



Home Office

The Coronavirus Extension Concession (CEC) and the Exceptional Assurance Concession

Version 1.0

Contents

Contents.....	2
About this guidance.....	3
Contacts	3
Publication.....	3
Changes from last version of this guidance	3
Background.....	4
The Coronavirus Extension Concession Period: 24 January 2020 to 31 July 2020	4
Grace period: 1 August 2020 to 31 August 2020	5
Example 1.....	5
Example 2.....	5
Example 3.....	6
The Exceptional Assurance Concession: 1 September 2020 to 28 February 2023	6
Example 1.....	7
Example 2.....	7
How to casework applications relying on a period of exceptional assurance to meet the qualifying period for settlement	7
Example 1: Long Residence application	7
Refusal paragraph: qualifying period not met due to period of exceptional assurance.....	8
Exceptional Assurance and permission extended by section 3C Immigration Act 1971 ('s.3C').....	8
How to consider time where an applicant had a pending request for exceptional assurance.....	8
Example.....	8
How to consider applications with overstaying after the expiry of exceptional assurance.....	9
Example.....	9

About this guidance

This guidance is for caseworkers on how to consider applications for entry clearance, permission to stay or settlement following a grant of the Coronavirus Extension Concession (CEC) or the Exceptional Assurance (EA) Concession. It also tells caseworkers how to consider time where an applicant had a pending request for exceptional assurance in settlement applications (so how to consider this time for the purposes of considering whether an applicant for settlement meets a continuous qualifying period requirement).

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 Simplification and Systems Unit.

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 **1.0**
- published for Home Office staff on **09 April 2024**

Changes from last version of this guidance

This is new guidance.

Related content

[Contents](#)

Background

The Covid-19 pandemic was an unprecedented event which led to the closure of borders across the world. The Home Office needed to respond to this to ensure that individuals in the UK did not face uncertainty of their immigration status because of circumstances outside of their control. Namely, those people whose immigration status had expired, or was due to expire, during the covid period but who could not leave the UK.

There were 2 key phases to the policy introduced:

- The Coronavirus Extension Concession Period - 24 January 2020 to 31 July 2020 (with a grace period until 31 August 2020)
- The Exceptional Assurance Concession (including short term assurance) - 1 September 2020 to 28 February 2023

The Coronavirus Extension Concession Period: 24 January 2020 to 31 July 2020

As a result of Covid-19 global travel restrictions and/or self-isolation, some people who had permission to be in the UK were unable to leave the UK when that permission expired. To avoid affected individuals being considered overstayers due to circumstances beyond their control, the Home Office made a series of policy announcements under the “Coronavirus Extension Concession”.

Published guidance during this period can be found at:

Date archived	Link
Archived on 18 March 2020	https://webarchive.nationalarchives.gov.uk/ukgwa/20200318115327/mp_/https://www.gov.uk/guidance/coronavirus-immigration-guidance-if-youre-unable-to-return-to-china-from-the-uk
Archived on 13 May 2020	https://webarchive.nationalarchives.gov.uk/ukgwa/20200513163843/https://www.gov.uk/government/news/visas-extended-for-those-currently-unable-to-return-home-due-to-covid-19
Archived on 09 June 2020	https://webarchive.nationalarchives.gov.uk/ukgwa/20200609151757/https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents

The Coronavirus Extension Concession automatically extended the permission of people who were in the UK which would otherwise have expired during the period 24 January 2020 to 31 July 2020. The concession operated outside the Immigration Rules. The Immigration Act 1971 enables the Home Secretary to exercise discretion to extend leave outside of the Immigration Rules in exceptional circumstances.

Grace period: 1 August 2020 to 31 August 2020

Following the ending of the Coronavirus Extension Concession on 31 July 2020, the Home Office gave a grace period between 1 August to 31 August 2020 to allow individuals time to make arrangements to leave the UK. During this period, individuals would not be subject to the sanctions that applied to overstayers, and the conditions of the persons stay in the UK were to be the same as the conditions of their previous leave. If their previous conditions allowed them to work, study or rent accommodation they could continue to do so during this grace period, ahead of leaving the UK.

In October 2020, [paragraph 39E](#) of the Immigration Rules was amended with the effect that overstaying between 24 January 2020 to 31 August 2020 is to be disregarded.

This means people who overstayed during this period would not be penalised for overstaying when the situation was out of their control due to Covid-19, and no immigration enforcement action would be undertaken for these individuals in relation to this overstaying. In accordance with Appendix Continuous Residence, periods covered by 39E do not break a person's continuous residence.

[Appendix Continuous Residence](#) now recognises time spent in the UK during this grace period as lawful presence for the purposes of subsequent settlement applications, where an applicant's leave expired immediately before, or during, the grace period. Time spent in the UK during the grace period also does not break continuous residence.

Example 1

A student's permission expired on 31 March 2020, but they were unable to leave the UK on or before that date due to a combination of needing to self-isolate due to Covid illness, and global travel restrictions. The student left the UK on 25 August 2020, during the grace period. The student's visa/permission is considered to have been extended under the Coronavirus Extension Concession up to 31 July 2020. The time they spent in the UK during the grace period between 1 August 2020 to 25 August 2020 counts as lawful presence and counts toward the qualifying period in any subsequent applications for settlement.

Example 2

A non-visa national visitor came to the UK in January 2020 and their leave expired on 15 July 2020, but they could not leave the UK on or before that date due to Covid illness. They were able to leave the UK on 31 August 2020 when they had recovered.

This visitor is covered by paragraph 39E of the Immigration Rules, which state that any overstaying between 24 January to 31 August 2020 would be disregarded.

Example 3

A visitor's permission in the UK expired on 8 January 2020, prior to the introduction of the Coronavirus Extension Concession. They later applied for permission as a Skilled Worker on 28 August 2020.

As this person's leave had expired before 24 January 2020, they are only covered by paragraph 39E of the Immigration Rules for some of their total period of overstaying; only the overstaying during the period 24 January to 31 August 2020 is disregarded. Their Skilled Worker application is refused due to previous overstaying from 8 January to 23 January 2020.

The Exceptional Assurance Concession: 1 September 2020 to 28 February 2023

Exceptional assurance was introduced on 1 September 2020 as a response to ongoing international travel disruption caused by the Covid-19 pandemic. It followed the Coronavirus Extension Concession and the grace period which had come to an end.

Exceptional assurance offered individuals a short-term protection against any adverse action or consequences after their permission had expired, where they were unable to leave the UK due to Covid-19.

It was an assurance given upon successful request to the Home Office. Individuals were required to email the Home Office's Coronavirus Immigration Team (CIT) providing details including their full name, date of birth, and the reason(s) for requesting an exceptional assurance. Exceptional assurance did not grant any form of immigration permission to individuals, but instead prevented current or future adverse consequences from overstaying during the period of assurance given.

Where there were Covid-19 travel restrictions in place or another reason to prevent them leaving the UK, such as self-isolation required due to Covid-19, a person was granted exceptional assurance for a period of ten weeks. If there were no travel restrictions or other reasons for being unable to leave the UK, requestors were given a short-term period of assurance referred to as a short-term assurance, for a period of two weeks, to allow them time to leave the UK.

The policy intent was that during a period with exceptional assurance or short-term assurance the holder would not be regarded as an overstayer or suffer any detriment in future applications relating to that period. Those granted exceptional or short-term assurance were informed they could apply for permission to stay or leave the UK before the expiry of their assurance.

Where a request for exceptional assurance was approved, the requestor was issued a letter confirming they had been granted an exceptional assurance or short-term assurance that would allow the requestor to stay in the UK until a specified date, upon which the assurance would end. A person could be granted multiple consecutive exceptional assurances, so a person could request exceptional

assurances consecutively between September 2020 and February 2023, until such a time that they were able to leave the UK.

Paragraph 39E(5) of the Immigration Rules was amended so that overstaying during periods where the person held an exceptional assurance or short-term assurance will be disregarded and will not break continuous residence. This period however does not count as lawful presence.

The case types created on CID are:

- CV – Assurance
- CV - Exceptional Extension

Example 1

A student's visa expired on 20 September 2020, and they intended to leave the UK to return to their home country. However, because of Covid-19 travel restrictions they could not leave the UK, so they requested consecutive exceptional assurances until such time as travel restrictions eased and they were able to return to their home country.

The period of overstaying for which they had exceptional assurance is disregarded, but the grant of exceptional assurance does not count as permission.

Example 2

A visa national visitor fell ill with Covid-19 during their visit and was therefore unable to leave the UK to return to their home country as planned, prior to the expiry of their visitor visa. Before their visa expired, they requested an exceptional assurance, and subsequently continued to request consecutive periods of exceptional assurance until they had recovered and were able to travel.

The period of overstaying for which they had exceptional assurance is disregarded, but the grant of exceptional assurance does not count as permission.

How to casework applications relying on a period of exceptional assurance to meet the qualifying period for settlement

An applicant cannot rely on any periods with exceptional assurance or short-term assurance to count towards the qualifying period for settlement on any route.

Example 1: Long Residence application

An individual entered the UK as a student and had been in the UK for 8 years with their latest individual permission having expired on 2 February 2021. Due to Covid-19 travel restrictions preventing them from leaving the UK, the student applied for,

and was granted successive periods of exceptional assurance from 2 February 2021 to 9 December 2022.

On 7 December 2022 the applicant applied for settlement under the Long Residence route, seeking to count time in the UK with exceptional assurances in 2021 and 2022 for the purposes of the Long Residence requirement to have a continuous 10-year qualifying period of lawful residence in the UK.

The applicant does not meet the 10-year qualifying period, as time spent in the UK during periods of exceptional assurance does not count towards the qualifying period for settlement.

While time with exceptional assurance does not count towards a qualifying period for settlement, in accordance with paragraph 39E(5), the applicant will not be considered an overstayer during the period they held exceptional assurance.

Refusal paragraph: qualifying period not met due to period of exceptional assurance

[Your application for settlement under the [route] route has been refused as you have not met the qualifying period.] Time in the UK with exceptional assurance does not count towards the qualifying period for settlement. Exceptional assurance is not a grant of permission.

Exceptional Assurance and permission extended by section 3C Immigration Act 1971 ('s.3C')

Exceptional Assurance and permission extended by section 3C are distinct. Exceptional assurance provided temporary assurance to people who could not leave the UK due to Covid-19 related travel restrictions or self-isolation. Section 3C is set out in primary legislation and extends current permission where an in-time application is made, and the current permission expires without the application being decided. For further guidance on section 3C see Leave extended by section 3C (and leave extended by section 3D in transitional cases).

How to consider time where an applicant had a pending request for exceptional assurance

Time between an applicant's request for exceptional assurance being submitted and it being granted should be considered as if the applicant held exceptional assurance from the date of request.

Example

An individual's permission expired on 31 March 2021, and they applied for an exceptional assurance on 25 March 2021. An exceptional assurance was granted on 8 April 2021, valid until 30 June 2021.

The applicant will not be considered an overstayer during the period 1 to 7 April 2021 as the applicant had a pending application of exceptional assurance during this period which was subsequently granted. During this time, the applicant continued to have the conditions of their most recently expired permission.

How to consider applications with overstaying after the expiry of exceptional assurance

For guidance on how to consider applications with overstaying in the UK after the expiry of a grant of exceptional assurance, see Applications from overstayers.

Example

An applicant's permission expired on 1 March 2021. Successive periods of exceptional assurance were granted from 16 February 2021 until 30 June 2022. The applicant applied for permission as a Skilled Worker on 18 July 2022. The applicant will be considered to have overstayed from 1 July 2022. The applicant does not have 3C leave.

Related content

[Contents](#)