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archived on 16 April 2024**

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This guidance is based on appendix armed forces of the Immigration Rules.



Home Office

Armed forces: relevant civilian employees

This guidance is based on the [Immigration Rules appendix armed forces](#).

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Armed forces: relevant civilian employees

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This guidance tells you about civilian employees of North Atlantic Treaty Organisation (NATO) forces or the Australian Department of Defence, and civilian employees of firms under contract to a NATO force.

These applicants are defined in appendix armed forces as relevant civilian employees.

The guidance covers:

- How these applicants and their family members gain entry to the UK. Relevant civilian employees may not be accompanied or joined by fiancé(e)s or proposed civil partners; and
- The process for those seeking acknowledgement of their civilian component status. This is a separate process to gaining leave to enter or leave to remain.

Someone who applies as a relevant civilian employee must meet the requirements of part 9A of appendix armed forces.

Definitions

USAF – means United States Air Force.

Any reference to a civilian employee of a NATO force includes an employee of the American National Red Cross working with US forces in the UK.

Civilian personnel employed by a NATO force are civilians who work for the armed force of one NATO member country in another NATO member country but are not enlisted in any armed force. In practice, civilian personnel of NATO forces are usually but not always US nationals who come to work at US military bases in the UK for example as airfield ground staff or teachers. These people may be referred to as civilian components.

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	<p>Employees of firms under contract to a NATO Force, are employees of a firm who have a contract with a NATO force in the UK.</p> <p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p> <p>Contacts – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p>Information owner – This page tells you about this version of the guidance and who owns it.</p> <p>Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.</p>	
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Armed forces: relevant civilian employees

Changes to this guidance

<p>About this guidance Key facts Entry requirements Granting or refusing leave to enter Granting or refusing leave to remain Dependants Recognition as a civilian component</p>	<p>This page lists changes to the 'Armed forces: relevant civilian employees' guidance, with the most recent at the top.</p> <table border="1"><thead><tr><th data-bbox="488 464 831 504">Date of the change</th><th data-bbox="831 464 1532 504">Details of the change</th></tr></thead><tbody><tr><td data-bbox="488 504 831 619">6 January 2015</td><td data-bbox="831 504 1532 619">Change request Minor housekeeping changes</td></tr><tr><td data-bbox="488 619 831 767">21 November 2014</td><td data-bbox="831 619 1532 767">Change request Changes made throughout the guidance to reflect the rules change of 6 November 2014</td></tr><tr><td data-bbox="488 767 831 842">8 April 2014</td><td data-bbox="831 767 1532 842">Completely revised by the armed forces policy team and the modernised guidance team</td></tr></tbody></table>	Date of the change	Details of the change	6 January 2015	Change request Minor housekeeping changes	21 November 2014	Change request Changes made throughout the guidance to reflect the rules change of 6 November 2014	8 April 2014	Completely revised by the armed forces policy team and the modernised guidance team	<p>In this section</p> <p>Contacts Information owner</p>
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Armed forces: relevant civilian employees

Key facts

This page lists the key facts for civilian personnel employed by a NATO force.

Eligibility requirements	<p>To be eligible the applicant</p> <ul style="list-style-type: none"> • must be a civilian employed to work in the UK by: <ul style="list-style-type: none"> ○ a NATO force based in the UK ○ a company under contract to a NATO force ○ the Australian Department of Defence or ○ the American National Red Cross to work with US Forces • will leave the UK at the end of their period of employment • must be able to provide evidence to show they can maintain and accommodate themselves and any dependants without recourse to public funds • must not fall for refusal on grounds of suitability (see part 2 of Appendix Armed Forces) and page 7 of this guidance.
Application type	Application made outside the UK – Visa4UK. Non PBS Leave to remain (within the UK) – FLR(O)
Cost of application	Fees for Home Office services
Entry clearance mandatory	<p>Yes – if employment for more than six months or the applicant is a visa national</p> <p>No – if non visa national seeking leave to enter for employment that will be completed within six months</p>
Is biometric information required for applications made in the UK ?	Yes
Code of leave to enter or remain	<p>Civilian employees of a NATO force and the Australian Department of Defence - Code 4.</p> <p>Employees of firms under contract to a NATO force – Code 4.</p> <p>Dependants:</p> <ul style="list-style-type: none"> • more than 6 months – Employment permitted (Code 1) • Less than six months – No employment (Code 3)
Are dependants allowed	Yes
Conditions of leave to remain	Code 4 – employment restricted to that for which the applicant was last granted leave to enter or remain.
How long leave is normally granted for?	<ul style="list-style-type: none"> • Civilian employees directly employed by a NATO Force or the Australian Department of Defence –five

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	<p>years.</p> <ul style="list-style-type: none"> • Employees of firms under contract to a NATO force – length of posting up to a maximum four years.
Is work and study allowed	Restricted employment
Switching into this category allowed?	Yes – under part 9A of appendix armed forces if previously exempt from control or outside the Immigration Rules if in the UK with valid leave
Does this category lead to settlement (indefinite leave to remain)	No
Is language and Knowledge of Life required?	No
Immigration Rules paragraphs	<p>Appendix armed forces)</p> <ul style="list-style-type: none"> - part 9A (main applicant). - part 10 (dependants)

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Armed forces: relevant civilian employees

Entry requirements

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This page tells you about the entry requirements for relevant civilian employees.

To apply under these rules for entry clearance or leave to enter the applicant must :

- be a relevant civilian employee
- be outside the UK and have made a valid application for entry clearance or leave to enter as a relevant civilian employee
- leave the UK at the end of their period of employment
- provide evidence to show they can maintain and accommodate themselves and any dependants without recourse to public funds
- not fall for refusal on grounds of suitability (see part 2 of appendix armed forces).

For guidance on suitability requirements see related links.

Suitability requirements under appendix armed forces are the same as those under appendix FM, plus the following paragraphs from the general grounds for refusal: 320(7B), 320(10), 320(11), 320(13), 321(iii), 321(4A), 322(2), 322(3) and 323(i).

The majority of applicants will be but are not always US citizens.

Related links

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Granting or refusing entry clearance or leave to enter

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This page tells you about granting or refusing entry clearance or leave to enter to a relevant civilian employee.

These applicants are not exempt from immigration control and must hold the following documents:

- if a visa national, valid entry clearance
- if a non-visa national, valid entry clearance if coming to the UK for more than six months
- a valid passport
- if directly employed by a NATO force or the Australian Department of Defence, movement orders, and
- either a letter confirming employment or, if an employee of a firm under contract to a NATO force, a contract which includes the proposed end date of their employment.

Applications from people coming to the atomic weapons establishment who are employed by firms under contract to the US Departments of Energy or Homeland Security (rather than the US Department of Defense) should be considered outside the immigration rules. There is no requirement to refer cases as a matter of routine.

Entry clearance will be issued as follows:

- Civilian employees directly employed by a NATO Force or the Australian Department of Defence -five years, employment restricted (Code 4) where contract exceeds six months.
- Employee of a NATO force, visa national with six month or less contract - six months, employment restricted (code 4).
- Employees of firms under contract to a NATO Force – length of posting to a maximum

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four years, employment restricted (Code 4).

Application category

- Category Type - work
- Purpose of application - Employment (Non Points Based)
- When the form is printed write at the top of the front page – Civilian Component Employee or Employee of a firm under contract to a NATO force.

Endorsements (no change to current process) - D for employment with DOD (code 4)

Leave to enter

- non-visa national employee of a NATO force if seeking entry to the UK for six months or less – six months, employment restricted (code 4)
- non-visa national employee of a firm under contract to a NATO force if seeking entry to the UK for six months or less – six months, employment restricted (code 4).

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Armed forces: relevant civilian employees

Granting or refusing leave to remain

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This page tells you about granting or refusing leave to remain to a relevant civilian employee.

The applicant must:

- be a relevant civilian employee
- have last:
 - held entry clearance or been granted leave to enter or remain under part 9A of appendix armed forces or any previous concession relating to civilian employees
 - been exempt from immigration control under section 8 (4)(b) or (c) of the Immigration Act 1971
- be in the UK
- leave the UK at the end of their period of employment
- have made a valid application on application form FLR(O)
- provide evidence to show they can maintain and accommodate themselves and any dependants without recourse to public funds
- not fall for refusal under the suitability requirements or if exempt from control hold a valid offer of employment as an employee of a NATO force, and
- not be in breach of immigration laws, except for any period of overstaying for 28 days or less which will be disregarded.

For guidance on suitability requirements see related links. Suitability requirements under appendix armed forces are the same as those under appendix FM plus the following paragraphs from the general grounds for refusal 320(7B), 320(10), 320(11), 320(13), 321(iii), 321(4A), 322(2), 322(3) and 323(i).

Switching

Applications from relevant civilian employees admitted or given leave to remain as visitors, students, for other temporary purposes or for other employment may be considered outside

Related links

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the immigration rules.

Granting leave to remain

- employee of a NATO force - five years leave to remain, work restricted (code 4)
- employee of a NATO force if contract for 6 months or less – 6 months leave to remain work restricted
- employee of firm under contract to a NATO force – period of employment to a maximum four years: employment restricted (code 4).

Civilian Components Status

You must be aware that there is a separate process for civilian employees of a NATO force wishing to be recognised as a civilian component. This is in addition to their immigration status. All referrals for this status are forwarded from the personnel office at RAF Mildenhall to managed migration in Bedford.

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Dependants: entry clearance or leave to enter

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This page tells you about granting or refusing entry clearance or leave to enter to the partner, child or other dependant of a relevant civilian employee.

The applicant must:

- be the partner (except fiancé(e) or proposed civil partner), child or other dependant of a relevant civilian employee seeking or holding entry clearance, leave to enter or leave to remain under paragraph 61B or 61D of appendix armed forces or under any previous concession that existed outside the rules relating to a relevant civilian employee
- be outside the UK
- have made a valid application for entry clearance via Visa4UK, or
- if a non-visa national be seeking entry for less than six months
- leave the UK at the end of their sponsor's period of employment
- not fall for refusal under the suitability requirements under part 2 of appendix armed forces or relevant general grounds for refusal
- provide evidence to show their sponsor can maintain and accommodate them without recourse to public funds.

Additionally, if a partner:

- both parties must be aged 18 or over
- both parties must intend to live with each other during their stay in the UK, and
- the relationship must be genuine and subsisting.

This guidance is based on appendix armed forces of the Immigration Rules.

If a child, they must :

- be under 18 years of age at the date of application, and
- not be married or in a civil partnership, have formed an independent family unit or be living an independent life.

The child must also meet one of the following requirements:

- their other parent must:
 - be a relevant civilian employee, or
 - be exempt from immigration control under section 8(4)(b) or (c) of the Immigration Act
 - have been granted leave as a member of non-HM Forces under part 9 of appendix armed forces
 - have been granted leave to enter or remain as the partner of a member of non-HM Forces or a relevant civilian employee under appendix armed forces or the previous concession that existed outside the rules, or
 - have died, or
- the sponsor parent who is a relevant civilian employee must have sole responsibility for the child's upbringing, or
- there are serious and compelling family or other considerations which make the applicant's exclusion from the UK undesirable and suitable arrangements have been made for their care.

Other dependants of those directly employed by a NATO force or the Australian Department of Defence

This does not apply to employees of firms under contract to a NATO force.

Part 10 of appendix armed forces allows for other dependants (including adult children) of those directly employed by a NATO force or the Australian Department of Defence to seek entry clearance or leave to enter if:

This guidance is based on appendix armed forces of the Immigration Rules.

- they are named on any movement or posting order
- there is adequate maintenance and accommodation
- they will leave the UK with the sponsor on completion of the sponsor's employment.

Entry clearance will be issued as follows:

- if the sponsor is an employee of a NATO force and it is stated on the sponsor's movement order that the posting is extendable you must take it that the five year maximum period of employment or posting will be completed and the accompanying
- dependant should be issued the full five years entry clearance
- dependant joining or accompanying an employee of a NATO Force who holds entry clearance or limited leave to enter or remain under part 9A of appendix armed forces or under the previous concession for a period of over six months - in line with sponsor up to a maximum of five years leave to enter
- visa national dependant of an employee of a NATO force, with six month or less contract - six months no employment (code 3)
- visa national dependant of an employee of a firm under contract to a NATO force - in line with sponsor to a maximum of four years.

Application category

- dependants of current work permit holders (when the form is printed, write at the top of the front page) – US Civilian Component (Dependant) or Employee of a firm under contract to a NATO force (Dependant).

Endorsement

- D: to join/accompany (code 1 or code 3 if less than six months).

Leave to Enter

Non-visa national dependant of an employee of a NATO force or of a firm under contract to a NATO force - 6 months; no employment (code3).

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Dependants: leave to remain

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This page tells you about granting or refusing leave to remain to the partner, child or other dependant of a relevant civilian employee.

The applicant must:

- be the partner (except fiancé(e) or proposed civil partner), child or other dependant of a relevant civilian employee who holds entry clearance, leave to enter or leave to remain under paragraph 61B or 61D of appendix armed forces or under any previous concession that existed outside the rules relating to a relevant civilian employee
- be inside the UK
- have made a valid application for leave to remain on application form FLR(O)
- leave the UK at the end of their sponsor's period of employment
- not fall for refusal under the suitability requirements under part 2 of appendix armed forces
- provide evidence to show their sponsor can maintain and accommodate them without recourse to public funds
- not be in breach of immigration laws, except that any period of overstaying for 28 days or less will be disregarded.

Additionally, if a partner:

- both parties must be aged 18 or over
- both parties must intend to live with each other during their stay in the UK, and
- the relationship must be genuine and subsisting.

This guidance is based on appendix armed forces of the Immigration Rules.

If a child, they must :

- be under 18 years of age at the date of application, and
- not be married or in a civil partnership, have formed an independent family unit or be living an independent life.

The child must also meet one of the following requirements:

- their other parent must:
 - be a relevant civilian employee, or
 - be exempt from immigration control under section 8(4)(b) or (c) of the Immigration Act
 - have been granted leave as a member of non-HM Forces under part 9 of appendix armed forces
 - have been granted leave to enter or remain as the partner of a member of non-HM Forces or a relevant civilian employee under appendix armed forces or the previous concession that existed outside the rules, or
 - have died, or
- the sponsor parent who is a relevant civilian employee must have sole responsibility for the child's upbringing, or
- there are serious and compelling family or other considerations which make the applicant's exclusion from the UK undesirable and suitable arrangements have been made for their care.

Other dependants of those directly employed by a NATO force or the Australian Department of Defence

This does not apply to employees of firms under contract to a NATO force.

Part 10 of appendix armed forces allows for other dependants (including adult children) to be granted leave as a dependant. if:

This guidance is based on appendix armed forces of the Immigration Rules.

- they are named on the original movement or posting order
- they hold valid leave for the UK
- there is adequate maintenance and accommodation
- they will leave the UK with the sponsor on completion of the sponsor's employment

Leave to remain will be granted as follows:

- dependant of employee of a NATO force whose sponsor holds entry clearance or limited leave to enter or remain under the previous concession for more than six months - up to a maximum of five years in line with sponsor, work permitted (code 1)
- dependant of an employee of a firm under contract to a NATO force - in line with sponsor to a maximum of four years.

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Recognition as a civilian component

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This page tells you how a civilian directly employed by NATO seeks recognition as a civilian component.

Under the Visiting Forces Act 1952 civilians directly employed by US forces in this country are entitled to certain economic and other privileges if they are recognised by the Secretary of State as a 'civilian component'.

Civilian component status is only recognised if an applicant's passport clearly shows they have valid entry clearance or limited leave to enter or remain in the UK until a specific date on conditions that allow them to take employment.

The Home Office will recognise this providing the individual has:

- been granted civilian component status by the US authority
- granted leave to enter or remain as a civilian employee
- commenced this employment within 12 months of arrival in the UK, and
- is not ordinarily resident in the UK, for example, a person who has indefinite leave to remain will normally be considered ordinarily resident here and will not be eligible for civilian component status.

All referrals for this status are forwarded from the personnel office at RAF Mildenhall to managed migration in Bedford.

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This page explains who to contact for more help with a specific case in the 'Armed forces: relevant civilian employees' category.

If you have read the relevant Immigration Rules and this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.

If the question cannot be answered at that level:

- entry clearance officers and caseworkers can email: Armed forces policy
- Border Force officers can email: BF OAS enquiries (see related link).

Changes to this guidance can only be made by the guidance rules and forms team (GRaFT). If you think the policy content needs amending you must contact the criminal investigation operational guidance team, using the related link, who will ask the GRaFT to update the guidance, if appropriate.

The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: guidance rules and forms team.

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This page tells you about this version of the 'Armed forces: relevant civilian employee s' guidance and who owns it.

Version	3.0
Valid from date	6 January 2015
Policy owner	Armed forces policy
Cleared by director	John Thompson
Director's role	Director, operational policy and rules
Clearance date	4 April 2014
This version approved for publication by	Sue Harling
Approver's role	Assistant director migration policy unit
Approval date	5 January 2015

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