 2013 (Cm 8690), 6 September 2013 (HC 628), 9 October 2013 (HC 686), 8 November 2013 (HC 803), 9 December 2013 (HC 887), 10 December 2013 (HC 901), 18 December 2013 (HC 938), 10 March 2014

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

(HC 1130), 13 March 2014 (HC 1138), 1 April 2014 (HC 1201), 10 June 2014 (HC 198), 10 July 2014 (HC 532), 16 October 2014 (HC 693), 26 February 2015 (HC 1025), 16 March 2015 (HC1116), 13 July 2015 (HC 297), 17 September 2015 (HC 437), 29 October 2015 (HC535), 11 March 2016 (HC 877), 3 November 2016 (HC 667), 16 March 2017 (HC 1078), 20 July 2017 (HC 290), and 7 December 2017 (HC 309).

## **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.(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.”.

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