-	**Paragraph number**
Introduction	
Implementation and transitional provisions	4
Application	5
Interpretation	6
Part 1: General provisions regarding leave to enter or remain in the United Kingdom	
Leave to enter the United Kingdom	7 to 9
Exercise of the power to refuse leave to enter the United Kingdom	10
Suspension of leave to enter or remain in the United Kingdom	10A
Cancellation of leave to enter or remain in the United Kingdom	10B
Requirement for persons arriving in the United Kingdom or seeking entry through the Channel Tunnel to produce evidence of identity and nationality	11
Requirement for a person not requiring leave to enter the United Kingdom to prove that he has the right of abode	12 to 14
Common Travel Area	15
Admission for certain British passport holders	16 to 17
Persons outside the United Kingdom	17A to 17B
Returning residents	18 to 20
Non-lapsing leave	20A to 20B
Holders of restricted travel documents and passports	21 to 23
Leave to enter granted on arrival in the United Kingdom	23A to 23B
Entry clearance	24 to 30C
Variation of leave to enter or remain in the United Kingdom	31 to 33A
How to make a valid application for leave to remain in the UK	34 to 34G
Withdrawn applications or claims for leave to remain in the United Kingdom	34J to 34K
Specified forms and procedures in connection with applications for administrative review	34L to 34Y
Undertakings	35
Medical	36 to 39
Students	39A
Specified documents	39B
Indefinite leave to enter or remain	39C
Power to interview a person with limited leave to enter or remain	39D

-	**Paragraph number**
Exceptions for overstayers	39E
Part 2: Persons seeking to enter or remain in the United Kingdom for visits	
Transitional provisions Part 2 and Appendix V: Immigration Rules for Visitors	1 to 4
Part 3: Persons seeking to enter or remain in the United Kingdom for studies	
Persons seeking to enter the UK for short-term study	A57A to A57E
Period and conditions of grant of entry clearance or leave to enter for short-term students	A57F
Requirements for entry clearance or leave to enter – Short-term student (child)	A57G to A57H
Part 4: Persons seeking to enter or remain in the United Kingdom in an “au pair” placement, as a working holidaymaker or for training or work experience	
Spouses of persons with limited leave to enter or remain under paragraphs 110 to 121	122 to 124
Children of persons with limited leave to enter or remain under paragraphs 110 to 121	125 to 127
Part 5: Persons seeking to enter or remain in the United Kingdom for employment	
Work permit employment	128A to 135
Requirements for indefinite leave to remain as a highly skilled migrant	135G to 135HA
Representatives of overseas newspapers, news agencies and broadcasting organisations	136 to 143
Representatives of Overseas Business	144 to 151
Private servants in diplomatic households	152 to 159
Domestic workers in private households	159A to 159K
Overseas government employees	160 to 169
Requirements for leave to enter as a minister of religion, missionaries and members of religious orders	170 to 177
Airport based operational ground staff of overseas-owned airlines	178 to 185
Persons with United Kingdom ancestry	186 to 193
Partners of persons who have or have had leave to enter or remain under paragraphs 128 to 193 (but not paragraphs 135I to 135K)	193A to 196F
Children of persons with limited leave to enter or remain under paragraphs 128 to 193 (but not paragraphs 135I to 135K)	196G to 199B
Part 6: Persons seeking to enter or remain in the United Kingdom as a businessman, self-employed person, investor, writer, composer or artist	
Part 6A: Points-Based System	

-	**Paragraph number**
General requirements for indefinite leave to remain	245AAA
Documents not submitted with applications	245AA
Specified documents for students previously sponsored by an overseas government or international scholarship agency	245A
Tier 1 (Exceptional Talent) Migrants	245B to 245BF
Tier 1 (Entrepreneur) Migrants	245D to 245DF
Tier 1 (Investor) Migrants	245E to 245EF
Tier 1 (Graduate Entrepreneur) Migrants	245F to 245FC
Tier 2 (Intra Company Transfer) Migrants	245G to 245GF-SD
Tier 2 (General) Migrants, Tier 2 (Minister of Religion) Migrants and Tier 2 (Sportsperson) Migrants	245H to 245HH
Tier 5 (Youth Mobility Scheme) Temporary Migrants	245ZI to 245ZL
Tier 5 (Temporary Worker) Migrants	245ZM to 245ZS
Tier 4 (General) Student	245ZT to 245ZY
Tier 4 (Child) Student	245ZZ to 245ZZE
Part 7: Other Categories	
Persons exercising rights of access to a child resident in the United Kingdom	A246 to 248F
EEA nationals and their families	255 to 257B
Retired persons of independent means	266 to 270
Partners of persons who have or have had limited leave to enter or remain in the United Kingdom as retired persons of independent means	271 to 273F
Children of persons with limited leave to enter or remain in the United Kingdom as retired persons of independent means	274 to 276
Long residence	276A to 276D
Private life	276ADE to 276DH
HM Forces	276DI to 276QA
Spouses, civil partners, unmarried or same-sex partners of persons settled or seeking settlement in the United Kingdom in accordance with paragraphs 276E to 276Q (HM Forces rules) or of members of HM Forces who are exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and have at least 5 years' continuous service	276R to 276W
Children of a parent, parents or a relative settled or seeking settlement in the United Kingdom under paragraphs 276E to 276Q (HM Forces rules) or of members of HM Forces who are exempt from immigration	276X to 276AC

-	**Paragraph number**
control under section 8(4)(a) of the Immigration Act 1971 and have at least 5 years' continuous service	
Spouses, civil partners, unmarried or same-sex partners of armed forces members who are exempt from immigration control under section 8(4) of the Immigration Act 1971	276AD to 276AF
Children of armed forces members who are exempt from immigration control under Section 8(4) of the Immigration Act 1971	276AG to 276AI
Limited leave to enter for relevant Afghan citizens	276BA1 to 276BS1
Requirements for indefinite leave to remain for persons granted limited leave to enter the United Kingdom in accordance with paragraphs 276BA1 to 276BS1 of the Immigration Rules	276BS2 to 276BS4
Parent of a Tier 4 (child) student	276BT1 to 276BV1
Part 8: Family members	
Transitional provisions and interaction between Part 8 and Appendix FM	A277 to A281
Spouses and civil partners	277 to 289
Victims of domestic violence	289A to 289D
Fiance(e)s and proposed civil partners	289AA to 295
Unmarried and same-sex partners	295AA to 295O
Children	296 to 316F
Parents, grandparents and other dependent relatives	317 to 319
Family members of relevant points-based system migrants	319AA to 319J
Other family members of persons with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection	319L to 319U
Parents, grandparents and other dependent relatives of persons with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection	319V to 319Y
Part 9: grounds for refusal	9.1.1. to 9.32.1.
Part 10: DELETED	
Part 11: Asylum	326A to 326H
Part 11A: Temporary Protection	354 to 356B
Part 11B: Asylum	357 to 361
Part 12: Procedure and Rights of appeal	353 to 353B
Part 13: Deportation	
Part 14: Stateless persons	401 to 416
Part 15: DELETED	

-	**Paragraph number**
Appendix 1: DELETED	
Appendix 2: DELETED	
Appendix 3: DELETED	
Appendix 4: DELETED	
Appendix 5: DELETED	
Appendix 6: DELETED	
Appendix 7: DELETED	
Appendix A: Attributes	
Appendix Administrative review	
Appendix AR (EU)	
Appendix Armed Forces: DELETED	
Appendix HM Armed Forces	
Appendix International Armed Forces and International Civilian Employees	
Appendix B: English language	
Appendix C: Maintenance (funds) Tier 1 (Entrepreneur) migrants	
Appendix D: DELETED	
Appendix E: Maintenance (funds) for the family of Tier 1 (Entrepreneur) migrants	
Appendix ECAA Extension of Stay	
Appendix ECAA Settlement	
Appendix EU: EU citizens and family members	
Appendix EU (Family Permit)	
Appendix F: DELETED	
Appendix FM: Family members	
Appendix FM-SE: Family members - specified evidence	
Appendix G: DELETED	
Appendix H: DELETED	
Appendix I: DELETED	
Appendix J: DELETED	
Appendix K: DELETED	
Appendix KoLL: Knowledge of language and life	
Appendix M: DELETED	
Appendix N: DELETED	
Appendix O: Approved English Language tests	

-	**Paragraph number**
Appendix P: DELETED	
Appendix Q: DELETED	
Appendix R: DELETED	
Appendix S: DELETED	
Appendix SN: Service of notices	
Appendix Settlement Protection	
Appendix T: DELETED	
Appendix U: DELETED	
Appendix W: DELETED	
Appendix V: Visitor	
Appendix Visitor: Permitted Activities	
Appendix Visitor: Visa National list	
Appendix Visitor: Permit Free Festivals	
Appendix Visitor: Transit Without Visa Scheme	
Appendix Electronic Travel Authorisation	
Appendix S2 Healthcare Visitor	
Appendix Student	
Appendix Short-term Student	
Appendix Child Student	
Appendix Parent of a Child Student	
Appendix Graduate	
Appendix Skilled Worker	
Appendix Intra-Company routes: DELETED	
Appendix Skilled Occupations	
Appendix Shortage Occupation List: DELETED	
Appendix Immigration Salary List	
Appendix Global Business Mobility routes	
Appendix T2 Minister of Religion	
Appendix T2 Sportsperson: DELETED	
Appendix Representative of an Overseas Business	
Appendix UK Ancestry	
Appendix Global Talent	
Appendix Global Talent: Prestigious Prizes	
Appendix High Potential Individual	

-	**Paragraph number**
Appendix Scale-up	
Appendix Start-up	
Appendix Innovator: DELETED	
Appendix Innovator Founder	
Appendix International Sportsperson	
Appendix Sports Governing Bodies	
Appendix Overseas Domestic Worker	
Appendix Domestic Workers in a Private Household	
Appendix Domestic Worker who is a Victim of Modern Slavery	
Appendix Domestic Worker Statement	
Appendix Temporary Work - Seasonal Worker	
Appendix Youth Mobility Scheme	
Appendix Youth Mobility Scheme: eligible nationals	
Appendix Temporary Work - Creative Worker	
Appendix Temporary Work - Religious Worker	
Appendix Temporary Work - Charity Worker	
Appendix Temporary Work - International Agreement Worker	
Appendix Temporary Work - Government Authorised Exchange	
Appendix Government Authorised Exchange schemes	
Appendix Creative Workers Codes of Practice	
Appendix Service Providers from Switzerland	
Appendix Hong Kong British National (Overseas)	
Appendix Ukraine Scheme	
Appendix Afghan Relocation and Assistance Policy (ARAP)	
Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery	
Appendix Family Reunion (Protection)	
Appendix Child staying with or joining a Non-Parent Relative (Protection)	
Appendix Adult Dependent Relative	
Appendix Long Residence	
Appendix Victim of Domestic Abuse	
Appendix Bereaved Partner	
Appendix Adoption	

-	**Paragraph number**
Appendix Private Life	
Appendix Settlement Family Life	
Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997	
Appendix ATAS	
Appendix English Language	
Appendix KOL UK	
Appendix Finance	
Appendix Returning Resident	
Appendix Statelessness	
Appendix Continuous Residence	
Appendix Relationship with Partner	
Appendix Children	
Appendix Tuberculosis (TB)	

Back to top

Immigration Rules

Introduction

This is a consolidated version of the current Immigration Rules.

The Home Secretary has made changes in the Rules laid down by him 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 March 1990 (HC 251) (as amended). This statement contains the Rules as changed and replaces the provisions of HC 251 (as amended).

2. Immigration Officers, Entry Clearance Officers and all staff of the Home Office will carry out their duties without regard to the race, colour or religion of persons seeking to enter or remain in the United Kingdom.

3. In these Rules words importing the masculine gender include the feminine unless the contrary intention appears.

Implementation and transitional provisions

4. These Rules come into effect on 1 October 1994 and will apply to all decisions taken on or after that date save that any application made before 1 October 1994 for entry clearance, leave to enter or remain or variation of leave to enter or remain other than an application for leave by a person seeking asylum shall be decided under the provisions of HC 251, as amended, as if these Rules had not been made.

Provision for Irish citizens

5. DELETED.

5A. DELETED.

5B. DELETED.

5C. Save where expressly indicated throughout these rules, these rules do not apply to an Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain, but an Irish citizen who does require leave to enter or remain is covered by these rules.

5D. Paragraph 5C does not apply to paragraph 11, Appendix EU, Appendix S2 Healthcare Visitor, Appendix Service Providers from Switzerland, Appendix EU (Family Permit), Appendix AR (EU), Part 11 (asylum) or Part 13 (deportation).

5E. An Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain is considered settled for the purposes of these rules.

Interpretation

6.1. In these rules, unless the contrary intention appears, references to paragraphs are to paragraphs of the Immigration Rules (HC 395 as amended) made under section 3(2) of the Immigration Act 1971, and references to Appendices are to Appendices to those rules.

6.2. In these rules:
(a) references to primary and secondary legislation refers to that legislation as amended from time to time; and
(b) unless the contrary intention appears, the following definitions apply:

"Accompanying Person" in Appendix S2 Healthcare Visitor is a person with a healthcare right of entry and who is accompanying a patient (P) to the UK at the same time as P's entry into the UK, or who is joining P in the UK on a date after P's entry into the UK, for the purpose of providing P with care or support during their course of planned healthcare treatment.

"Accredited Institution" mean**s** an institution which is:
(a) the holder of a student sponsor licence; or
(b) the holder of valid accreditation from Accreditation UK, the Accreditation Body for Language Services (ABLS), the British Accreditation Council (BAC), or the Accreditation Service for International Colleges (ASIC); or
(c) the holder of a valid and satisfactory full institutional inspection, review or audit by Estyn, Education Scotland, the Independent Schools Inspectorate, Office for Standards in Education, the Office for Students, the Quality Assurance Agency for Higher Education or the Education and Training Inspectorate Northern Ireland; or
(d) an overseas higher education institution offering only part of its programmes in the UK.

"Adequate" and **"adequately"** in relation to a maintenance and accommodation requirement means that, after income tax, national insurance contributions and housing costs have been deducted, there must be available to the person or family the level of income or funds that would be available to them if the person or family was in receipt of income support.

"Administrative review" means a review conducted in accordance with Appendix AR, or where applicable Appendix AR (EU).

"Adoption" means an adoption in accordance with the requirements of Appendix Adoption, and "adopted" and "adoptive parent" shall be construed accordingly.

"Agreement on the Free Movement of Persons" in Appendix Service Providers from Switzerland means the agreement between the Swiss Confederation and the European Union and its member states, which was signed in 1999 and came into force in 2002.

"**Amateur"** means a person who engages in a sport or creative activity solely for personal enjoyment and who is not seeking to derive a living from the activity.

"**Applicant"** means a person who is making an application for entry clearance, permission to enter or permission to stay (and a person seeking entry at the UK Border is to be regarded as making an application for permission to enter).

"Application for asylum" has the meaning given in paragraph 327 of these rules.

"Application for leave to remain" and **"application for permission to stay"** includes an application for variation of leave to enter or remain of a person in the UK.

"Application Centre" in the context of an application for entry clearance, means a commercial partner, a British Diplomatic Mission or Consular Post overseas, or designated government office overseas, authorised by the Secretary of State to take biometrics and receive documents from applicants for entry clearance.

"Approved Destination Status Agreement with China" means the Memorandum of Understanding on visa and related issues concerning tourist groups from the People's Republic of China to the United Kingdom as an approved destination, signed on 21 January 2005.

"Approved qualification" means a qualification which meets the Approved qualification requirements in Appendix Student**.**

"Approved sponsor" means a sponsor which is listed in the register of licensed sponsors: workers or register of licensed sponsors: students on the gov.uk website as being licensed for the relevant route of these rules and found at: https://www.gov.uk/government/publications/register-of-licensed-sponsors-workers https://www.gov.uk/government/publications/register-of-licensed-sponsors-students.

"Approved sponsor" under the **Homes for Ukraine Sponsorship Scheme** means a sponsor who meets eligibility and suitability requirements under the Homes for Ukraine sponsor guidance, published by the Department for Levelling Up, Housing and Communities at https://www.gov.uk/guidance/homes-for-ukraine-sponsor-guidance. Or, in the case of a child who is not applying with or to join their parent or legal guardian in the UK, a sponsor who is approved as a sponsor for that applicant under the Homes for Ukraine Scheme under the guidance: "Homes for Ukraine - Applications to Homes for Ukraine for children who are not travelling or reuniting with their parent or legal guardian: Guidance for Councils".

"Aunt" in Appendix Ukraine Scheme means the sister, or step-sister, of either of the UK-based sponsor's parents, or the female partner of the UK-based sponsor's uncle or aunt.

"**Biometrics**" has the same meaning as "biometric information" in section 15 of the UK Borders Act 2007 and means, in particular, a record of a person's fingerprints and a photograph of a person's face.

"Biometric immigration document" means a document recording biometric information issued in accordance with regulations made under section 5 of the UK Borders Act 2007.

"Bona fide private education institution" is a private education institution which:

(a) maintains satisfactory records of enrolment and attendance of students, and supplies these to the Home Office when requested; and
(b) provides courses which involve a minimum of 15 hours' organised daytime study per week; and
(c) ensures a suitably qualified tutor is present during the hours of study to offer teaching and instruction to the students; and
(d) offers courses leading to qualifications recognised by the appropriate accreditation bodies; and

(e) employs suitably qualified staff to provide teaching, guidance and support to the students; and
(f) provides adequate accommodation, facilities, staffing levels and equipment to support the numbers of students enrolled at the institution; and
(g) if it offers tuition support to external students at degree level, ensures that such students are registered with the UK degree awarding body.

"Born in the UK or Islands" in Appendix UK Ancestry means born:
(a) in the UK; or
(b) in the Channel Islands (Bailiwick of Guernsey, Bailiwick of Jersey); or
(c) in the Isle of Man; or
(d) before 31 March 1922, in Ireland; or
(e) on a British-owned or registered ship or aircraft if the requirements of either section 50(7)(a) of the British Nationality Act 1981, or section 32(5) of the British Nationality Act 1948, as applicable, are met.

"BN(O) Adult Dependent Relative" means a person granted permission as a BN(O) Adult Dependent Relative under Appendix Hong Kong British National (Overseas).

"BN(O) Household Child" means a person falling within HK 15.1. and who is granted permission as a BN(O) Household Child under Appendix Hong Kong British National (Overseas).

"BN(O) Household Member" means a person granted permission as a BN(O) Household Member under Appendix Hong Kong British National (Overseas).

"BN(O) Status Holder" means a person granted permission as a BN(O) Status Holder under Appendix Hong Kong British National (Overseas).

"Breach of immigration laws" - a person is in breach of immigration laws for the purpose of these rules where the person is an overstayer; is an illegal entrant; is in breach of a condition of their permission; or used deception in relation to their most recent application for entry clearance or permission; and **"previously breached immigration laws"** – a person previously breached immigration laws if they overstayed or used deception in relation to a previous application for entry clearance or permission.

"Business day" means any day other than Saturday or Sunday, a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of the UK to which the notice is sent, Christmas Day or Good Friday.

"Cabotage operations" in Appendix Visitor: Permitted Activities means
(a) in relation to goods, national carriage for hire or reward carried out on a temporary basis in the UK; or
(b) in relation to passengers either:
i. national road passenger services for hire and reward carried out on a temporary basis by a carrier in the UK, or
ii. the picking up and setting down of passengers within the UK, in the course of a regular international service, provided that it is not the principal purpose of the service.".

"Calendar year" means a year beginning on 1 January and ending on 31 December.

"Cancellation" in Part 9, Appendix S2 Healthcare Visitor and Appendix Service Providers from Switzerland means cancellation, variation in duration, or curtailment, of entry clearance or permission, which can take effect immediately or at a specified future date and whether the person is in the UK or overseas. And in relation to Appendix Temporary Permission to stay for Victims of Human Trafficking or Slavery the term "cancellation" has the same meaning as "revocation" in section 65(8) of the Nationality and Borders Act 2022.

"Certificate of Sponsorship" means either:

(a) an electronic document, with a unique reference, issued by a sponsor using the Sponsorship Management System; or

(b) the record linked to a Sponsorship Reference Number, given by a sponsor to an applicant through an invitation to apply, using the "Sponsor a Worker" scheme operated by the Secretary of State,

that confirms the details of the job for which the sponsor is sponsoring the applicant.

"Charity Worker" means a person who has, or had, permission under any of the following:

(i) Appendix Temporary Work – Charity Worker; or

(ii) Appendix T5 (Temporary Worker) Charity Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) as a Tier 5 (Temporary Worker) migrant in the Charity Worker sub-category under part 6A of the rules in force before 1 December 2020.

"Child" means a person who is aged under 18 years.

"Child Student" means a person who has, or had, permission under Appendix Child Student, Appendix CS: Child Student under the rules in force before 1 December 2020, or as a Tier 4 (Child) Student under the rules in force before 5 October 2020.

"Civil partnership" means a civil partnership under or by virtue of the Civil Partnership Act 2004.

"Close relative" means a grandparent, brother, sister, step-parent, uncle (brother or half-brother of a child's parent) or aunt (sister or half-sister of a child's parent) who is aged 18 or over.

"Common Travel Area" is as defined in section 1(3) of the Immigration Act 1971.

"Commonwealth citizen" means:

(a) a British Overseas Territories citizen, a British National (Overseas), a British Overseas citizen or a British subject; or

(b) a citizen of a country listed in Schedule 3 to the British Nationality Act 1981

"Condition" means a condition of leave to enter or leave to remain under section 3(1)(c) of the Immigration Act 1971, such as a prohibition on employment or study.

"Confirmation of Acceptance for Studies reference number" means a number which links to a single Confirmation of Acceptance for Studies that was assigned to a Student or Child Student by their student sponsor.

"Consecutive engagements" means where:

(a) the applicant is being sponsored for more than one engagement in the UK as a Creative Worker regardless of whether the applicant has engagements outside the UK that take place between those engagements in the UK; and
(b) the applicant will be sponsored by more than one sponsor for those engagements,
(c) each sponsor has issued a Certificate of Sponsorship on the Creative Worker route for the relevant engagement, or engagements; and
(d) there is no more than 14 days between each individual engagement in the UK, and for the purposes of calculating that 14-day period, time spent by the applicant outside the UK (including the dates of their departure from and return to the UK) will not be counted towards this period.

"Contact point meeting" means, for the purpose of Appendix Innovator Founder, a checkpoint assessment between the applicant and their Endorsing Body to assess progress against the applicant's business plan.

"Control Zone" is as defined by article 2(1) of, and Schedule 1 to, the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and article 2 of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818) (as amended from time to time).

"Course of study" means the course for which a Confirmation of Acceptance for Studies was assigned, or a new course with the person's current student sponsor which they were permitted to study without applying for further permission on the Student route.

"Confirmation of Acceptance for Studies" means an electronic document with a unique reference number electronically issued by a student sponsor via the Sponsor Management System, to a person who the student sponsor has agreed to sponsor, for use in an application as a Student or Child Student, in accordance with these rules.

"Conviction" means conviction for a criminal offence in the UK or any other country.

"Cousin" in Appendix Ukraine Scheme means the biological, adopted or step-child of the UK-based sponsor's uncle or aunt.

"Creative Worker" means a person who has, or had, permission under any of the following:

(i) Appendix Temporary Work – Creative Worker; or

(ii) Appendix T5 (Temporary Worker) Creative or Sporting Worker, working in the creative sector under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) as a Tier 5 (Temporary Worker) migrant in the Creative and Sporting sub-category working in the creative sector under part 6A of the rules in force before 1 December 2020 (inclusive).

"Crew member" has the same meaning as in the Immigration Act 1971**.**

"Curtailment", in relation to the curtailment of a person's leave to enter or leave to remain, means cancelling or curtailing their leave such that they will have a shorter period of, or no, leave remaining.

"Custodial sentence" means a period of imprisonment, not including a suspended sentence.

"**Customs breach"** means a breach of any provision of the Customs and Excise Acts or any other breach relating to an assigned matter (which is any matter in relation to which the Commissioners or officers of His Majesty's Revenue and Customs have a power or duty which the Home Office may exercise at the border).

"Date of application" means:
If applying for entry clearance either:

(a) the date of payment of the relevant fee; or
(b) where a fee is not required, the date on which the application is submitted online; or
(c) where a fee is not required and an online application is not available, the date on which the paper application form is received by the Home Office.

If applying for permission to enter, the date the person seeks entry.

If applying for permission to stay:

(a) where the paper application form is sent by post by Royal Mail, whether or not accompanied by a fee waiver request form, the date of posting as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or
(b) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office; or
(c) where the application is made via the online application process, and there is no request for a fee waiver, the date on which the online application is submitted, and the relevant fee is paid; or
(d) where the application is made via the online application process, and includes a request for a fee waiver, the date on which the online request for a fee waiver is submitted, as long as the completed application is submitted within 10 working days of the receipt of the decision on the request for a fee waiver.

"Decision maker" means an entry clearance officer, immigration officer, the Secretary of State or such other person as is authorised by the Secretary of State to make the decision in question, as the case may be. And in Part 11 references to the Secretary of State as the decision maker include such other person as is authorised by the Secretary of State to make the decision in question.

"Degree level study" means a course which leads to a recognised UK bachelor's degree, or an equivalent qualification at level 6 of the Regulated Qualifications Framework, or at level 9 or 10 of the Scottish Credit and Qualifications Framework.

"Deportation order" means an order made under section 5(1) of the Immigration Act 1971.

"Distance learning course" means a course being undertaken at a UK Accredited Institution by a person who is overseas, and which does not require the person to be physically present in the UK for the majority of the course.

"Doctorate extension scheme" means a sponsored scheme which enables successful applicants to remain in the UK for 12 months from the expected end date of a course leading to the award of a PhD as in Appendix Student, or under the rules in force before 1 December 2020.

"Domestic Worker in a Private Household" means a person who has, or had, permission under Appendix Domestic Worker in a Private Household, or as a domestic worker in a private household under paragraph 159EA of the rules in force before 6 May 2021.

"Domestic Worker who is a Victim of Modern Slavery" means a person who has, or had, permission under Appendix Domestic Worker Victim of Modern Slavery, or as a domestic worker who is a victim of slavery or human trafficking under paragraph 159J of the rules in force before 6 May 2021.

"ECAA route" means Appendix ECAA Extension of Stay or under the ECAA rules in force on 30 December 2020.

"Ecctis" is a service which provides information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world, set out at: https://ecctis.com/.

"EEA citizen" and **"EEA national"** means a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and who is not also a British citizen.

"EEA EFTA separation agreement" means (as modified from time to time in accordance with any provision of it) the Agreement on arrangements between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland following the withdrawal of the United Kingdom from the European Union, the EEA Agreement and other agreements applicable between the United Kingdom and the EEA EFTA States by virtue of the United Kingdom's membership of the European Union.

"EEA Regulations" means:

(a) (where relevant to something done before 11pm on 31 December 2020) the Immigration (European Economic Area) Regulations 2016 (as they have effect immediately before that date or, in the case of an application made under these rules where the date of decision is before 11pm on 31 December 2020, as they have effect at the date of application); or

(b) (where relevant to something done after 11pm on 31 December 2020) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of regulations made under section 7, 9 or 11 of the European Union (Withdrawal Agreement) Act 2020).

"ETA" means an Electronic Travel Authorisation as defined in section 11C(1) of the Immigration Act 1971.

"Employment" includes paid and unpaid employment, paid and unpaid work placements undertaken as part of a course or period of study, self-employment and engaging in business or any professional activity. Standing for or filling an elected post in local or devolved government or legislatures is not considered to be employment for the purposes of the immigration rules, and conditions restricting employment do not affect the ability to undertake such activities.

"Employment as a doctor or dentist in training" means employment in a medical post or training programme which has been approved by the General Medical Council, or employment in a postgraduate training programme in dentistry.

"Endorsed funder" means an organisation accepted by UKRI, and on a list published by them, as prestigious funders of research and innovation who have an excellent track record of awarding funding to researchers with critical skills, following a rigorous peer review process.

"Endorsing body" means an organisation which is currently approved by the Home Office to endorse an individual or business in connection with an application under one or more of the following routes:

(a) Start-up; or
(b) Innovator; or
(c) Innovator Founder; or
(d) Global Talent; or
(e) Scale-up.

"Endorsement letter" means an official letter issued by an endorsing body, confirming that the endorsing body has endorsed the applicant in the relevant category.

"English language course" means a course that solely consists of English language study.

"**Evidence of P's permission to enter or remain**" under Appendix S2 Healthcare Visitor means:

(a) a valid document which is either a biometric immigration document, stamp or endorsement in a passport (whether or not the passport has expired), or other document or electronic document issued by the Home Office, confirming that the patient (P) has permission to enter or remain in the UK as an S2 Healthcare Visitor, which has not been cancelled; or
(b) the decision maker is otherwise satisfied from the information available that P has permission as an S2 Healthcare Visitor, which has not been cancelled.

"Exclusion decision" means a decision made personally by the Secretary of State that a person be excluded from the UK.

"Exclusion order" means an order made under regulation 23(5) of the EEA Regulations that the exclusion of an EEA national or the family member of an EEA national is justified on the grounds of public policy, public security or public health.

"Expected end date of a course leading to the award of a PhD" means the date the PhD is expected to be formally confirmed, by the student sponsor, as completed to the standard required for the award of a PhD and recorded on the Confirmation of Acceptance for Studies which applies to the application on the doctorate extension scheme.

"External student" means a student studying for a degree from a UK degree awarding body without any requirement to attend the UK degree awarding body's premises or a UK listed body's premises for lectures and tutorials.

"False document" includes:

(a) a document which has been altered or tampered with; and

(b) a counterfeit document; and
(c) a document which is being used by an imposter; and
(d) a document which has been fraudulently obtained or issued; and
(e) a document which contains a falsified or counterfeit entry clearance, visa or endorsement.

"Fee" means the amount the applicant must pay to the Secretary of State as specified in regulations made in exercise of the powers in sections 68, 69 and 74 of the Immigration Act 2014.

"Fee Waiver" means a decision by the Secretary of State that the usual fee in relation to an immigration function need not be paid or need only be paid in specified part (whether a fee waiver can be requested for an application or service is set out in the Immigration and Nationality (Fees) Regulations).

"Foundation degree" means a programme of study which leads to a qualification awarded by an English higher education provider with degree awarding powers which is at a minimum of level 5 on the Regulated Qualifications Framework, or awarded on a directly equivalent basis in the devolved administrations.

"Full-time course" means a course which is:
(a) a full-time course of course of study at UK bachelor's degree level or above; or
(b) an overseas higher education course that a Student is studying in the UK and leads to a qualification from an overseas higher education institution that is recognised as being equivalent to a UK higher education qualification; or
(c) a course of study below UK degree level that involves a minimum of 15 hours a week of classroom-based, daytime study (08:00 – 18:00, Monday to Friday), but scheduled breaks do not count towards the 15 hours.

"Global Business Mobility routes" means any of the following:
(a) Appendix Global Business Mobility – Graduate Trainee; or
(b) Appendix Global Business Mobility – Secondment Worker; or
(c) Appendix Global Business Mobility – Senior or Specialist Worker; or
(d) Appendix Global Business Mobility – Service Supplier; or
(e) Appendix Global Business Mobility – UK Expansion Worker.

"Global Talent" means the route, or a person with permission as a lead applicant on the route, under Appendix Global Talent or as a Global Talent migrant under Appendix W of the rules in force before 1 December 2020, or as a Tier 1 (Exceptional Talent) Migrant.

"Global Universities List" means the list of universities published by the Home Office on the Gov.uk website, which is compiled on an annual basis and consists of all non-UK institutions that are ranked in the top 50 of at least two of the following ranking systems:
(a) Times Higher Education World University Rankings; and
(b) Quacquarelli Symonds World University Rankings; and
(c)The Academic Ranking of World Universities.

"Government Authorised Exchange Scheme" means a scheme under the T5 (Temporary Worker) Government Authorised Exchange Worker route which is endorsed by a Government Department in support of Government objectives and provides temporary work in an occupation which appears in Tables 1, 2 or 3 of Appendix Skilled Occupations and where the migrant will be supernumerary.

"Government Authorised Exchange route" means any of the following:

(i) the route in Appendix Temporary Work – Government Authorised Exchange; or

(ii) the route in Appendix T5 (Temporary Worker) Government Authorised Exchange Worker, under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) the Government Authorised Exchange sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 1 December 2020.

"Graduate" means a person who has, or had, permission as a Graduate under Appendix Graduate of these Rules.

"Graduate Trainee" means a person who has, or had, permission under any of the following:

(a) Appendix Global Business Mobility – Graduate Trainee; or

(b) the Intra-Company Graduate Trainee route of Appendix Intra-Company Routes under the rules in force before 11 April 2022; or

(c) as a Tier 2 (Intra-Company Transfer) migrant in the Graduate Trainee sub-category under the rules in force before 0900 on 1 December 2020.

"Grandchild" in Appendix Ukraine Scheme means a biological grandchild, step-grandchild or grandchild by reason of an adoption recognised by the laws of the UK relating to adoption.

"Grandparent" in Appendix UK Ancestry, Appendix Ukraine Scheme and Appendix Adult Dependent Relative means a biological grandparent or grandparent by reason of an adoption recognised by the laws of the UK relating to adoption.

"High earner" means a person on the Global Business Mobility – Senior or Specialist Worker route or Global Business Mobility – UK Expansion Worker route who is sponsored in a job with a gross annual salary of £73,900 or more (based on working a maximum of 48 hours per week) as confirmed by their sponsor.

"Higher education provider" means a student sponsor which:

(a) in England, is an institution that is required to register with the Office for Students, because it is an "English Higher Education Provider", as defined in the Office for Students Regulations and section 83 of the Higher Education and Research Act 2017; or

(b) in Northern Ireland, is a higher education institution as set out in the Education and Libraries (Northern Ireland) Order 1993, or a body that provides higher education, and is recognised under the Further Education (Northern Ireland) Order 1997, with "in developmental" or "established provider" status; or

(c) in Scotland, is an institution that provides higher education within the meaning of section 38 of the Further and Higher Education (Scotland) Act 1992 and which is a post-16 education body within the meaning of section 35(1) of the Further and Higher Education (Scotland) Act 2005; or

(d) in Wales, is an institution that offers higher education provision and is a "regulated institution", as defined in the Higher Education (Wales) Act 2015 (for the purpose of the 2015 Act, higher education is defined as education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988).

"High Potential Individual" means a person who has, or had, permission as a High Potential Individual under Appendix High Potential Individual.

"High Potential Individual route" means the route under Appendix High Potential Individual.

"Human Rights Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950, as it has effect for the time being in relation to the UK.

"Humanitarian protection" means status granted under paragraph 339C and which has not been revoked under paragraphs 339G to 339H.

"Illegal entrant" has the same meaning as in section 33(1) of the Immigration Act 1971.

"Immigration Acts" has the same meaning as in section 61(2) of the UK Borders Act 2007.

"Immigration employment document" means a work permit or any other document which relates to employment and is issued for the purpose of these rules or in connection with leave to enter or remain in the UK.

"Immigration Health Charge" means a charge under section 38 of the Immigration Act 2014 and the Immigration (Health Charge) Order 2015.

"Immigration Officer" includes a Customs Officer acting as an Immigration Officer.

"Immigration Skills Charge" means a charge payable under regulations made under section 70A of the Immigration Act 2014.

"Independent School" means:

(a) a school in England or Wales (which is not an Academy, a school maintained by a local authority, or a non-maintained special school), at which full-time education is provided for:
    (i) five or more pupils of compulsory school age (whether or not such education is also provided at it for pupils under or over that age); or
    (ii) for at least one pupil of compulsory school age (whether or not such education is also provided at it for pupils under or over that age) for whom an education, health and care (EHC) plan or a statement of special educational needs is maintained, or who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989); or

(b) a school in Scotland (which is not a public school or a grant-aided school), at which full-time education is provided for pupils of school age (whether or not such education is also provided for pupils under or over that age); or

(c) a school in Northern Ireland (which is not grant-aided), which has been registered with the Department of Education.

"Innovator" means a person who has, or had, permission as an Innovator under Appendix Innovator of the rules in force before 13 April 2023 or as an Innovator migrant under Appendix W of the rules in force before 1 December 2020.

"Innovator Founder" means a person who has, or had, permission under Appendix Innovator Founder, or as an Innovator under Appendix Innovator of the rules in force before 13 April 2023 or under Appendix W of the rules in force before 1 December 2020.

"Intention to live permanently with the other in the UK" or "**intend to live together permanently in the UK**" means an intention to live together, evidenced by a clear commitment from both parties that they will live together permanently in the UK immediately following the outcome of the application in question or as soon as circumstances permit thereafter. However, where an application is made under Appendix Armed Forces the words "in the UK" in this definition do not apply. Where an application is made under Appendix FM and the sponsor is a permanent member of HM Diplomatic Service, or a comparable UK-based staff member of the British Council, the Foreign, Commonwealth and Development Office or the Home Office on a tour of duty outside the UK, the words "in the UK" in this definition do not apply.

"International Agreement route" means any of the following:

(i) the route in Appendix Temporary Work – International Agreement; or

(ii) the route in Appendix T5 (Temporary Worker) International Agreement Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) the International Agreement sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 1 December 2020.

"International Operator Licence" in Appendix Visitor: Permitted Activities means:

(a) a licence issued by the competent authority of a country other than the United Kingdom authorising an operator to undertake international carriage of goods or passengers by road in accordance with an international agreement to which the United Kingdom is a party; or

(b) a community licence issued by a Member State of the Union in accordance with Regulation (EC) No 1072/2009 or Regulation (EC) No 1073/2009.

"International scholarship agency" means an international institution or organisation which provides funding to students studying in the UK.

"International Sportsperson" means a person who has, or had, permission under any of the following:

(i) Appendix International Sportsperson; or

(ii) Appendix T2 Sportsperson under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) as a sporting worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iv) as a Tier 5 (Temporary Worker) migrant in the Creative and Sporting sub-category as a sporting worker under part 6A of the rules in force before 1 December 2020, and/or

(v) as a Tier 2 (Sportsperson) Migrant under part 6A of the rules in force before 1 December 2020.

"Intra-Company routes" means any of the following:

(a) Appendix Global Business Mobility – Senior or Specialist Worker; or

(b) Appendix Global Business Mobility – Graduate Trainee; or

(c) Appendix Intra-Company routes under the rules in force before 11 April 2022; or

(d) the Tier 2 (Intra-Company Transfer) route under the rules in force before 0900 on 1 December 2020.

"Islands" means any of the Channel Islands or the Isle of Man.

"Lead applicant", under Appendix KOLL, Appendix KOL UK and Appendix English Language, means the applicant on whose status, or previous status, a dependent partner or dependent child is relying as the basis of their application.

"Legacy Endorsing body" means an organisation which had previously been approved by the Home Office to endorse an individual or business in connection with an application under the Innovator or Start-up routes but is not permitted to endorse a new individual or business under the Innovator Founder route.

"Legal guardian" is a person appointed according to local laws to take care of a child.

"Letter of authority" means a written authorisation from a person that they wish to appoint or change their immigration adviser (who must be a qualified person as required by section 84 of the Immigration and Asylum Act 1999 or regulated by the Office of the Immigration Services Commissioner).

"Marriage/Civil Partnership Visitor" means a person who has, or had, entry clearance under Appendix V: Visitor to marry or form a civil partnership, or give notice of marriage or civil partnership, in the UK.

"Media representative" means a person who has, or had, permission on the Representative of an Overseas Business route having met the requirement at ROB 4.4.(b) of Appendix Representative of an Overseas Business, or as a Representative of an Overseas Business having met the requirement of paragraph 144(ii)(b) of Part 5 of the rules in force before 1 December 2020.

"Medical inspector" means a medical inspector appointed under Schedule 2 to the Immigration Act 1971.

"Must not be leading an independent life" or "is not leading an independent life" means that the person:

(a) does not have a partner; and

(b) is living with their parent (except where they are at boarding school, college or university as part of their full-time education).

Where a relative other than a parent may act as the sponsor or carer of the person, references in this definition to living with their "parent" shall be read as applying to that other relative.

"National minimum wage" means as defined in the National Minimum Wage Act 1998.

"National Minimum Wage Regulations" means the National Minimum Wage Regulations 2015.

"National Referral Mechanism" means the arrangements administered by the Competent Authorities as set out in the guidance found at: https://www.gov.uk/government/publications/victims-of-trafficking-guidance-for-competent-bodies.

"Niece" in Appendix Ukraine Scheme means the female biological, adopted or step-child of the UK-based sponsor's brother or sister.

"Nephew" in Appendix Ukraine Scheme means the male biological, adopted or step-child of the UK-based sponsor's brother or sister.

"Notice of liability for removal" means a notice given that a person is or will be liable for removal under section 10 of the Immigration and Asylum Act 1999, and for notices that pre-date the Immigration Act 2014 coming into force, refers to a decision to remove in accordance with section 10 of the Immigration and Asylum Act 1999, a decision to remove an illegal entrant by way of directions under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971, or a decision to remove in accordance with section 47 of the Immigration, Asylum and Nationality Act 2006.

"Occupy exclusively" in relation to accommodation means that part of the accommodation must be for the exclusive use of the person or family.

"Occupy exclusively" in relation to accommodation means that part of the accommodation must be for the exclusive use of the person or family.

"Overcrowded" means overcrowded within the meaning of the Housing Act 1985, the Housing (Scotland) Act 1987 or the Housing (Northern Ireland) Order 1988 (as appropriate).

"Overseas Business" is a business which has it main place of operation outside of the UK.

"Overseas Domestic Worker" means a person who has, or had, permission under Appendix Overseas Domestic Worker, or as a domestic worker in a private household under paragraph 159A of the rules in force before 6 May 2021.

"Overseas Government Language Programme" means an overseas Government sponsored professional language development programme under the Government Authorised Exchange Scheme where the person concerned delivers language training and participates in a cultural exchange programme that is fully or partially paid for by the overseas government or an organisation affiliated to an overseas government.

"Overseas higher education institution" means an institution which holds overseas accreditation confirmed by Ecctis as offering degree programmes which are equivalent to UK degree level qualifications, and which teaches no more than half of a degree programme in the UK as a study abroad programme.

"Overseas service provider" means a business based outside the UK with no commercial presence in the UK, that is one of the following:

(a) a natural or legal person that has a contract to provide services to a UK business, where that UK business is on the register of licensed sponsors maintained by the Home Office; or

(b) a natural or legal person that is subcontracted to provide services to a UK business by a natural or legal person coming within paragraph (a)

"Overstayed" or **"overstaying"** means the person has stayed in the UK beyond the latest of:

(a) the time limit attached to the last permission granted; or

(b) the period that the permission was extended under section 3C or 3D of the Immigration Act 1971.

"Own Account" in Appendix Visitor: Permitted Activities means the transport of goods by a business where the following conditions are fulfilled:

(a) the goods carried are the property of the business or have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the business; and
(b) the purpose of the journey is to carry the goods to or from the premises of the business or to move them, either inside or outside the business for its own requirements; and
(c) the vehicles used for such transport are driven by personnel employed by, or put at the disposal of, the business under a contractual obligation; and
(d) the vehicles carrying the goods are owned by the business, have been bought by it on deferred terms or have been hired; and
(e) such transport is no more than ancillary to the overall activities of the business.

"Parent" means:

(a) biological parent; and
(b) legal parent, including birth mother where the child is not genetically related, spouse or civil partner of the birth mother at the time of the child's birth, and person with a parental order under section 54 Human Fertilisation and Embryology Act 2008; and
(c) adoptive parent:
(i) who, when habitually resident outside the UK, adopted a child in accordance with a decision taken by the competent administrative authority or court in a country whose adoption orders are recognised by the UK; or
(ii) whose adopted child has been granted permission under Appendix Adoption, and, if applicable, the adoption has been formally completed in the UK.

"Parent of a Child Student" means a person who has, or had, permission under Appendix Parent of a Child Student or as a Parent of a Tier 4 (Child) Student under the rules in force before 5 October 2020.

"Partner" means a person's:

(a) spouse; or
(b) civil partner; or
(c) unmarried partner, where the couple have been in a relationship similar to marriage or civil partnership for at least 2 years.

"Partner Institution" means an institution which has a partnership agreement with a student sponsor, which has been approved by the Home Office in accordance with the requirements set out in the student sponsor guidance published on the gov.uk website. Teaching partnerships allow a student sponsor's students to undertake study of a specified type at a partner institution's site.

"Passport" means a document which:

(a) is issued by or on behalf of the government of any country recognised by the UK, or dealt with as a government by the UK, and which complies with international passport practice; and
(b) shows both the identity and nationality of the holder; and

(c) gives the holder the right to enter the country of the government which issued the document; and
(d) is authentic and not unofficially altered or tampered with; and
(e) is not damaged in a way that compromises the integrity of the document; and
(f) is used by the rightful holder; and
(g) has not expired.

"Pathway Course" means a course which prepares a student for progression to another course at a specific UK recognised body or a body in receipt of public funding as a higher education institution from the Department for the Economy in Northern Ireland, the Office for Students, the Higher Education Funding Council for Wales, the Scottish Funding Council or any other provider registered with the Office for Students. It does not include a pre-sessional course.

"Patient", in Appendix S2 Healthcare Visitor, means a person who is undergoing or plans to undergo a course of planned healthcare treatment in the UK.

"PAYE" means HM Revenue and Customs' Pay As You Earn system for collecting Income Tax and National Insurance from employee earnings.

"Peer reviewed research fellowship or award" means a specific fellowship or award which appears on the list of peer reviewed research fellowships or awards published by The Royal Society, The Royal Academy of Engineering or The British Academy.

"Pending appeal" has the same meaning as in section 104 of the Nationality, Immigration and Asylum Act 2002.

"Period of imprisonment" has the same meaning as in section 38(2) of the UK Borders Act 2007.

"Permission to enter" has the same meaning as leave to enter under the Immigration Act 1971.

"Permission to stay" has the same meaning as leave to remain under the Immigration Act 1971 (and includes a variation of leave to enter or remain and an extension of leave to enter or remain).

And references in these rules to a person having, having had or being granted "**Permission"** means either permission to enter or permission to stay.

"Postgraduate doctor or dentist" in Appendix Student means a student undertaking a recognised Foundation Programme with Health Education England following completion of a recognised degree in medicine or dentistry in the UK.

"Postgraduate level study" means a course at level 7 or above of the Regulated Qualifications Framework, or level 11 or above of the Scottish Credit and Qualifications Framework, which leads to a recognised UK postgraduate degree at master's level or above, or an equivalent qualification at the same level.

"Premium Sponsor" means a sponsor which is recorded as holding Premium status on the register of licensed sponsors maintained by the Home Office.

"Present and settled" means that the person concerned is settled in the UK and, at the date of application, is physically present in the UK.
Where the person concerned is a British Citizen or settled in the UK and is:

(a) a member of HM Forces serving overseas; or
(b) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government, or a permanent member of the British Council on a tour of duty outside the UK, and the applicant has provided the evidence specified in paragraph 26A of Appendix FM-SE, then for the purposes of Appendix FM and Appendix Settlement Family Life, where the applicant is applying for settlement the person is to be regarded as present and settled in the UK, and in paragraphs R-LTRP.1.1.(a) and RILRP.1.1.(a) of Appendix FM the requirement "and their partner must be in the UK" is to be disregarded.

"Primary degree" means a qualification obtained from a course of degree level study, which did not feature as an entry requirement a previous qualification obtained from degree level study, for example an undergraduate degree is a primary degree, but a master's degree that has a bachelor's degree as an entry requirement is not a primary degree.

"Private foster care arrangement" means an arrangement in which a child aged under 16, or aged under 18 if disabled, is cared for, on a full-time basis for a period of 28 days or more, by a person aged 18 or over who is not the child's parent or a close relative.

"Private medical insurance" means insurance to cover treatment provided by a private health provider, or a reciprocal arrangement in place with another country by which certain nationals may receive NHS treatment.

"Private medical treatment" means treatment provided by a private health provider, or by the NHS where there is a reciprocal arrangement in place with another country by which certain nationals may receive NHS treatment.

"Probationary Sponsor" means a student sponsor which is recorded as having "Probationary Sponsor status" on the register of licensed student sponsors maintained by the Home Office.

"Professional Sportsperson" means a person who is one or more of the following:

(a) currently providing services as a sportsperson, or is playing or coaching in any capacity, at a professional or semi-professional level of sport (whether paid or unpaid); or
(b) currently receiving payment, including payment in kind, for playing or coaching, and that payment covers all, or the majority of, their costs for travelling to, and living in, the UK, or has received such payment within the previous 4 years; or
(c) currently registered to a professional or semi-professional sports team or has been so registered within the previous 4 years (this includes all academy and development team age groups); or
(d) has represented their nation or national team within the previous two years, including all youth and development age groups from under 17s upwards; or
(e) has represented their state or regional team within the previous two years, including all youth and development age groups from under 17s upwards; or
(f) has an established international reputation in their chosen field of sport; or
(g) engages an agent or representative, with the aim of finding opportunities as a sportsperson, and/or developing a current or future career as a sportsperson, or has engaged such an agent in the last 12 months; or

(h) is providing services as a sportsperson or coach, unless they are doing so as an "Amateur" in a charity event; or
(i) is providing services as a sportsperson or coach, unless they are doing so as a Student who is studying a course at degree level or above at a higher education provider and playing or coaching sport as an Amateur or as part of a work placement that is undertaken as an integral and assessed part of their course.

"Prohibited degree of relationship" has the same meaning as in the Marriage Act 1949, the Marriage (Prohibited Degrees of Relationship) Act 1986 and the Civil Partnership Act 2004.

"Protection claim" has the same meaning as in section 82(2)(a) of the Nationality, Immigration and Asylum Act 2002.

"Protection status" means refugee leave, refugee permission to stay, temporary refugee permission to stay, humanitarian protection and temporary humanitarian protection.

"Provisional rating" means a sponsor which is recorded as having a rating of "Provisional" on the register of licensed sponsors: workers on the gov.uk website at: www.gov.uk/government/publications/register-of-licensed-sponsors-workers .

"Public funds" means:
(a) housing under Part VI or VII of the Housing Act 1996 and under Part II of the Housing Act 1985, Part I or II of the Housing (Scotland) Act 1987, Part II of the Housing (Northern Ireland) Order 1981 or Part II of the Housing (Northern Ireland) Order 1988; and
(b) attendance allowance, severe disablement allowance, carer's allowance and disability living allowance under Part III of the Social Security Contribution and Benefits Act 1992; income support and housing benefit under Part VII of that Act; child benefit under Part IX of that Act; income based jobseeker's allowance under the Jobseekers Act 1995; income related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance); state pension credit under the State Pension Credit Act 2002; or child tax credit and working tax credit under Part 1 of the Tax Credits Act 2002; and
(c) a Social Fund maternity expenses payment made under section 138(1)(a) of the Social Security Contributions and Benefits Act 1992; a Social Fund funeral expenses payment made under section 138(1)(a) of that Act; a Social Fund cold weather payment made under section 138(2) of that Act; a Social Fund winter fuel payment made under section 138(2) of that Act; a Social Fund budgeting loan payment made under section 138(1) of that Act; and
(d) attendance allowance, severe disablement allowance, carer's allowance and disability living allowance under Part III of the Social Security Contribution and Benefits (Northern Ireland) Act 1992; income support and housing benefit under Part VII of that Act; child benefit under Part IX of that Act; income based jobseeker's allowance under the Jobseekers (Northern Ireland) Order 1995 or income related allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007; and
(e) a Social Fund sure start maternity grant payment made under section 134(1)(a) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992; a Social Fund funeral expenses payment made under section 134(1)(a) of that Act; a Social Fund cold weather payment made under section 134(2) of that Act; a Social Fund winter fuel payment made under section 134 (2) of that Act; a Social Fund budgeting loan payment made under section 134 (1)(b) of that Act; and

(f) Universal Credit under Part 1 of the Welfare Reform Act 2012 or Personal Independence Payment under Part 4 of that Act; and
(g) Universal Credit, Personal Independence Payment or any domestic rate relief under the Welfare Reform (Northern Ireland) Order 2015; and
(h) a council tax reduction under a council tax reduction scheme made under section 13A of the Local Government Finance Act 1992 (in relation to England or Wales) or a council tax reduction pursuant to the Council Tax Reduction (Scotland) Regulations 2012 or the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012; and
(i) a payment made from a welfare fund under the Welfare Funds (Scotland) Act 2015; and
(j) a discretionary support payment made in accordance with any regulations made under article 135 of the Welfare Reform (Northern Ireland) Order 2015; and
(k) a discretionary payment made by a local authority under section 1 of the Localism Act 2011, not including any payment made under the Energy Rebate Scheme 2022; and
(l) a Child Disability Payment made under the Disability Assistance for Children and Young People (Scotland) Regulations 2021; and
(m) an Adult Disability Payment made under the Disability Assistance for Page 6 of 63 Working Age People (Scotland) Regulations 2022; and
(n) a Carer's Allowance Supplement made under Section 81 of the Social Security (Scotland) Act 2018; and
(o) a Scottish Child Payment made under the Scottish Child Payment Regulations 2020; and
(p) a Funeral Support Payment made under the Funeral Expense Assistance (Scotland) Regulations 2019; and
(q) a Job Start Payment made under section 2 of the Employment and Training Act 1973; and
(r) Child Winter Heating Assistance made under the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020; and
(s) a Winter Heating Payment made under the Winter Heating Assistance (Low Income) (Scotland) Regulations 2023.

For the purpose of these rules,
(i) a person (P) is not to be regarded as having (or potentially having) recourse to public funds merely because P is (or will be) reliant in whole or in part on public funds provided to P's family sponsor unless, as a result of P's presence in the UK, the family sponsor is (or would be) entitled to increased or additional public funds (save where such entitlement to increased or additional public funds is by virtue of P and the family sponsor's joint entitlement to benefits under the regulations referred to in subparagraph (ii) below; and
(ii) subject to subparagraph (iii) below, a person (P) shall not be regarded as having recourse to public funds if P is entitled to benefits specified under section 115 of the Immigration and Asylum Act 1999 by virtue of regulations made under sub-sections (3) and (4) of that section or section 42 of the Tax Credits Act 2002; and
(iii) a person (P) making an application from outside the UK will be regarded as having recourse to public funds where P relies upon the future entitlement to any public funds that would be payable to P or to P's family sponsor as a result of P's presence in the UK (including those benefits to which P or the family sponsor would be entitled as a result of P's presence in the UK under the regulations referred to in subparagraph (ii) above).

"Recreational Course" means a course undertaken purely for leisure purposes, other than English Language training, that does not lead to a formal qualification, for example, a leisure course in pottery or horse riding.

"Refugee" has the same meaning as in Article 1 of the 1951 Refugee Convention.

"Refugee Convention" means the 1951 United Nations Convention and its 1967 Protocol relating to the Status of Refugees.

"Refugee leave" means the leave to remain granted to an individual with refugee status, who sought to register an asylum claim before 28 June 2022.

"Refugee permission to stay" means permission to stay granted to an individual with refugee status under paragraph 339QA(i) of these rules which has not been revoked under paragraph 339QD.

"Refugee status" means status granted under paragraph 334 of these rules which has not been revoked under paragraphs 339A to 339B.

"Relevant NHS body" in Part 9, and in paragraphs S-EC.2.3., S-LTR.2.3. and S-ILR.2.3. of Appendix FM, means:

(a) in relation to England-
  (i) a National Health Service Trust established under section 25 of the National Health Service Act 2006; or
  (ii) a National Health Service foundation trust; and

(b) in relation to Wales-
  (i) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006; or
  (ii) a National Health Service Trust established under section 18 of the National Health Service (Wales) Act 2006; or
  (iii) a Special Health Authority established under 22 of the National Health Service (Wales) Act 2006; and

(c) in relation to Scotland-
  (i) a Health Board or Special Health Board established under section 2 of the National Health Service (Scotland) Act 1978 (c. 29); or
  (ii) the Common Services Agency for the Scottish Health Service established under section 10 of that Act; or
  (iii) Healthcare Improvement Scotland established under section 10A of that Act; and

(d) in relation to Northern Ireland-
  (i) the Regional Health and Social Care Board established under the Health and Social Care (Reform) Act (Northern Ireland) 2009; or
  (ii) a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) and renamed under the Health and Social Care (Reform) Act (Northern Ireland) 2009.

"Relevant NHS regulations" means:

(a) in Wales, the National Health Service (Charges to Overseas Visitors) Regulations 1989 (1989 No 306); and

(b) in Scotland, the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 as amended (1989 No 364); and

(c) in Northern Ireland, the Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015 (2015 No 227); and
(d) in England, the National Health Service (Charges to Overseas Visitors) Regulations 2015 (2015 No 238).

"Religious Worker" means a person who has, or had, permission under any of the following:
(i) Appendix Temporary Work – Religious Worker; or
(ii) Appendix T5 (Temporary Worker) Religious Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
(iii) as a Tier 5 (Temporary Worker) migrant in the Religious Worker sub-category under part 6A of the rules in force before 1 December 2020.

"Representative of an Overseas Business" means a person who has, or had, permission under Appendix Representative of an Overseas Business or as a Representative of an Overseas Business under Part 5 of the rules in force before 1 December 2020.

"Research-based higher degree" means a postgraduate programme comprising a research component (including a requirement to produce original work) that is larger than any accompanying taught component when measured by student effort.

"Research Programme" means research programmes and fellowships under a Government Authorised Exchange Scheme where the person is working on a scientific, academic, medical, or government research project at either a UK higher education institution or another research institution operating under the authority and/or financial sponsorship of a relevant Government Department.

"Rough sleeping" means sleeping, or bedding down, in the open air (for example on the street or in doorways) or in buildings or other places not designed for habitation (for example sheds, car parks or stations).

"**S2 certificate of entitlement to scheduled treatment**" has the same meaning as a portable document S2 issued under Regulation (EC) No 883/2004.

"S2 Healthcare Visitor" means a patient (P) or an accompanying person (AP) who meets the requirements of Appendix S2 Healthcare Visitor.

"Scale-up route" means the route under Appendix Scale-up.

"Scale-up Worker" means a person who has, or had, permission as Scale-up Worker under Appendix Scale-up.

"Seafarer" has the same meaning as "seafarer" in Regulation 2 of The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014.

"Seasonal work" is work which fluctuates or is restricted according to the season or time of the year.

"Seasonal Worker" means a person who has, or had, permission under any of the following:
(i) Appendix Temporary Work – Seasonal Worker; or
(ii) Appendix T5 (Temporary Worker) Seasonal Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) as a Tier 5 (Temporary Worker) migrant in the Seasonal Worker sub-category under part 6A of the rules in force before 1 December 2020.

"Seeking entry" refers to a person applying for entry clearance or permission to enter the UK.

"Self-employed" means a person who is registered as self-employed with HM Revenue & Customs, or an overseas equivalent, or is employed by a company of which the person is a controlling shareholder.

"Self-employed Lawyer" means a person granted permission outside the rules under the concession for self-employed lawyers that formerly appeared in Chapter 6, Section 1 Annex D of the Immigration Directorate Instructions.

"Secondment Worker" means a person who has, or last had, permission as a Secondment Worker under Appendix Global Business Mobility – Secondment Worker.

"Senior or Specialist Worker" means a person who has, or last had, permission under any of the following routes:

(a) Appendix Global Business Mobility – Senior or Specialist Worker; or
(b) the Intra-Company Transfer route under the rules in force before 11 April 2022; or
(c) as a Tier 2 (Intra-Company Transfer) migrant in the Long-Term Staff sub-category under the rules in force before 0900 on 1 December 2020.

"Series of events" in relation to sport is two or more linked events, such as a tour, or rounds of a competition, which do not add up to a league or a season.

"Service Supplier" means a person who has, or last had, permission under Appendix Global Business Mobility – Service Suppliers, or as a contractual service supplier or independent professional under any of the following routes:

(a) Appendix Temporary Work – International Agreement under the rules in force before 11 April 2022; or
(b) Appendix T5 (Temporary Worker) International Agreement Worker under the rules in force between 0900 1 December 2020 and 10 October 2021 (inclusive); or
(c) the International Agreement sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 0900 on 1 December 2020.

"Settled" has the same meaning as in section 33(1) of the Immigration Act 1971.

"Settled worker" means:

(a) a British citizen; or
(b) a person who is resident in the UK in accordance with the EEA Regulations or who holds a permanent right of residence in the UK in accordance with regulation 15 of the EEA Regulations; or
(c) a person with leave to remain or indefinite leave to remain granted under Appendix EU; or
(d) a British Overseas Territories citizen, except those from the Sovereign Base Areas in Cyprus; or
(e) a Commonwealth citizen who has been granted permission on the UK Ancestry route on the basis that they have a grandparent born in the UK and Islands; or
(f) a person who is otherwise settled within the meaning of section 33(2A) of the Immigration Act 1971.

"Settlement" means indefinite leave to enter or remain.

"Sham marriage" and **"sham civil partnership"** has the same meaning as in section 62 of the Immigration Act 2014 and **"involvement in a sham marriage or sham civil partnership"** means a person who is a party to a sham marriage or sham civil partnership, or who has enabled the marriage or civil partnership to take place.

"Short-term Student" means a person who has, or had, permission under Appendix Short Term Student, or paragraph A57E of the rules in force before 1 December 2020.

"Sibling" in Appendix Ukraine Scheme means the UK-based sponsor or their partner's biological, adopted or step-brothers and step-sisters.

"Skilled Worker" means a person who has, or had, permission as a Skilled Worker under Appendix Skilled Worker, or as a Tier 2 (General) migrant under the rules in force before 1 December 2020.

"SOC 2010 occupation code" means the relevant 4-digit code in the Standard Occupational Classification (SOC) 2010 system, published by the Office for National Statistics at: https://www.ons.gov.uk/methodology/classificationsandstandards/standardoccupationalclassificationsoc/soc2010.

"SOC 2020 occupation code" means the relevant 4-digit code in the Standard Occupational Classification (SOC) 2020 system, published by the Office for National Statistics at: https://www.ons.gov.uk/methodology/classificationsandstandards/standardoccupationalclassificationsoc/soc2020.

"Sole Representative" means a person who has, or had, permission on the Representative of an Overseas Business route having met the requirement at ROB 4.4.(a) of Appendix Representative of an Overseas Business, or as a Representative of an Overseas Business having met the requirement of paragraph 144(ii)(a) of Part 5 of the rules in force before 1 December 2020.

"Sponsor" and **"family sponsor"**, in relation to a family member, means the person in relation to whom an applicant is seeking leave to enter or remain as their spouse, fiancé(e), civil partner, proposed civil partner, unmarried partner, same-sex partner or dependent relative, as the case may be, under paragraphs 277 to 295O or 317 to 319 or the person in relation to whom an applicant is seeking entry clearance or leave as their partner or dependent relative under Appendix FM.

"Sponsor", in relation to study or work, means the person or organisation licensed by the Home Office that the Certificate of Sponsorship or Confirmation of Acceptance for Studies records as being the sponsor for a person.

"Sponsor group", under the Global Business Mobility routes, means the sponsor and any business or organisation that is linked to the sponsor by common ownership or control, or by a joint venture on which the applicant is sponsored to work.

"Sponsor group", under Appendix Intra-Company routes, means the sponsor and any business or organisation that is linked to the sponsor by common ownership or control, or by a joint venture on which the applicant is sponsored to work.

“Sponsor licence” means a licence granted by the Home Office to a person who, by virtue of such a grant, is licensed as a sponsor in relation to applications to study or work in the UK.

“Standard Visitor” means a person who has, or had, permission under Appendix V: Visitor to undertake the activities of a standard visitor set out in Appendix Visitor: Permitted Activities.

“Start-up route” means Appendix Start-up, and also includes a person who has, or had, permission as a Start-Up migrant under Appendix W of the rules in force before 1 December 2020.

“State-funded school or academy” means:

(a) in England, an “Academy” as defined by and established under the Academies Act 2010, including academy schools, 16-19 academies and alternative provision academies; and

(b) in England and Wales, a “school maintained by a local authority” being an institution defined in the School Standards and Framework Act 1998 or the Education Act 1996, including community schools, foundation schools, voluntary aided schools, voluntary controlled schools, community special schools, foundation special schools, pupil referral units and maintained nursery schools; and

(c) in Northern Ireland, a “grant-aided school” being a school to which grants are paid under the Education Orders as defined in the Education and Libraries (Northern Ireland) Order 1986, including controlled, maintained, grant-maintained integrated schools and voluntary grammar schools; and

(d) in Scotland, a “public school” and a “grant-aided school”, defined in section 135 of the Education (Scotland) Act 1980 (for the avoidance of doubt, these definitions include any such nursery schools and special schools) and “Special school” has the meaning given in section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004.

“Student” means a person who has, or had, permission under Appendix Student, or Appendix ST: Student of the rules in force immediately before 1 December 2020, or as a Tier 4 (General) Student under the rules in force before 5 October 2020.

“**Student sponsor**” means a sponsor which listed on the register of licensed sponsors maintained by the Home Office:
https://www.gov.uk/government/publications/register-of-licensed-sponsors-students.

“Student Union Sabbatical Officer” means a person who has, or had, permission under Appendix Student, Appendix ST: Student of the rules in force immediately before 1 December 2020, or under paragraph 245ZV or paragraph 245ZX of the rules in force before 5 October 2020, and has been elected to a full-time, salaried, executive union position in the student union of the person’s sponsor institution or with the National Union of Students of the UK.

“Studying in London” means the applicant’s Confirmation of Acceptance for Studies confirms they will be studying at an institution wholly within the Greater London Area. If the applicant will be studying at more than one site, one or more of which is in Greater London Area and one or more outside, then the applicant will be considered to be studying in London if the applicant’s Confirmation of Acceptance for Studies states that the applicant will

be spending the majority of time studying at a site or sites situated within the Greater London Area.

"Studying outside London" means the applicant's Confirmation of Acceptance for Studies confirms they will be studying in the UK but the site of study does not meet the definition of Studying in London.

"Successfully completed" means the Student or Child Student has completed their course and been assessed by their sponsor, and has been or will be awarded, a qualification that is:

(a) for the course of study for which their Confirmation of Acceptance for Studies was assigned; or

(b) a degree at either UK Bachelor's degree level or UK postgraduate degree level, as part of an integrated programme for which their Confirmation of Acceptance for Studies was assigned; or

(c) for the course of study with their student sponsor to which they were allowed to change without applying for further permission on the Student route.

"Supplementary employment" means employment in a job (other than the job for which the person is being sponsored) which either:

(a) appears in Appendix Immigration Salary List; or

(b) is in the same profession and at the same professional level as the job for which the person is being sponsored; or

(c) if the person has permission as a Skilled Worker, is in an eligible SOC 2020 occupation code listed in Tables 1, 2 or 3 of Appendix Skilled Occupations;

provided in all cases that:

(i) the person remains working for the sponsor in the job for which the Certificate of Sponsorship records the person is being sponsored (except where the other employment takes place during the 4-month period referred to in SW 18.1A of Appendix Skilled Worker, where that provision applies); and

(ii) the other employment does not exceed 20 hours per week and takes place outside of the hours when the person is contracted to work for the sponsor in the job for which the person is being sponsored.

"Swiss citizens' rights agreement" means (as modified from time to time in accordance with any provision of it) the Agreement signed at Bern on 25 February 2019 between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on citizens' rights following the withdrawal of the United Kingdom from:

(a) the European Union; and

(b) the Agreement on the Free Movement of Persons.

"Temporary refugee permission to stay" means permission to stay granted to an individual with refugee status under paragraph 339QA(ii) of these rules which has not been revoked under paragraph 339QD.

"Temporary humanitarian permission to stay" means permission to stay granted to an individual with humanitarian protection under paragraph 339QB of these rules which has not been revoked under paragraph 339QD.

"Tier 1 (Entrepreneur) Migrant" means a person who has, or had leave under paragraphs 245D to 245DF.

“Tier 1 (Exceptional Talent) Migrant” means a person who was granted leave under paragraphs 245B to 245BF of the rules in force before 1 December 2020.
“Tier 1 (General) Migrant” means a person who was granted leave under paragraphs 245C to 245CE of the rules in force before 6 April 2018.

“Tier 1 (Graduate Entrepreneur) Migrant” means a person who was granted leave under paragraphs 245F to 245FB of the rules in force on or after 6 April 2012 and before 29 March 2019.

“Tier 1 (Investor) Migrant” means a person who has, or had, leave under paragraphs 245E to 245EF.

“Tier 2 (General) Migrant” means a person granted leave under paragraphs 245H to 245HF and who obtained points under paragraphs 76 to 84A of Appendix A of the rules in force before 1 December 2020.

“Tier 2 (Intra-Company Transfer) Migrant” means a person granted leave under paragraphs 245G to 245GF of the rules in force before 1 December 2020.

“Tier 2 Migrant” means a person granted leave as a Tier 2 (Intra-Company Transfer) Migrant, a Tier 2 (General) Migrant, a Tier 2 (Minister of Religion) Migrant or a Tier 2 (Sportsperson) Migrant under the rules in force before 1 December 2020.

“Tier 2 (Minister of Religion) Migrant” means a person granted leave under the Tier 2 Minister of Religion route as a missionary or a member of a religious order under paragraphs 245H to 245HF of the rules in force before 1 December 2020.

“T2 Minister of Religion” means a person who has, or had, permission under Appendix T2 Minister of Religion, or as a Tier 2 (Minister of Religion) migrant under the rules in force before 1 December 2020.

“Tier 2 (Sportsperson) Migrant” means a person granted leave under paragraphs 245H to 245HF (and who obtained points under paragraphs 93 to 100 of Appendix A) of the rules in force before 1 December 2020.

“Tier 4 (Child) Student” means a person granted leave under paragraphs 245ZZ to 245ZZD of the rules in force before 5 October 2020.

“Tier 4 (General) Student” means a person granted leave under paragraphs 245ZT to 245ZY of the rules in force before 5 October 2020.

“Tier 4 Migrant” means a Tier 4 (General) Student or a Tier 4 (Child) Student.

“Tier 5 Migrant” means a person granted leave as either a Tier 5 (Temporary Worker) Migrant or a Tier 5 (Youth Mobility Scheme) Temporary Migrant under the rules in force before 1 December 2020.

“Temporary Worker” means a person who has, or had, permission as a Charity Worker, Creative Worker, Religious Worker, Seasonal Worker, on the International Agreement route, Youth Mobility Scheme or Government Authorised Exchange route.

"Tier 5 (Temporary Worker) Migrant" means a person granted leave under paragraphs 245ZM to 245ZS of the rules in force before 1 December 2020.

"Track record of compliance" means a 4-year track record of immigration compliance and Educational Oversight, established by a student sponsor in accordance with the requirements set out in the student sponsor guidance which is published on the visa and immigration pages of the gov.uk website.

"Training Programme" means a training programme under a Government Authorised Exchange Scheme where the person concerned either receives formal, practical training in the fields of science and / or medicine or will be trained by HM Forces or by UK emergency services.

"Transit Visitor" means a person who has, or had, permission under Appendix V: Visitor, or Appendix Visitor: Transit Without Visa Scheme, to transit the UK on route to another country outside the Common Travel Area.

"UK" means the United Kingdom**.**

"UK Ancestry route" means the route in Appendix UK Ancestry, or paragraphs 186 to 199B in Part 5 of the Rules in force before 1 December 2020, and **"person with UK Ancestry"** means a person applying for, or granted, permission on the basis that they have a grandparent born in the UK and Islands and meet the requirements in Appendix UK Ancestry, or under paragraphs 186 to 193 in Part 5 of the Rules in force before 1 December 2020.

"UK bachelor's degree" means:

(a) a programme of study or research which leads to the award by or on behalf of a university, college or other body which is authorised by Royal Charter, an Act of Parliament, the Privy Council or the Office for Students to grant degrees, of a qualification designated by the awarding institution to be of bachelor's degree level; or

(b) a programme of study or research, which leads to a recognised award for the purposes of section 214(2)(c) of the Education Reform Act 1988, of a qualification designated by the awarding institution to be of bachelor's degree level.

"UK Border" means immigration control at a UK port and a control zone in France or Belgium or a supplementary control zone in France as defined by Article 2(1) and Schedule 1 to the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and Article 2 of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818).

"UK Expansion Worker" means a person who has, or last had, permission as a UK Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker.

"UK listed body" is an institution which is not a UK recognised body but which provides full courses that lead to the award of a degree by a UK recognised body.

"UK postgraduate degree" means:

(a) a programme of study or research which leads to an award, by or on behalf of a university, college or another body which is authorised by a Royal Charter, an Act of Parliament, the Privy Council or the Office for Students to grant degrees, of a qualification designated by the awarding institution to be of master's degree level or above; or

(b) a programme of study or research, which leads to a recognised award for the purposes of section 214(2)(c) of the Education Reform Act 1988, of a qualification designated by the awarding institution to be of master's degree level or above.

"Ukraine Scheme" means the routes set out in Appendix Ukraine Scheme: the Homes for Ukraine Sponsorship Scheme, and Ukraine Extension Scheme.

"UK recognised body" means a higher learning institution that has been granted degree awarding powers by Royal Charter, an Act of Parliament, the Privy Council or the Office for Students, and for the purposes of these rules, Health Education South London and Health Education England are equivalent to UK recognised bodies, as set out at: https://www.gov.uk/check-a-university-is-officially-recognised.

"UK Regulated Profession" means a profession regulated by UK law which is listed at: https://cpq.ecctis.com/Individuals/Inbound/Regulated%20Professions.

"UKRI" means UK Research and Innovation.

"Uncle" in Appendix Ukraine Scheme, means the brother, or stepbrother, of either of the UK-based sponsor's parents, or the male partner of the UK-based sponsor's uncle or aunt.

"United Kingdom passport" has the same meaning as in the Immigration Act 1971.

"**Unmarried partner**", under Appendix ECAA Extension of Stay or Appendix ECAA Settlement, means a person who is:

(a) resident with the ECAA worker or ECAA business person unless applying for entry clearance; and
(b) intends to live, or continue living, with the ECAA worker or ECAA business person; and
(c) is in a relationship with the ECAA worker or ECAA business person that is genuine and subsisting.

"Valid application" means an application made in accordance with the requirements of Part 1, or the validity requirements of the route in question, whichever is applicable.

"Visa nationals" means persons specified in Appendix Visitor: Visa National list as needing an entry clearance (a visa), in advance of travel to the UK for any purpose and **"Non-visa nationals"** are persons who are not so specified in that Appendix and are required to obtain entry clearance in advance of travel for any purpose other than as a visitor for less than 6 months.

"Visitor" means a person granted permission under paragraphs 40-56Z, 75A-M or 82-87 of the rules in force before 24 April 2015 or Appendix V on or after 24 April 2015 or Appendix V: Visitor after 9am on 1 December 2020.

"Voluntary fieldwork" means activities which would not normally be offered at a waged or salaried rate and which contribute directly to the achievement or advancement of the sponsor's charitable purpose. It does not include work ancillary to the sponsor's charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor's offices and other assets.

"Voluntary work" has the same meaning as applies to a voluntary worker in the National Minimum Wage Act 1998.

"Week" means a period of 7 days beginning with a Monday.

"Wet Lease Agreement" has the same meaning as 'wet lease agreement' in Regulation (EC) No 1008/2008 of the European Parliament and of the Council.

"Withdrawal Agreement" means the agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom's withdrawal from the EU (as that agreement is modified from time to time in accordance with any provision of it).

"Work" has the same meaning as "**Employment**", except that work does not include being party to an employment contract but not working.

"Work Experience Programme" means work experience including volunteering and job-shadowing, internships and work exchange programmes under a Government Authorised Exchange Scheme.

"Work placement" means a placement that forms an integral and assessed part of the course of study which meets the requirements in Appendix Student or Appendix Child Student.

"Working day" means a business day in the part of the UK in which the applicant resides or (as the case may be) is detained.

"Working illegally" means working in breach of a condition of leave or working in the UK without valid leave where such leave is required.

"Working Time Regulations" means the Working Time Regulations 1998.

"Youth Mobility Scheme" means any of the following:

(i) Appendix Youth Mobility Scheme; or

(ii) the route in Appendix T5 (Temporary Worker) Youth Mobility Scheme, under the rules in force between 1 December 2020 and 10 October 2021(inclusive); or

(iii) the Tier 5 (Youth Mobility Scheme) route under part 6A of the rules in force before 1 December 2020; or

(iv) the Working Holidaymaker route under Part 4 of the rules in force before 1 November 2008.

Back to top

Immigration Rules

Part 1

General provisions regarding entry clearance, leave to enter or remain in the United Kingdom

Leave to enter the United Kingdom

7. A person who is neither a British citizen nor a Commonwealth citizen with the right of abode nor a person who is entitled to enter or remain in the United Kingdom by virtue of section 3ZA of the Immigration Act 1971 requires leave to enter the United Kingdom.

8. Under Sections 3 and 4 of the Immigration Act 1971 an Immigration Officer when admitting to the United Kingdom a person subject to immigration control under that Act may give leave to enter for a limited period and, if he does, may impose all or any of the following conditions:

(i) a condition restricting employment or occupation in the United Kingdom;
(ii) a condition requiring the person to maintain and accommodate himself, and any dependants of his, without recourse to public funds;
(iii) a condition requiring the person to register with the police; and
(iv) a condition restricting his studies in the United Kingdom.

He may also require him to report to the appropriate Medical Officer of Environmental Health. Under Section 24 of the 1971 Act it is an offence knowingly to remain beyond the time limit or fail to comply with such a condition or requirement.

9. The time limit and any conditions attached will be made known to the person concerned either:

(i) by written notice given to him or endorsed by the Immigration Officer in his passport or travel document; or
(ii) in any other manner permitted by the Immigration (Leave to Enter and Remain) Order 2000.

Exercise of the power to refuse leave to enter the United Kingdom or to cancel leave to enter or remain which is in force

10. The power to refuse leave to enter the United Kingdom or to cancel leave to enter or remain which is already in force is not to be exercised by an Immigration Officer acting on his own. The authority of a Chief Immigration Officer or of an Immigration Inspector must always be obtained.

Suspension of leave to enter or remain in the United Kingdom

10A. Where a person has arrived in the United Kingdom with leave to enter or remain which is in force but which was given to him before his arrival he may be examined by an Immigration Officer under paragraph 2A of Schedule 2 to the Immigration Act 1971. An Immigration Officer examining a person under paragraph 2A may suspend that person's leave to enter or remain in the United Kingdom until the examination is completed.

Cancellation of leave to enter or remain in the United Kingdom

10.B Where a person arrives in the United Kingdom with leave to enter or remain in the United Kingdom which is already in force, an Immigration Officer may cancel that leave.

Requirement for persons arriving in the United Kingdom or seeking entry through the Channel Tunnel to produce evidence of identity and nationality

11. A person must, on arrival in the United Kingdom or when seeking entry through the Channel Tunnel, produce on request by an Immigration Officer:

(i) a valid national passport or, subject to paragraph 11A, other document satisfactorily establishing their identity and nationality; and
(ii) such information as may be required to establish whether they require leave to enter the United Kingdom and, if so, whether and on what terms leave to enter should be given.

11A. A national identity card is not valid for the purposes of paragraph 11(i), except where the holder is one of the following:

(a) a British citizen of Gibraltar; or

(b) a national of Switzerland with a valid entry clearance granted under Appendix Service Providers from Switzerland to these Rules; or

(c) a national of one of the countries listed in paragraph 11B with valid indefinite or limited leave to enter or remain granted under Appendix EU to these Rules, or who has made a valid application under that Appendix (other than as a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined; or

(d) a national of one of the countries listed at paragraph 11B with a valid entry clearance in the form of an EU Settlement Scheme Family Permit; or

(e) a national of one of the countries listed at paragraph 11B with a frontier worker permit; or

(f) a national of one of the countries listed at paragraph 11B seeking to come to the UK as an S2 Healthcare Visitor; or

(g) a national of one of the countries listed at paragraph 11B who has been granted immigration permission equivalent to that set out in sub-paragraphs (b) to (f) above by the Islands, or who has made a valid application under the equivalent in the Islands of Appendix EU to these rules (other than as the equivalent of a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined; or

(h) a person aged 18 or under, studying at a school or educational institution in France registered with the French Ministry of Education and seeking to enter the UK as part of a school party of 5 or more pupils organised by that school or institution.

11B. For the purposes of subparagraphs (c) to (h) of paragraph 11A, the holder must be a national of one of the following countries:

Austria
Belgium
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Italy
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Netherlands
Norway
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden
Switzerland.

11C. For the purposes of paragraphs 11A(h) and VN 7.0, that person must be listed in a completed and authenticated “France-UK School Trip Travel Information Form” (published by the Home Office on the gov.uk website) in the possession of an adult arriving at the border with responsibility for supervising the party’s travel.

Requirement for a person not requiring leave to enter the United Kingdom to prove that he has the right of abode

12. A person claiming to be a British citizen must prove that he has the right of abode in the United Kingdom by producing either:

(i) a United Kingdom passport describing him as a British citizen or as a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom; or
(ii) a certificate of entitlement duly issued by or on behalf of the Government of the United Kingdom certifying that he has the right of abode.

13. A person claiming to be a Commonwealth citizen with the right of abode in the United Kingdom must prove that he has the right of abode by producing a certificate of entitlement duly issued to him by or on behalf of the Government of the United Kingdom certifying that he has the right of abode.

14. A Commonwealth citizen who has been given limited leave to enter the United Kingdom may later claim to have the right of abode. The time limit on his stay may be removed if he is able to establish a claim to the right of abode, for example by showing that:

(i) immediately before the commencement of the British Nationality Act 1981 he was a Commonwealth citizen born to or legally adopted by a parent who at the time of the birth had citizenship of the United Kingdom and Colonies by his birth in the United Kingdom or any of the Islands; and
(ii) he has not ceased to be a Commonwealth citizen in the meanwhile.

Common Travel Area

15. The United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively form a common travel area. A person who has been examined for the purpose of immigration control at the point at which he entered the area does not normally require leave to enter any other part of it. However certain persons subject to the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended) who enter the United Kingdom through the Republic of Ireland do require leave to enter. This includes:

(i) those who merely passed through the Republic of Ireland;

(ii) persons requiring visas;

(iii) persons who entered the Republic of Ireland unlawfully;
(iv) persons who are subject to directions given by the Secretary of State for their exclusion from the United Kingdom on the ground that their exclusion is conducive to the public good;

(v) persons who entered the Republic from the United Kingdom and Islands after entering there unlawfully or overstaying their leave.

Admission of certain British passport holders

16. A person in any of the following categories may be admitted freely to the United Kingdom on production of a United Kingdom passport issued in the United Kingdom and Islands or the Republic of Ireland prior to 1 January 1973, unless his passport has been endorsed to show that he was subject to immigration control:

(i) a British Dependent Territories citizen;

(ii) a British National (Overseas);

(iii) a British Overseas citizen;

(iv) a British protected person;

(v) a British subject by virtue of Section 30(a) of the British Nationality Act 1981, (who, immediately before the commencement of the 1981 Act would have been a British subject not possessing citizenship of the United Kingdom and Colonies or the citizenship of any other Commonwealth country or territory).

17. British Overseas citizens who hold United Kingdom passports wherever issued and who satisfy the Immigration Officer that they have, since 1 March 1968, been given indefinite leave to enter or remain in the United Kingdom may be given indefinite leave to enter.

Persons outside the United Kingdom

17A. Where a person is outside the United Kingdom but wishes to travel to the United Kingdom an Immigration Officer may give or refuse him leave to enter. An Immigration Officer may exercise these powers whether or not he is, himself, in the United Kingdom. However, an Immigration Officer is not obliged to consider an application for leave to enter from a person outside the United Kingdom.

17B. Where a person having left the common travel area, has leave to enter the United Kingdom which remains in force under article 13 of the Immigration (Leave to Enter and Remain) Order 2000, an Immigration Officer may cancel that leave. An Immigration Officer may exercise these powers whether or not he is, himself, in the United Kingdom. If a person outside the United Kingdom has leave to remain in the United Kingdom which is in force in this way, the Secretary of State may cancel that leave.

Returning Residents

18. DELETED.

18A. DELETED.

19. DELETED.

19A. DELETED.

20. DELETED.

Non-lapsing leave

20A. Leave to enter or remain in the United Kingdom will usually lapse on the holder going to a country or territory outside the common travel area. However, under article 13 of the Immigration (Leave to Enter and Remain) Order 2000 such leave will not lapse where it was given for a period exceeding six months or where it was conferred by means of an entry clearance (other than a visit visa).

20B. Those who seek leave to enter the United Kingdom within the period of their earlier leave and for the same purpose as that for which that leave was granted, unless it

(i) was for a period of six months or less; or

(ii) was extended by statutory instrument or by section 3C of the Immigration Act 1971 (inserted by section 3 of the Immigration and Asylum Act 1999);

do not need a visa to enter the UK.

Holders of restricted travel documents and passports

21. The leave to enter or remain in the United Kingdom of the holder of a passport or travel document whose permission to enter another country has to be exercised before a given date may be restricted so as to terminate at least 2 months before that date.

22. If his passport or travel document is endorsed with a restriction on the period for which he may remain outside his country of normal residence, his leave to enter or remain in the United Kingdom may be limited so as not to extend beyond the period of authorised absence.

23. The holder of a travel document issued by the Home Office should not be given leave to enter or remain for a period extending beyond the validity of that document. This paragraph and paragraphs 21-22 do not apply to a person who is eligible for admission for settlement or to a spouse or civil partner who is eligible for admission under paragraph 282 or to a person who qualifies for the removal of the time limit on his stay.

Leave to enter granted on arrival in the United Kingdom

23A. A person who is not a visa national and who is seeking leave to enter on arrival in the United Kingdom for a period not exceeding 6 months for a purpose for which prior entry clearance is not required under these Rules may be granted such leave, for a period not exceeding 6 months. This paragraph does not apply where the person is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person, or a person who under the British Nationality Act 1981 is a British subject.

23B. A person who is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person, or a person who under the British Nationality Act 1981 is a British subject, and who is seeking leave to enter on arrival in the United Kingdom for a purpose for which prior entry clearance is not required under these Rules may be granted such leave, irrespective of the period of time for which he seeks entry, for a period not exceeding 6 months.

A24. A person who is a national of a country specified in rule ETA 1.2. must obtain an ETA before travel to the UK unless they have an entry clearance.

Entry clearance

24. The following persons are required to obtain entry clearance in advance of travel to the UK:

(i) a visa national;
(ii) a non visa national (not a British or Irish national) who is seeking entry for any purpose other than as a visitor seeking entry for 6 months or less, or
(iii) a British national without the right of abode who is seeking entry for a purpose for which prior entry clearance is required under these Rules.

Any other person who wishes to ascertain in advance whether they are eligible for admission to the United Kingdom may apply for the issue of an entry clearance.

24A. A person who requires entry clearance must on arrival in the UK either:

(i) produce to the Immigration Officer a valid passport or other identity document endorsed with a United Kingdom entry clearance, issued to them for the purpose for which they seek entry, which is still in force, or:
(ii) where they have been granted a United Kingdom entry clearance which was issued to them in electronic form (an eVisa) for the purpose for which they seek entry and which is still in force, produce to the Immigration Officer a valid passport or other identity document.

24B. A person who requires entry clearance and fails to meet the requirements of 24A must not be granted leave to enter on arrival.

25. Entry clearance takes the form of a visa (for visa nationals) or an entry certificate (for non visa nationals). A visa or an entry certificate may be issued in electronic form. These documents are to be taken as evidence of the holder's eligibility for entry into the United Kingdom, and accordingly accepted as "entry clearances" within the meaning of the Immigration Act 1971.

25A. An entry clearance which satisfies the requirements set out in article 3 of the Immigration (Leave to Enter and Remain) Order 2000 will have effect as leave to enter the United Kingdom. The requirements are that the entry clearance must specify the purpose for which the holder wishes to enter the United Kingdom and should be endorsed with the conditions to which it is subject or wish a statement that it has effect as indefinite leave to enter the United Kingdom. The holder of such an entry clearance will not require leave to enter on arrival in the United Kingdom and, for the purposes of these Rules, will be treated as a person who has arrived in the United Kingdom with leave to enter the United Kingdom which is in force but which was given to him before his arrival.

26. An application for entry clearance will be considered in accordance with the provisions in these Rules governing the grant or refusal of leave to enter. Where appropriate, the term "Entry Clearance Officer" should be substituted for "Immigration Officer".

27. An application for entry clearance is to be decided in the light of the circumstances existing at the time of the decision, except that an applicant will not be refused an entry clearance where entry is sought in one of the categories contained in paragraphs 296-316 or paragraph EC-C of Appendix FM solely on account of his attaining the age of 18 years between receipt of his application and the date of the decision on it.

28. An applicant for an entry clearance must be outside the United Kingdom and Islands at the time of the application. An application for an entry clearance as a visitor or as a short-term student or under Appendix Ukraine Scheme must be made to any post designated by the Secretary of State to accept such applications. Subject to paragraph 28A, any other application must be made to a post in the country or territory where the applicant is living which has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant. Where there is no such post the applicant must apply to the appropriate designated post outside the country or territory where he is living.

28A (a) An application for entry clearance under Appendix Temporary Work-Creative Worker or Appendix International Sportsperson, where the applicant is applying for a period of permission of 12 months or less, may also be made at the post in the country or territory where the applicant is situated at the date of application, provided that:

(i) the post has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant; and

(ii) the applicant is in that country or territory for a similar purpose to the activity they propose to undertake in the UK; and

(iii) the applicant is able to demonstrate to the Entry Clearance Officer that they have been given permission to live in that country or territory in accordance with its immigration laws.

(b) An application for entry clearance under Appendix Global Talent or Appendix Youth Mobility Scheme may be made at the post in the country or territory where the applicant is situated at the date of application, provided that:

(i) the post has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant; and

(ii) the applicant is able to demonstrate to the Entry Clearance Officer that they have been given permission to live in that country or territory in accordance with its immigration laws and that the permission was given for a period of more than 6 months.

29. For the purposes of paragraph 28 "post" means a British Diplomatic Mission, British Consular post or the office of any person outside the United Kingdom and Islands who has been authorised by the Secretary of State to accept applications for entry clearance. A list of designated posts is published by the Foreign and Commonwealth Office.

30. An application for an entry clearance is not made until any fee required to be paid under the regulations made under sections 68 and 69 of the Immigration Act 2014 has been paid..

30A. DELETED.

30B. An entry clearance shall cease to have effect where the entry clearance has effect as leave to enter and an Immigration Officer cancels that leave in accordance with paragraph 2A(8) of Schedule 2 to the Immigration Act 1971.

30C. An Immigration Officer may cancel an entry clearance which is capable of having effect as leave to enter if the holder arrives in the United Kingdom before the day on which the entry clearance becomes effective or if the holder seeks to enter the United Kingdom for a purpose other than the purpose specified in the entry clearance.

Variation of leave to enter or remain in the United Kingdom

31. DELETED.

31A. DELETED.

32. DELETED

33. DELETED

33A. DELETED.

33B-33G DELETED

A34. Paragraphs 34 and 34A apply to an application made under the following rules:
(a) paragraph 167 to 168 (Indefinite leave to remain for an overseas government employee); (b) paragraph 184 to 185 (Indefinite leave to remain for a member of the operational ground staff of an overseas owned airline);
(c) paragraph 245D to 245DF (Tier 1 (Entrepreneur) Migrants);
(d) paragraph 245E to 245EF (Tier 1 (Investor) Migrants);
(e) paragraph 319A to 319J (Family members of Relevant Points Based System Migrants or Appendix W Worker);
(f) Appendix W Workers;
(g) paragraph 276DI to 276AI Armed Forces Rules;
(h) paragraph 309A to 316F (Adopted Children);
(i) Part 8;
(j) Part 14 (Stateless Persons);
(k) DELETED
(l) Appendix Armed Forces.

How to make a valid application for permission to stay in the UK

34. an application for permission to stay must be made in accordance with sub-paragraphs (1) to (9) below.

(1) (a) Subject to paragraph 34(1)(c), the application must be made on an application form which is specified for the immigration category under which the applicant is applying on the date on which the application is made.

(b) An application form is specified when it is posted on the visa and immigration pages of the GOV.UK website.

(c) An application can be made on a previous version of a specified paper application form (and shall be treated as made on a specified form) as long as it is no more than 21 days out of date.

(2) All mandatory sections of the application form must be completed.

(3) Where the applicant is required to pay a fee, this fee must be paid in full in accordance with the process set out in the application form unless the applicant has made an application for a fee waiver which has been granted in whole or in part.

(4) Where the applicant is required to pay the Immigration Health Surcharge, this must be paid in accordance with the process set out on the visa and immigration pages of the GOV.UK website.

(5) (a) Subject to paragraph 34(5)(c), the applicant must provide proof of identity as described in 34(5)(b) below and in accordance with the process set out in the application form.

(b) Proof of identity for the purpose of this paragraph means:

(i) a valid passport or, if an applicant (except a PBS applicant) does not have a valid passport, a valid national identity card; or

(ii) if the applicant does not have a valid passport or national identity card, their most recent passport or (except a PBS applicant) their most recent national identity card; or

(iii) if the applicant does not have any of the above, a valid travel document.

(c) Proof of identity need not be provided where:

(i) the applicant's passport, national identity card or travel document is held by the Home Office at the date of application; or

(ii) the applicant's passport, nationality identity card or travel document has been permanently lost or stolen and there is no functioning national government to issue a replacement; or

(iii) the applicant's passport, nationality identity card or travel document has been retained by an employer or other person in circumstances which have led to the applicant being the subject of a positive conclusive grounds decision made by a competent authority under the National Referral Mechanism; or

(iv) the application is for limited leave to enable access to public funds pending an application under paragraph 289A of, or under Part 6 of Appendix Armed Forces; or

(v) the application is made under Part 14 of these rules, for leave as the family member of a stateless person; or

(vi) the application was made by a person in the UK with refugee leave or humanitarian protection; or

(vii) the applicant provides a good reason beyond their control why they cannot provide proof of their identity.

(6) Where any of paragraph 34(5)(c)(ii)-(vii) applies, the Secretary of State may ask the applicant to provide alternative satisfactory evidence of their identity and nationality.

(7) Where the main applicant is under the age of eighteen, their parent or legal guardian must provide written consent to the application.

(8) Where the application is made on a paper application form, it must be sent by pre-paid post or courier to the address on the application form.

(9) An applicant must comply with the application process set out on the visa and immigration pages on GOV.UK and in the invitation to enrol biometrics which is provided as part of the application process in relation to –

(a) making an appointment to provide biometrics, and

(b) providing any evidence requested by the Secretary of State in support of their application.

Invalid applications

34A. Subject to paragraph 34B, an application for permission to stay which does not meet the requirements of paragraph 34 will be rejected as invalid and not considered.

34B. (1) Where an application for permission to stay does not meet the requirements of paragraph 34(1) to (9), or the validity requirements for the route under which they are applying, the Secretary of State may notify the applicant and give them one opportunity to correct the error(s) or omission(s) identified by the Secretary of State within the timescale specified in the notification.

(2) Where an applicant does not comply with the notification in paragraph 34B(1), or with the requirements in paragraph 34G(4), the application is invalid and will not be considered unless the Secretary of State exercises discretion to treat an invalid application as valid and either the requirements of paragraph 34(3), (4) and (5), or any requirement to pay a fee and Immigration Health Charge and provide biometrics, has been met.

(3) Notice of invalidity will be given in writing and served in accordance with Appendix SN of these Rules.

Variation of an application

34BB. Except where one or more applications have been made under Appendix EU (see paragraph EU10 of Appendix EU):
(1) Where an applicant has an outstanding application for entry clearance or permission to stay which has not been decided ("the previous application"), any further application for entry clearance or permission to stay will be treated as an application to vary the previous application and only the most recent application will be considered.
(2) An application to vary a previous application must comply with the requirements of paragraph 34, or the validity requirements for the route applied for or, subject to paragraph 34B, the application to vary will be invalid and will not be considered.
(3) Any valid application to vary a previous application will be decided in accordance with the immigration rules in force at the date the application to vary is made.
(4) Where an application to vary a previous application has been made, the Secretary of State will contact the applicant to notify them that the application is being treated as an application to vary and that any previous application will have been varied.
(5) Where more than one application to vary has been made, or where it is not clear which is the most recent application, the Secretary of State will request that the applicant confirm which application they want to be considered.
(6) If the applicant does not provide confirmation within 14 days of the request, the most recent application will be considered and any other applications will be treated as varied, unless it is not clear which is the most recent application, in which case all applications will be treated as invalid.
(7) Where a human rights claim is made as part of an application and a subsequent application is made which varies that application under paragraph 34BB(1), if the applicant is then granted entry clearance or permission to stay, any outstanding human rights claim will be treated as withdrawn, but where any subsequent application is refused, the human rights claim, if not already decided, remains outstanding and will be considered at a time decided by the Secretary of State.

Applications made by dependants

34C. A dependent applicant can be included on a main applicant's application form where the application form allows the dependant to be included. Otherwise, a dependent must make a separate application.

34DA. An applicant applying as a dependent partner or dependent child must be applying as the partner or child of a person (P) where:

(i) P has made a valid application for entry clearance, permission to enter, permission to stay or settlement on the same route as the applicant and that application has not been decided; or

(ii) P has entry clearance, permission to enter, or permission to stay, on the same route as the route on which the applicant is applying; or

(iii) P is settled or a British citizen, providing P had permission on the route on which the applicant is applying when they settled, and the applicant had permission as their partner or child at that time.

34D. DELETED

34E. DELETED.

34F. DELETED.

Date of application (or variation of application) for permission to stay

34G. For the purposes of these rules, and subject to paragraph 34GB, the date on which an application is made is:

(1) where the paper application form is sent by post by Royal Mail, whether or not accompanied by a fee waiver request form, the date of posting as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or

(2) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office; or

(3) where the application is made via the online application process, and there is no request for a fee waiver, the date on which the online application is submitted; or

(4) where the online application includes a request for a fee waiver, the date on which the online request for a fee waiver is submitted, as long as the completed application for permission to stay is submitted within 10 working days of the receipt of the decision on the fee waiver application.

34GA. Where an application is rejected as invalid that decision will be served in accordance with Appendix SN.

34GB. Where a variation application is made in accordance with paragraph 34BB, the date the variation application (the new application) is made is deemed to be the date the previous application was made prior to it being varied (the old application).

34GC. Where a partner, child or other dependent is included in the variation application (the new application) and was not included in the application which has been varied (the old

application) the date of application for the dependant's application is the date the variation application (the new application) was made.

Withdrawal of an application for entry clearance, permission to enter and permission to stay in the United Kingdom

34H. An applicant may ask to withdraw their application for entry clearance, permission to enter or permission to stay at any time before a decision is made on the application by making a request in writing or by completing the withdrawal process at www.gov.uk/cancel-visa. If the request to withdraw the application is accepted the date of withdrawal is the date on which the request was received by the Home Office.

34I. There is no requirement to agree to the withdrawal of an application for entry clearance, permission to enter or permission to stay and the decision maker may instead decide the application.

34J. The proof of identity provided under paragraph 34(5), or any other application for permission to stay, will be returned to the applicant whilst their application is being considered, unless the Secretary of State considers it necessary to retain it.

34K. Where a decision on an application for permission to stay has not been made and the applicant travels outside the common travel area their application will be treated as withdrawn on the date the applicant left the common travel area.

Void applications

34KA. An application is void where it would not be possible to grant the applicant the permission for which they applied.

34KB. If an application is void, it will not be considered.

34KC. An application is void if, for example, any of the following apply:

(a) it was made by a person who is exempt from immigration control, unless it was made under Appendix EU of these Rules; or
(b) it is an application for temporary permission, and the applicant has already been granted settlement; or
(c) it is a new application for permission to stay and is made while the applicant's current permission is extended under section 3C of the Immigration Act 1971 during the period where an in-time appeal could be brought or is pending, unless the new application is made under Appendix EU of these Rules or is a human rights or protection claim; or
(d) the applicant has died before the application has been decided.

34KD. Where an application is void, notice will be given in accordance with Appendix SN of these Rules.

Specified forms and procedures in connection with applications for administrative review

Notice of an eligible decision

34L. (1) Unless sub-paragraph (2) applies, written notice must be given to a person of any eligible decision. The notice given must:

(a) include or be accompanied by a statement of reasons for the decision to which it relates, and

(b) include information on how to apply for an administrative review and the time limit for making an application.

(2) Sub-paragraph (1) does not apply where the eligible decision is a grant of leave to remain.

Making an application

34M. DELETED.

34N. DELETED.

34O. DELETED.

34P. DELETED.

34Q. DELETED.

34QA. DELETED.

34R. DELETED.

Notice of invalidity

34T. DELETED.

Online applications for administrative review

34U. DELETED.

Postal applications for administrative review

34V. DELETED.

Applications for administrative review of entry clearance decisions

34VA. DELETED.

Determining the date of an application

34W. DELETED.

Withdrawal of applications

34X. DELETED.

Transitional arrangements for specified forms used in postal and courier applications

34Y. Where an application is made no more than 21 days after the date on which a form is specified (within the meaning of paragraph 34 or the validity requirements for the route applied for) and on a form that was specified immediately prior to the date of the new specification, the application is deemed to have been made on the specified form (and is therefore not to be treated as invalid by reason only of being made on the “wrong” form).

Undertakings

35. DELETED.

Medical

36. A person who intends to remain in the United Kingdom for more than 6 months should normally be referred to the Medical Inspector for examination. If he produces a medical certificate he should be advised to hand it to the Medical Inspector. Any person seeking entry who mentions health or medical treatment as a reason for his visit, or who appears not to be in good mental or physical health, should also be referred to the Medical Inspector; and the Immigration Officer has discretion, which should be exercised sparingly, to refer for examination in any other case.

37. Where the Medical Inspector advises that a person seeking entry is suffering from a specified disease or condition which may interfere with his ability to support himself or his dependants, the Immigration Officer should take account of this, in conjunction with other factors, in deciding whether to admit that person. The Immigration Officer should also take account of the Medical Inspector's assessment of the likely course of treatment in deciding whether a person seeking entry for private medical treatment has sufficient means at his disposal.

38. A returning resident should not be refused leave to enter or have existing leave to enter or remain cancelled on medical grounds. But where a person would be refused leave to enter or have existing leave to enter or remain cancelled on medical grounds if he were not a returning resident or in any case where it is decided on compassionate grounds not to exercise the power to refuse leave to enter or to cancel existing leave to enter or remain, or in any other case where the Medical Inspector so recommends, the Immigration Officer should give the person concerned a notice requiring him to report to the Medical Officer of Environmental Health designated by the Medical Inspector with a view to further examination and any necessary treatment.

A39. DELETED.

B39. DELETED.

C39. DELETED.

39. The Entry Clearance Officer has the same discretion as an Immigration Officer to refer applicants for entry clearance for medical examination and the same principles will apply to the decision whether or not to issue an entry clearance.

Students

39A. DELETED.

Specified documents

39B. (a) Where these Rules state that specified documents must be provided, that means documents specified in these Rules as being specified documents for the route under which the applicant is applying. If the specified documents are not provided, the applicant will not meet the requirement for which the specified documents are required as evidence.

(b) Where these Rules specify documents that are to be provided, those documents are considered to be specified documents, whether or not they are named as such, and as such are subject to the requirements in (c) to (f) below.

(c) If the Entry Clearance Officer or Secretary of State has reasonable cause to doubt the genuineness of any document submitted by an applicant which is, or which purports to be, a specified document under these Rules, and having taken reasonable steps to verify the document is unable to verify that it is genuine, the document will be discounted for the purposes of this application.

(d) Specified documents may be originals or copies.

(e) Specified documents must contain, or the applicant must provide, full contact details to allow each document to be verified.

(f) Where any specified documents provided are not in English or Welsh, the applicant must provide the version in the original language and a full translation that can be independently verified by the Entry Clearance Officer, Immigration Officer or the Secretary of State.

The translation must be dated and include:

(i) confirmation that it is an accurate translation of the original document;

(ii) the full name and signature of the translator or an authorised official of the translation company;

(iii) the translator or translation company's contact details; and

(iv) if the applicant is applying for leave to remain or indefinite leave to remain, certification by a qualified translator and details of the translator or translation company's credentials.

Indefinite leave to enter or remain

39C (a) An applicant for indefinite leave to enter or remain must, unless the applicant provides a reasonable explanation, comply with any request made by the Secretary of State to attend an interview.

(b) If the decision-maker has reasonable cause to doubt (on examination or interview or on any other basis) that any evidence submitted by or on behalf of an applicant for the purposes of satisfying the requirements of Appendix KoLL of these Rules was genuinely obtained, that evidence may be discounted for the purposes of the application.

(c) Where sub-paragraph (b) applies, the decision-maker may give the applicant a further opportunity to demonstrate sufficient knowledge of the English language and about life in the United Kingdom in accordance with paragraph 3.2 or 3.3 of Appendix KoLL.

(d) A decision-maker may decide not to give the applicant a further opportunity under sub-paragraph (c) where the decision-maker does not anticipate that the supply of further evidence will lead to a grant of leave to enter or remain in the United Kingdom because the application may be refused for other reasons.

Power to interview a person with limited leave to enter or remain

39D. For the purpose of assessing whether any of the grounds of cancellation of entry clearance or permission under Part 9 apply the Secretary of State may request a person to:

(a) provide additional information to the Home Office at the address specified in the request within 28 calendar days of the date the request is sent; and
(b) attend an interview.

Exceptions for overstayers

39E. This paragraph applies where:

(1) the application was made within 14 days of the applicant's leave expiring and the Secretary of State considers that there was a good reason beyond the control of the applicant or their representative, provided in or with the application, why the application could not be made in-time; or

(2) the application was made:

(a) following the refusal or rejection of a previous application for leave which was made in-time; and

(b) within 14 days of:

(i) the refusal or rejection of the previous application for leave; or

(ii) the expiry of any leave extended by section 3C of the Immigration Act 1971; or

(iii) the expiry of the time-limit for making an in-time application for administrative review or appeal in relation to the previous application (where applicable); or

(iv) any such administrative review or appeal being concluded, withdrawn, abandoned or lapsing; or

(3) the period of overstaying was between 24 January and 31 August 2020; or

(4) where the applicant has, or had, permission on the Hong Kong BN(O) route, and the period of overstaying was between 1 July 2020 and 31 January 2021; or

(5) the period of overstaying:
(a) is between 1 September 2020 and 28 February 2023; and
(b) is covered by an exceptional assurance.

39F. For the purpose of paragraph 39E(5), “exceptional assurance” means a written notice given to a person by the Home Office stating that they would not be considered an overstayer for the period specified in the notice.

Back to top

Immigration Rules

Part 2

Transitional provisions Part 2 and Appendix V: Immigration Rules for Visitors

Visitors

Transitional provisions Part 2 and Appendix V: Immigration Rules for Visitors

1 DELETED.

2 DELETED.

3 DELETED.

4 DELETED.

Back to top

Immigration Rules

Part 3

Persons seeking to enter or remain in the United Kingdom for studies

Students

Persons seeking to enter the UK for short-term study

Introduction

A57A. DELETED.

A57B. DELETED

Requirements for entry clearance or leave to enter – Short-Term Student

A57C. DELETED.

A57D. DELETED.

A57E. DELETED.

Period and conditions of grant of entry clearance or leave to enter for short-term students

A57F. DELETED.

Requirements for entry clearance or leave to enter – Short-term student (child)

A57G. DELETED.

Period and conditions of grant of entry clearance or leave to enter as a short-term student (child)

A57H. DELETED.

Requirements for leave to enter as a student

57. DELETED.

Leave to enter as a student

58. DELETED.

Refusal of leave to enter as a student

59. DELETED.

Requirements for an extension of stay as a student

60. DELETED.

Extension of stay as a student

61. DELETED.

Refusal of extension of stay as a student

62. DELETED.

Student nurses

Definition of a student nurse

63. DELETED.

Requirements for leave to enter as a student nurse

64. DELETED.

Leave to enter the United Kingdom as a student nurse

65. DELETED.

Refusal of leave to enter as a student nurse

66. DELETED.

Requirements for an extension of stay as a student nurse

67. DELETED.

Extension of stay as a student nurse

68. DELETED.

Refusal of extension of stay as a student nurse

69. DELETED.

Re-sits of examinations

Requirements for leave to enter to re-sit an examination

69A. DELETED.

Leave to enter to re-sit an examination

69B. DELETED.

Refusal of leave to enter to re-sit an examination

69C. DELETED.

Requirements for an extension of stay to re-sit an examination

69D. DELETED.

Extension of stay to re-sit an examination

69E. DELETED.

Refusal of extension of stay to re-sit an examination

69F. DELETED.

Writing up a thesis

Requirements for leave to enter to write up a thesis

69G. DELETED.

Leave to enter to write up a thesis

69H. DELETED.

Refusal of leave to enter to write up a thesis

69I. DELETED.

Requirements for an extension of stay to write up a thesis

69J. DELETED.

Extension of stay to write up a thesis

69K. DELETED.

Refusal of extension of stay to write up a thesis

69L. DELETED.

Overseas qualified nurse or midwife

Requirements for leave to enter as an overseas qualified nurse or midwife

69M. DELETED.

Leave to enter the United Kingdom as an overseas qualified nurse or midwife

69N. DELETED.

Refusal of leave to enter as an overseas qualified nurse or midwife

69O. DELETED.

Requirements for an extension of stay as an overseas qualified nurse or midwife

69P. DELETED.

Extension of stay as an overseas qualified nurse or midwife

69Q. DELETED.

Refusal of extension of stay as an overseas qualified nurse or midwife

69R. DELETED.

Requirements for leave to enter the United Kingdom as a postgraduate doctor or dentist

70. DELETED.

Leave to enter as a postgraduate doctor or dentist

71. DELETED.

Refusal of leave to enter as a postgraduate doctor or dentist

72. DELETED.

Requirements for an extension of stay as a postgraduate doctor or dentist

73. DELETED.

Extension of stay as a postgraduate doctor or dentist

74. DELETED.

Refusal of an extension of stay as a postgraduate doctor or dentist

75. DELETED.

Spouses or civil partners of students granted leave under paragraphs 57-75 (but not A57A to A57H)

Requirements for leave to enter or remain as the spouse or civil partner of a student granted leave **under paragraphs 57-75 (but not A57A to A57H)**

76. DELETED

Leave to enter or remain as the spouse or civil partner of a student or leave to remain as the spouse or civil partner of a prospective student

77. DELETED

Refusal of leave to enter or remain as the spouse or civil partner of a student granted leave under paragraphs 57-75 (but not A57A to A57H)

78. DELETED

Children of students granted leave under paragraphs 57-75 (but not A57A to A57H)

Requirements for leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)

79. DELETED

79A. DELETED

Leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)

80. DELETED

Refusal of leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)

81. DELETED

Prospective students

A82 DELETED

82-84. DELETED.

Requirements for extension of stay as a prospective student

85. DELETED

Extension of stay as a prospective student

86. DELETED

Refusal of extension of stay as a prospective student

87. DELETED

Students' unions sabbatical officers

Requirements for leave to enter as a sabbatical officer

87A. DELETED.

Leave to enter the United Kingdom as a sabbatical officer

87B. DELETED.

Refusal of leave to enter the United Kingdom as a sabbatical officer

87C. DELETED.

Requirements for an extension of stay as a sabbatical officer

87D. DELETED.

Extension of stay as a sabbatical officer

87E. DELETED.

Refusal of extension of stay as a sabbatical officer

87F. DELETED.

Back to top

Immigration Rules
Part 4

Persons seeking to enter or remain in the United Kingdom in an "au pair" placement, as a working holidaymaker or for training or work experience

"Au pair" placements

DELETED

Working holidaymakers

DELETED

Requirements for an extension of stay as a working holidaymaker

98. DELETED

Extension of stay as a working holidaymaker

99. DELETED

Refusal of extension of stay as a working holidaymaker

100. DELETED

Children of working holidaymakers

DELETED

Seasonal agricultural workers

Requirements for leave to enter as a seasonal agricultural worker

DELETED

Leave to enter as a seasonal agricultural worker

DELETED

Refusal of leave to enter as a seasonal agricultural worker

DELETED

Requirements for extension of stay as a seasonal agricultural worker

DELETED

Extension of stay as a seasonal agricultural worker

DELETED

Refusal of extension of stay as a seasonal worker

DELETED

Requirements for leave to enter as a teacher or language assistant under an approved exchange scheme

DELETED

Home Office approved training or work experience

Requirements for leave to enter for Home Office approved training or work experience

Spouses of persons with limited leave to enter or remain under paragraphs 110-121

DELETED

Requirements for leave to enter or remain as the spouse or civil partners of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

122. DELETED.

Leave to enter or remain as the spouse of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

123. DELETED.

Refusal of leave to enter or remain as the spouse of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

124. DELETED.

Children of persons admitted or allowed to remain under paragraphs 110-121

Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

125. DELETED.

Leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

126. DELETED.

Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 110-121

127. DELETED.

Back to top

Immigration Rules

Part 5

Persons seeking to enter or remain in the United Kingdom for employment

Work permit employment

General requirements for indefinite leave to remain

128A. DELETED.

Requirements for leave to enter the United Kingdom for work permit employment

128. DELETED.

Indefinite leave to remain for a work permit holder

134. DELETED.

134SD - Specified documents

DELETED.

Refusal of indefinite leave to remain for a work permit holder

135. DELETED.

Highly skilled migrants

Requirements for leave to enter the United Kingdom as a highly skilled migrant

135A. DELETED

Leave to enter as a highly skilled migrant

135B. DELETED

Refusal of leave to enter as a highly skilled migrant

135C. DELETED.

Requirements for an extension of stay as a highly skilled migrant

135D. DELETED

135DA DELETED

135DB DELETED

135DC. DELETED

135DD DELETED

135DE DELETED

135DF. DELETED

135DG. DELETED

135DH. DELETED

Extension of stay as a highly skilled migrant

135E. DELETED

Refusal of extension of stay as a highly skilled migrant

135F. DELETED

Requirements for indefinite leave to remain as a highly skilled migrant

135G. DELETED.

Indefinite leave to remain as a highly skilled migrant

135GA. DELETED.

Refusal of indefinite leave to remain as a highly skilled migrant

135H. DELETED.

Additional grounds for refusal for highly skilled migrants

135HA. DELETED.

Sectors-Based Scheme

Requirements for leave to enter the United Kingdom for the purpose of employment under the Sectors-Based Scheme

135I. DELETED.

Leave to enter for the purpose of employment under the Sectors-Based Scheme

135J DELETED.

Refusal of leave to enter for the purpose of employment under the Sectors-Based Scheme

135K. DELETED.

Requirements for an extension of stay for Sector-Based employment

135L. DELETED.

Extension of stay for Sectors-Based Scheme employment

135M. DELETED.

Refusal of extension of stay for Sectors-Based Scheme employment

135N. DELETED.

International Graduates Scheme

Requirements for leave to enter as a participant in the International Graduates Scheme

135O. DELETED

Leave to enter as a participant in the International Graduates Scheme

135P. DELETED

Refusal of leave to enter as a participant in the International Graduates Scheme

135Q. DELETED

Requirements for leave to remain as a participant in the International Graduates Scheme

135R. DELETED

Leave to remain as a participant in the International Graduates Scheme

135S. DELETED

Refusal of leave to remain as a participant in the International Graduates Scheme

135ST. DELETED

Representatives of overseas newspapers, news agencies and broadcasting organisations

Requirements for leave to enter as a representative of an overseas newspaper, news agency or broadcasting organisation

136. DELETED.

Indefinite leave to remain for a representative of an overseas newspaper, news agency or broadcasting organisation

142. DELETED.

142-SD Specified documents

DELETED.

Refusal of indefinite leave to remain for a representative of an overseas newspaper, news agency or broadcasting organisation.

143. DELETED.

143A. DELETED

Leave to enter as a Fresh Talent: Working in Scotland scheme participant

143B. DELETED

Refusal of leave to enter as a Fresh Talent: Working in Scotland scheme participant

143C. DELETED

Requirements for an extension of stay as a Fresh Talent: Working in Scotland scheme participant

143D. DELETED

Extension of stay as a Fresh Talent: Working in Scotland scheme participant

143E. DELETED

Refusal of an extension of stay as a Fresh Talent: Working in Scotland scheme participant

143F. DELETED

Representatives of overseas businesses

Requirements for leave to enter as a representative of an overseas business

144. DELETED.

144-SD Specified documents

DELETED.

Leave to enter as a representative of an overseas business

145. DELETED.

Refusal of leave to enter as a representative of an overseas business

146. DELETED.

Requirements for an extension of stay as a representative of an overseas business

147. DELETED.

Extension of stay as a representative of an overseas business

148. DELETED.

Refusal of extension of stay as a representative of an overseas business

149. DELETED.

Indefinite leave to remain for a representative of an overseas business

150. DELETED.

150-SD Specified documents

DELETED.

Refusal of indefinite leave to remain for a sole representative of an overseas business

151. DELETED.

Private servants in diplomatic households

Requirements for leave to enter as a private servant in a diplomatic household

152. Deleted on 27 November 2008 by paragraph 39 of Statement of Changes HC 1113 except insofar as relevant to paragraph 158 and 159.

Indefinite leave to remain for a servant in a diplomatic household

158. DELETED

158-SD Specified documents

DELETED

Refusal of indefinite leave to remain for a servant in a diplomatic household

159. DELETED.

Domestic workers in private households

Requirements for leave to enter as a domestic worker in a private household

159A. DELETED.

Leave to enter as a domestic worker in a private household

159B. DELETED.

Refusal of leave to enter as a domestic worker in a private household

159C. DELETED.

Requirements for extension of stay as a domestic worker in a private household

159D. DELETED.

Extension of stay as a domestic worker in a private household

159E. DELETED.

Requirements for extension of stay as a domestic worker in a private household for applicants who entered the United Kingdom under the Rules in place before 6 April 2012

159EA. DELETED.

Extension of stay as a domestic worker in a private household for applicants who entered the United Kingdom under the Rules in place before 6 April 2012

159EB DELETED.

Refusal of extension of stay as a domestic worker in a private household

159F. DELETED.

Indefinite leave to remain for a domestic worker in a private household

159G. DELETED.

159G-SD Specified documents

DELETED.

Refusal of indefinite leave to remain for a domestic worker in a private household

159H. DELETED.

Domestic workers who are the victim of slavery or human trafficking

Requirements for leave to remain as a domestic worker who is the victim of slavery or human trafficking

159I. DELETED.

Leave to remain as a domestic worker who is the victim of slavery or human trafficking

159J. DELETED.

159JA. DELETED.

Refusal of leave to remain as a domestic worker who is the victim of slavery or human trafficking

159K. DELETED.

Overseas government employees

Requirements for leave to enter as an overseas government employee

160. Deleted on 27 November 2008 by paragraph 39 of Statement of Changes HC 1113 except insofar as relevant to paragraph 167 and 168.

Indefinite leave to remain for an overseas government employee

167. DELETED

167-SD Specified documents

DELETED

Refusal of indefinite leave to remain for an overseas government employee

168. DELETED

169. DELETED.

Requirements for leave to enter as a minister of religion, missionary, or member of a religious order

170. DELETED.

Refusal of extension of stay as a minister of religion, missionary or member of a religious order

175. DELETED.

Indefinite leave to remain for a minister of religion, missionary or member of a religious order

176. DELETED.

176-SD Specified documents

DELETED.

Refusal of indefinite leave to remain for a minister of religion, missionary or member of a religious order

177. DELETED.

177A. DELETED

Requirements for leave to enter the United Kingdom as a visiting religious worker or a religious worker in a non-pastoral role

DELETED

Leave to enter as a visiting religious worker or a religious worker in a non-pastoral role

177C. DELETED

177D. DELETED

Requirements for an extension of stay as a visiting religious worker or a religious worker in a non pastoral role

177E. DELETED

Extension of stay as a visiting religious worker or a religious worker in a non-pastoral role

177F. DELETED

Refusal of an extension of stay as a visiting religious worker or a religious worker in a non pastoral role

177G. DELETED

Airport based operational ground staff of overseas-owned airlines

Requirements for leave to enter the United Kingdom as a member of the operational ground staff of an overseas-owned airline

178. Deleted on 27 November 2008 by paragraph 39 of Statement of Changes HC 1113 except insofar as relevant to paragraph 184 and 185.

Indefinite leave to remain for a member of the operational ground staff of an overseas owned airline

184. DELETED

184-SD Specified documents

DELETED

Refusal of indefinite leave to remain for a member of the operational ground staff of an overseas owned airline

185. DELETED

Persons with United Kingdom ancestry

Requirements for leave to enter on the grounds of United Kingdom ancestry

186. DELETED.

Leave to enter the United Kingdom on the grounds of United Kingdom ancestry

187. DELETED.

Refusal of leave to enter on the grounds of United Kingdom ancestry

188. DELETED.

Requirements for an extension of stay on the grounds of United Kingdom ancestry

189. DELETED.

Extension of stay on the grounds of United Kingdom ancestry

190. DELETED.

Refusal of extension of stay on the grounds of United Kingdom ancestry

191. DELETED.

Indefinite leave to remain on the grounds of United Kingdom ancestry

192. DELETED.

192-SD Specified documents

DELETED.

Refusal of indefinite leave to remain on the grounds of United Kingdom ancestry

193. DELETED.

Partners of persons who have or have had leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K)

193A. Nothing in paragraphs 194-196F is to be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as a partner of a person granted entry clearance or leave to enter under Paragraph 159A where that entry clearance or leave to enter was granted under 159A on or after 6 April 2012.

Requirements for leave to enter as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

194. The requirements to be met by a person seeking leave to enter the United Kingdom as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that:

(i) the applicant is the spouse, civil partner, unmarried or same-sex partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K); and

(ii) if an unmarried or same-sex partner:

(1) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and

(2) the parties are not involved in a consanguineous relationship with one another; and

(3) the parties have been living together in a relationship akin to marriage or civil partnership which has subsisted for 2 years or more; and

(iii) each of the parties intends to live with the other as his or her partner during the applicant's stay and the relationship is genuine and subsisting; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the applicant does not intend to stay in the United Kingdom beyond any period of leave granted to his partner; and

(vii) the applicant does not fall for refusal under the general grounds for refusal; and

(viii) the applicant holds a valid United Kingdom entry clearance for entry in this capacity; and

(ix) where the applicant is accompanying or joining a person granted entry clearance or leave to enter or limited leave to remain as the sole representative of an overseas business within the meaning of paragraph 144(ii)(a), the applicant does not have a majority stake in, or otherwise own or control, that overseas business, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

Leave to enter as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

195. A person seeking leave to enter the United Kingdom as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be given leave to enter for a period not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K), subject to a condition on study as set out in Appendix ATAS of these Rules, provided the Immigration Officer is satisfied that each of the requirements of paragraph 194 is met.

Refusal of leave to enter as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196. Leave to enter the United Kingdom as the partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 194 is met.

Requirements for extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196A. The requirements to be met by a person seeking an extension of stay in the United Kingdom as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that the applicant:

(i) is the spouse, civil partner, unmarried or same sex partner of a person who:

(1) has limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K); or

(2) has indefinite leave to remain in the United Kingdom or has become a British citizen, and who had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and

(ii) meets the requirements of paragraph 194(ii) - (vii); and

(iii) was not last granted:

1) entry clearance or leave to enter as a visitor, short-term student or short-term student (child),

2) temporary admission,

3) temporary release, or

4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary admission or temporary release would previously have been granted; and

(iv) must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196B. An extension of stay in the United Kingdom as:

(i) the partner of a person who has limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) may be granted, subject to a condition on study as set out in Appendix ATAS of these Rules, for a period not in excess of that granted to the person with limited leave to enter or remain; or

(ii) the partner of a person who is being admitted at the same time for settlement, or the partner of a person who has indefinite leave to remain or has become a British citizen, may be granted for a period not exceeding 2 years, subject to a condition on study as set out in Appendix ATAS of these Rules, in both instances, provided the Secretary of State is satisfied that each of the requirements of paragraph 196A is met.

Refusal of extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196C. An extension of stay in the United Kingdom as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 196A is met.

Requirements for indefinite leave to remain for the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196D. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that the applicant:

(i) is the spouse, civil partner, unmarried or same-sex partner of a person who:

(1) has limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) and who is being granted indefinite leave to remain at the same time; or

(2) is the spouse, civil partner, unmarried or same-sex partner of a person who has indefinite leave to remain in the United Kingdom or has become a British citizen, and who had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and

(ii) meets the requirements of paragraph 194(ii) - (vii); and

(iii) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(iv) was not last granted:

(1) entry clearance or leave to enter as a visitor, short-term student or short-term student (child),

(2) temporary admission,

(3) temporary release, or

(4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary admission or temporary release would previously have been granted; and

(iii) must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196E. Indefinite leave to remain in the United Kingdom as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 196D is met.

Refusal of indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196F. Indefinite leave to remain in the United Kingdom as the partner of a person who has or has had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 196D is met.

Children of persons with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135i-135k)

196G. Nothing in paragraphs 197-199 is to be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as the child of a person granted entry clearance or leave to enter under Paragraph 159A where that entry clearance or leave to enter was granted under 159A on or after 6 April 2012.

Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

197. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as a child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that:

(i) he is the child of a parent with limited leave to enter or remain in the United Kingdom under paragraphs 128-193(but not paragraphs 135I-135K) or, in respect of applications for leave to remain only, of a parent who has indefinite leave to remain in the UK but who immediately before that grant had limited leave to rener or remain under those paragraphs; and

(ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and

(iii) he is unmarried and is not a civil partner, has not formed an independent family unit and is not leading an independent life; and

(iv) he can and will be maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and

(v) he will not stay in the United Kingdom beyond any period of leave granted to his parent(s); and

(vi) both parents are being or have been admitted to or allowed to remain in the United Kingdom save where:

(a) the parent he is accompanying or joining is his sole surviving parent; or

(b) the parent he is accompanying or joining has had sole responsibility for his upbringing;
or

(c) there are serious and compelling family or other considerations which make exclusion from the United Kingdom undesirable and suitable arrangements have been made for his care; and

(vii) if seeking leave to enter, he holds a valid United Kingdom entry clearance for entry in this capacity or, if seeking leave to remain, he was not last granted:

(1) entry clearance or leave to enter as a visitor, short-term student or short-term student (child),

(2) temporary admission,

(3) temporary release, or

(4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary admission or temporary release would previously have been granted; and

(viii) if seeking leave to remain, must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

198.

(a) A person seeking leave to enter or remain in the United Kingdom as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be given leave to enter or remain in the United Kingdom for a period of leave not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K), subject to a condition on study as set out in Appendix ATAS of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, provided that:

i) in relation to an application for leave to enter, he is able to produce to the Immigration Officer, on arrival, a valid passport or other identity document and has entry clearance for entry in this capacity; or
ii) in the case of an application for limited leave to remain, he was not last granted:

(1) entry clearance or leave as a visitor short-term student or short-term student (child),

(2) temporary admission,

(3) temporary release, or

(4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary release or temporary admission would previously been granted,

and is able to satisfy the Secretary of State that each of the requirements of paragraph 197 (i)-(vi) and (viii) is met.

(b) A person seeking leave to remain as the child of a parent who has indefinite leave to remain in the UK and who had limited leave under paragraphs 128 - 193 (but not paragraphs 135I - 135K) immediately before being granted indefinite leave may be given leave to remain in the UK for a period of 30 months, subject to a condition on study as set out in Appendix ATAS of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, provided he is in the

UK with valid leave under paragraph 198 and is able to satisfy the Secretary of State that each of the requirements of paragraph 197(i) and 197 (ii) - (vi) and(viii) is met.

Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

198A. Leave to enter or remain in the United Kingdom as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if:

(i) in relation to an application for leave to enter, a valid passport or other identity document is not produced to the Immigration Officer on arrival and the applicant does not have entry clearance for entry in this capacity; or

(ii) in the case of an application for limited leave to remain, if the applicant was last granted:

(1) entry clearance or leave to enter as a visitor, short-term student or short-term student (child),

(2) temporary admission,

(3) temporary release, or

(4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary release or temporary admission would previously been granted,

or is unable to satisfy the Secretary of State that each of the requirements of paragraph 197 (i)-(vi) and (viii) is met.

Requirements for indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

199. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that the applicant:

(i) is the child of a person who:

(1) has limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) and who is being granted indefinite leave to remain at the same time; or

(2) has indefinite leave to remain in the United Kingdom and who had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not

paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and

(ii) meets the requirements of paragraph 197(i) - (vi) and (viii); and

(iii) was not last granted:

(1) entry clearance or leave to enter as a visitor, short-term student or short-term student (child),

(2) temporary admission,

(3) temporary release, or

(4) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, immigration bail in circumstances in which temporary release or temporary admission would previously been granted; and

(iv) does not fall for refusal under the general grounds for refusal; and

(v) must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; and

(vi) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL, unless he is under the age of 18 at the date on which the application is made.

Indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

199A. Indefinite leave to remain in the United Kingdom as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 199 is met.

Refusal of indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

199B. Indefinite leave to remain in the United Kingdom as the child of a person who has or has had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 199 is met.

Back to top

Immigration Rules
Part 6

Persons seeking to enter or remain in the United Kingdom as a businessman, self-employed person, investor, writer or composer or artist

200A. DELETED

Person intending to establish themselves in business

Requirements for leave to enter the United Kingdom as a person intending to establish himself in business

200. DELETED.

201. DELETED.

202. DELETED.

203. DELETED.

Leave to enter the United Kingdom as a person seeking to establish himself in business

204. DELETED.

Refusal of leave to enter the United Kingdom as a person seeking to establish himself in business

205. DELETED.

Requirements for an extension of stay in order to remain in business

206. DELETED.

206A. DELETED.

206B. DELETED.

206C. DELETED.

206D. DELETED.

206E. DELETED.

206F. DELETED.

206G. DELETED.

206H. DELETED.

206I. DELETED.

Extension of stay in order to remain in business

207. DELETED.

Refusal of extension of stay in order to remain in business

208. DELETED.

209-210. DELETED.

Innovators

Requirements for leave to enter the United Kingdom as an innovator

210A. DELETED.

Leave to enter as an innovator

210B. DELETED.

Refusal of leave to enter as an innovator

210C. DELETED.

Requirements for an extension of stay as an innovator

210D. DELETED.

210DA. DELETED.

210DB. DELETED.

210DC. DELETED.

210DD. DELETED.

210DE. DELETED.

210DF. DELETED.

210DG. DELETED.

210DH. DELETED.

210DI. DELETED.

Extension of stay as an innovator

210E. DELETED.

Refusal of extension of stay as an innovator

210F. DELETED.

210G-210H. DELETED.

Persons intending to establish themselves in business under provisions of EC Association Agreements

Requirements for leave to enter the United Kingdom as a person intending to establish himself in business under the provisions of an EC Association Agreement

211-221. DELETED

222-223A. DELETED.

Requirements for leave to enter the United Kingdom as an investor

224. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Leave to enter as an investor

225. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Refusal of leave to enter as an investor

226. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Requirements for an extension of stay as an investor

Extension of stay as an investor

227. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

227A. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.
227B. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

227C. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

227D. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

227E. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

228. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Refusal of extension of stay as an investor

229. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 230. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

230-231. DELETED.

Writers, composers and artists

Requirements for leave to enter the United Kingdom as a writer, composer or artist

232. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Leave to enter as a writer, composer or artist

233. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Refusal of leave to enter as a writer, composer or artist

234. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Requirements for an extension of stay as a writer, composer or artist

235. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Extension of stay as a writer, composer or artist

236. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

Refusal of extension of stay as a writer, composer or artist

237. Deleted on 30 June 2008 by paragraph 17 of Statement of Changes HC 607 except insofar as relevant to paragraph 238. Please see Appendix F for the wording of these Rules in a case in which they are relevant.

238-245. DELETED.

Back to top

Immigration Rules
Part 6A

Points-based system

245AAA. General requirements for indefinite leave to remain

The following rules apply to all requirements for indefinite leave to remain in Part 6A and Appendix A:

(za) References to “PhD level occupation” refer to the following SOC 2010 occupation codes:
2111 Chemical scientists
2112 Biological scientists and biochemists
2113 Physical scientists
2114 Social and humanities scientists
2119 Natural and social science professionals not elsewhere classified [Note: For immigration purposes this code includes researchers in research organisations other than universities.]
2150 Research and development managers
2311 Higher education teaching professionals.

(a) References to a “continuous period” “lawfully in the UK” means, subject to paragraph (e), residence in the UK for an unbroken period with valid leave, and for these purposes a period shall be considered unbroken where:

(i) the applicant has not been absent from the UK for more than 180 days during any 12 month period in the continuous period, except that:

(1) any absence from the UK for the purpose of assisting with a national or international humanitarian or environmental crisis overseas shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s) and that their Sponsor, if there was one, agreed to the absence(s) for that purpose; and

(2) for any absences from the UK during periods of leave granted under the Rules in place before 11 January 2018, the applicant must not have been absent from the UK for more than 180 days during each consecutive 12 month period, ending on the same date of the year as the date of the application for indefinite leave to remain; and

(3) for any applicant who has or has had leave as a Tier 2 (General) migrant, where the Certificate of Sponsorship Checking Service entry shows that they were sponsored to work in any PhD level occupation listed in (za) when the absence occurred, any absence from the UK for the purpose of research activities overseas shall not count towards the 180 days, if the applicant provides evidence from their sponsor showing that:

(a) research was the purpose of the absence(s); and
(b) the sponsor, agreed to the absence(s) for that purpose; and

(c) the absence(s) directly related to their Tier 2 employment in the UK; and

(4) for any applicant who has or has had leave as a Tier 1 (Exceptional Talent) Migrant, where they were endorsed by the Royal Society, the British Academy or the Royal Academy of Engineering, any absence from the UK for the purpose of research activities overseas shall not count towards the 180 days, if it occurred while they held this leave.

(ii) the applicant has existing limited leave to enter or remain upon their departure and return, except that:

(1) where that leave expired no more than 28 days prior to a further application for entry clearance which was made before 24 November 2016 and subsequently granted,

(2) where, on or after 24 November 2016, the applicant makes a further application for entry clearance during the currency of continuing limited leave which is subsequently granted, or

(3) where, on or after 24 November 2016, the applicant makes a further application for entry clearance within 14 days of the applicant's leave expiring and the Secretary of State considers that there was a good reason beyond the control of the applicant or their representative, provided in or with the application for indefinite leave to remain, why the application could not be made during the currency of continuing limited leave, or

(4) where a successful application for entry clearance is made following the refusal of a previous application to which (2) or (3) otherwise applies, and the application was made within 14 days of that refusal (or the expiry of the time-limit for making an in-time application for administrative review, or any administrative review or appeal being concluded, withdrawn or abandoned or lapsing),

that period spent without existing leave, pending the applicant's re-entry into the United Kingdom, shall be disregarded; and

(iii) the applicant has any current period of overstaying disregarded where paragraph 39E of these Rules applies; and

(iv) the applicant has any previous period of overstaying between periods of leave disregarded where: the further application was made before 24 November 2016 and within 28 days of the expiry of leave; or the further application was made on or after 24 November 2016 and paragraph 39E of these Rules applied.

(b) DELETED

(c) Except for periods where the applicant had leave as a Tier 1(Investor) Migrant, a Tier 1(Entrepreneur) Migrant, a Tier 1(Exceptional Talent) Migrant or a highly skilled migrant, any absences from the UK during the relevant qualifying period must have been for a purpose that is consistent with the applicant's basis of stay here, including paid annual leave, or for serious or compelling reasons.

(d) The continuous period will be considered as ending on whichever of the following dates is most beneficial to the applicant:

(i) the date of application;
(ii) the date of decision; or
(iii) any date up to 28 days after the date of application

(e) References to a continuous period spent with valid leave in the UK include time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man, where that leave was granted for an equivalent purpose to one of the categories stated in the relevant paragraph, provided that the most recent period prior to the date of application was spent in the UK with valid leave in the relevant category.

245AA. Documents not submitted with applications

(a) Subject to sub-paragraph (b) and where otherwise indicated, where Part 6A or any appendices referred to in Part 6A state that specified documents must be provided, the decision maker (that is the Entry Clearance Officer, Immigration Officer or the Secretary of State) will only consider documents received by the Home Office before the date on which the application is considered.

(b) If the applicant has submitted the specified documents and:

(i) specified evidence is missing from the documents; or

(ii) a document is in the wrong format (for example, if a letter is not on letterhead paper as specified); or

(iv) a document does not contain all of the specified information;

the decision maker may contact the applicant or his representative in writing, and request the correct documents. The requested documents must be received at the address specified in the request within 10 working days of the date of the request.

(c) Documents will not be requested where the decision maker does not think that the submission of missing or correct documents will lead to a grant because the application will be refused for other reasons.

(d) If the applicant has omitted to provide specified evidence, or submitted it in the wrong format, but the missing information is verifiable from other documents provided with the application or elsewhere, the decision maker may grant the application despite the error or omission, if they are satisfied that the applicant meets all the other requirements of the Rules.

245A. Specified documents for students previously sponsored by an overseas government or international scholarship agency

Where Part 6A of these Rules state that specified documents must be provided to show that a sponsoring government or international scholarship agency has provided its unconditional written consent to the application, the specified documents are letters, on the official letter-headed paper or stationery of the organisation(s), bearing the official stamp of that

organisation and issued by an authorised official of that organisation. The documents must confirm that the organisation gives the applicant unconditional consent to remain in or re-enter the UK for an unlimited time.

Tier 1 (Exceptional Talent) Migrants

245B. DELETED

245BA. DELETED

245BB. DELETED

245BC. DELETED

245BD. DELETED

245BE. DELETED

245BF. DELETED

Tier 1 (General) Migrants

245C. Purpose

DELETED

245CD. Requirements for indefinite leave to remain

DELETED

245CD-SD Specified documents

DELETED

Tier 1 (Entrepreneur) Migrants

245D. Purpose of this route and meaning of business

(a) (i) This category is now closed to new applicants.

(ii) Individuals who have entry clearance, leave to enter or leave to remain as:

(1) a Tier 1 (Entrepreneur) Migrant
(2) a Tier 1 (Graduate Entrepreneur) Migrant, or
(3) a Start-up migrant, having previously held leave as a Tier 1 (Graduate Entrepreneur) Migrant,

or have had such leave in the 12 months immediately before the date of application, may apply under these rules to extend their stay or for indefinite leave to remain.

(iii) Other migrants who wish to establish, one or more businesses in the UK may apply under the rules for Innovator Founder.

(b) For the purpose of paragraphs 245D to 245DF and paragraphs 35 to 53 of Appendix A 'business' means an enterprise as:

(i) a sole trader,

(ii) a partnership, or

(iii) a company registered in the UK.

(c) Where paragraphs 245D to 245DF and paragraphs 35 to 53 of Appendix A, refer to investing funds in a business or businesses, or to money remaining available to the applicant until such time as it is spent for the purposes of his business or businesses:

(i) 'Available' means that the funds are:

(1) in the applicant's own possession,

(2) in the financial accounts of the UK business(es) which they are relying on to claim points, or

(3) available from the third party or parties named in the application under the terms of the declaration(s) referred to in paragraph 41(a)(vi) of Appendix A.

(ii) 'Invested' means that the funds have been invested into a business or businesses which the applicant is running as self-employed or as a director or member of a partnership. 'Invested' or 'spent' excludes spending on:

(1) the applicant's own remuneration,

(2) buying any business from a previous owner, where the money ultimately goes to that previous owner (irrespective of whether it is received or held directly or indirectly by that previous owner) rather than into the business being purchased (This applies regardless of whether the money is channelled through the business en route to the previous owner, for example by means of the applicant or business purchasing 'goodwill' or other assets which were previously part of the business.),

(3) investing in businesses, other than those which the applicant is running as self-employed or as a director, and

(4) any spending which is not directly for the purpose of establishing or running the applicant's own business or businesses.

245DA. Entry to the UK

All migrants arriving in the UK and wishing to enter as a Tier 1 (Entrepreneur) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

245DB. Requirements for entry clearance

To qualify for entry clearance as a Tier 1 (Entrepreneur) Migrant, an applicant must meet the requirements listed below. If the applicant meets those requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal.

(b) The applicant must have a minimum of 75 points under paragraphs 35 to 53 of Appendix A.

(c) The applicant must have a minimum of 10 points under paragraph 1 to 15 of Appendix B.

(d) The applicant must have a minimum of 10 points under paragraph 1 to 2 of Appendix C.

(e) The applicant must have entry clearance, leave to enter or leave to remain as:

(i) a Tier 1 (Entrepreneur) Migrant

(ii) a Tier 1 (Graduate Entrepreneur) Migrant, or

(iii) *a Start-up migrant, having previously held leave as a Tier 1 (Graduate Entrepreneur) Migrant,*

or have had such leave in the 12 months immediately before the date of application.

(f) DELETED

(g) The applicant must provide a business plan, setting out his proposed business activities in the UK and how he expects to make his business succeed.

(h) DELETED

(i) Where the applicant has entry clearance, leave to enter or leave to remain as a Tier 1 (Entrepreneur) Migrant, or has had such leave in the 12 months immediately before the date of application, and is being assessed under Table 5 of Appendix A, the Entry Clearance Officer must be satisfied that:

(i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant; and

(ii) the applicant has genuinely invested the money referred to in Table 5 of Appendix A into one or more genuine businesses in the UK to be spent for the purpose of that business or businesses; and

(iii) the applicant genuinely intends to continue operating one or more businesses in the UK; and

(iv) the applicant does not intend to take employment in the United Kingdom other than under the terms of paragraph 245DE.

(j) In making the assessment in (i), the Entry Clearance Officer will assess the balance of probabilities. The Entry Clearance Officer may take into account the following factors:

(i) the evidence the applicant has submitted;
(ii) the viability and credibility of the source of the money referred to in Table 5 of Appendix A;
(iii) the credibility of the financial accounts of the business or businesses;
(iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant;
(v) the credibility of the job creation for which the applicant is claiming points in Table 5 of Appendix A;
(vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and
(viii) any other relevant information.

(k) The Entry Clearance Officer reserves the right to request additional information and evidence to support the assessment in (i), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Entry Clearance Officer at the address specified in the request within 28 calendar days of the date of the request.

(l) If the Entry Clearance Officer is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.

(m) The Entry Clearance Officer may decide not to carry out the assessment in (i) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

(n) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Entry Clearance Officer to attend for interview.

(o) The applicant must be at least 16 years old.

(p) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian or by one parent if that parent has sole legal responsibility for the child.

(q) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the UK.

(r) Where the applicant is 18 years of age or older, the applicant must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the past 10 years, while aged 18 or over. This requirement does not need to be met where the Secretary of State is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

(s) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph (r), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or explanation. The requested certificate(s) or explanation must be received at the address specified in the request within 28 calendar days of the date of the request.

(t) The application must have been made:

(i) before 6 July 2021, if the applicant has ever previously had leave as a Tier 1 (Graduate Entrepreneur) Migrant and is claiming points for an initial application under Table 4 of Appendix A; or

(ii) before 6 July 2025, if the applicant has ever previously had leave as a Tier 1 (Graduate Entrepreneur) Migrant and is claiming points for an extension application under Table 5 of Appendix A; or

(iii) before 6 April 2023, in all other cases.

245DC. Period and conditions of grant

(a) Entry clearance will be granted:

(i) for a period of 2 years, to an applicant who has, or has had, leave as a Tier 1 (Entrepreneur) Migrant in the 12 months immediately before the date of application,

(ii) for a period of 3 years and four months, to an applicant who has, or has had, leave as a Tier 1 (Graduate Entrepreneur) Migrant or a Startup migrant in the 12 months immediately before the date of application.

(b) Entry clearance will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) no employment other than working for the business(es) the applicant has established, joined or taken over, but working for such business(es) does not include anything undertaken by the applicant pursuant to a contract of service or apprenticeship, whether express or implied and whether oral or written, with another business,

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Appendix ATAS of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

245DD. Requirements for leave to remain

To qualify for leave to remain as a Tier 1 (Entrepreneur) Migrant under this rule, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, except that paragraph 322(10) shall not apply, and must not be an illegal entrant.

(b) The applicant must have a minimum of 75 points under paragraphs 35 to 53 of Appendix A.

(c) The applicant must have a minimum of 10 points under paragraphs 1 to 15 of Appendix B.

(d) The applicant must have a minimum of 10 points under paragraphs 1 to 2 of Appendix C.

(e) The applicant who is applying for leave to remain must have, or have last been granted, entry clearance, leave to enter or remain as:

(i) a Tier 1 (Entrepreneur) Migrant,
(ii) a Tier 1 (Graduate Entrepreneur) Migrant, or
(iii) a Start-up migrant, having previously held leave as a Tier 1 (Graduate Entrepreneur) Migrant.

(f) DELETED

(g) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

(h) DELETED

(i) The applicant must provide a business plan, setting out his proposed business activities in the UK and how he expects to make his business succeed.

(j) DELETED

(k) Where the applicant has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant and is being assessed under Table 5 of Appendix A, the Secretary of State must be satisfied that:

(i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant; and

(ii) the applicant has genuinely invested the money referred to in Table 5 of Appendix A into one or more genuine businesses in the UK to be spent for the purpose of that business or businesses; and

(iii) the applicant genuinely intends to continue operating one or more businesses in the UK; and

(iv) the applicant does not intend to take employment in the United Kingdom other than under the terms of paragraph 245DE.

(l) In making the assessment in (k), the Secretary of State will assess the balance of probabilities. The Secretary of State may take into account the following factors:

(i) the evidence the applicant has submitted;

(ii) the viability and credibility of the source of the money referred to in Table 5 of Appendix A;

(iii) the credibility of the financial accounts of the business or businesses;

(iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant;

(v) the credibility of the job creation for which the applicant is claiming points in Table 5 of Appendix A;

(vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and

(viii) any other relevant information.

(m) The Secretary of State reserves the right to request additional information and evidence to support the assessment in (k), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Secretary of State at the address specified in the request within 28 calendar days of the date of the request.

(n) If the Secretary of State is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.

(o) The Secretary of State may decide not to carry out the assessment in (k) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

(p) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Secretary of State to attend for interview.

(q) The applicant must be at least 16 years old.

(r) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian or by one parent if that parent has sole legal responsibility for the child.

(s) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the UK.

(t) The application must have been made:

(i) before 6 July 2021, if the applicant has, or was last granted, entry clearance, leave to enter or remain as a Tier 1 (Graduate Entrepreneur) Migrant or a Start-up migrant; or

(ii) before 6 July 2025, if the applicant has ever previously had leave as a Tier 1 (Graduate Entrepreneur) Migrant and is claiming points for an extension application under Table 5 of Appendix A; or

(iii) before 6 April 2023, in all other cases.

245DE. Period, conditions and curtailment of grant

(a) Leave to remain will be granted:

(i) for a period of 2 years, to an applicant who has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant,

(ii) for a period of 3 years, to an applicant who has, or was last granted, leave as a Tier 1 (Graduate Entrepreneur) Migrant or a Start-up migrant.

(b) Leave to remain under this route will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) no employment, other than working for the business or businesses which he has established, joined or taken over, but working for such business(es) does not include anything undertaken by the applicant pursuant to a contract of service or apprenticeship, whether express or implied and whether oral or written, with another business, and

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Appendix ATAS of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

(c) Without prejudice to the grounds for curtailment in paragraph 323 of these Rules, leave to enter or remain granted to a Tier 1 (Entrepreneur) Migrant may be curtailed if:

(i) within 6 months of the date specified in paragraph (d), the applicant has not done one or more of the following things:

(1) registered with HM Revenue and Customs as self-employed,

(2) registered a new company or partnership in which he is a director or member, or

(3) registered as a director or member of an existing business or partnership, or

(ii) the funds referred to in the relevant sections of Appendix A cease to be available to him, except where they have been spent for the purposes of his business or businesses.

(d) The date referred to in paragraph (c) is:

(i) the date of the applicant's entry to the UK, in the case of an applicant granted entry clearance as a Tier 1 (Entrepreneur) Migrant where there is evidence to establish the applicant's date of entry to the UK,

(ii) the date of the grant of entry clearance to the applicant, in the case of an applicant granted entry clearance as a Tier 1 (Entrepreneur) Migrant where there is no evidence to establish the applicant's date of entry to the UK, or

(iii) the date of the grant of leave to remain to the applicant, in any other case.

245DF. Requirements for indefinite leave to remain

To qualify for indefinite leave to remain as a Tier 1 (Entrepreneur) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) DELETED

(b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(c) The applicant must have a minimum of 75 points under paragraphs 35 to 53 of Appendix A.

(d) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL.

(e) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

(f) The Secretary of State must be satisfied that:

(i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant; and

(ii) the applicant has genuinely invested the money referred to in Table 6 of Appendix A into one or more businesses in the UK to be spent for the purpose of that business or businesses; and

(iii) the applicant genuinely intends to continue operating one or more businesses in the UK.

(g) In making the assessment in (f), the Secretary of State will assess the balance of probabilities. The Secretary of State may take into account the following factors:

(i) the evidence the applicant has submitted;

(ii) the viability and credibility of the source of the money referred to in Table 6 of Appendix A;

(iii) the credibility of the financial accounts of the business or businesses;

(iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant;

(v) the credibility of the job creation for which the applicant is claiming points in Table 6 of Appendix A;

(vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and

(viii) any other relevant information.

(h) The Secretary of State reserves the right to request additional information and evidence to support the assessment in (f), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Secretary of State at the address specified in the request within 28 calendar days of the date of the request.

(i) If the Secretary of State is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.

(j) The Secretary of State may decide not to carry out the assessment in (f) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

(k) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Secretary of State to attend for interview.

(l) The application for indefinite leave to remain must have been made:

(i) before 6 July 2027, if the applicant has ever previously had leave as a Tier 1 (Graduate Entrepreneur) Migrant; or

(ii) before 6 April 2025, in all other cases.

Tier 1 (Investor) Migrants

245E. Purpose

This route is for high net worth individuals making a substantial financial investment to the UK.

This route is now closed to new applicants. Individuals who already have entry clearance, leave to enter or remain as a Tier 1 (Investor) Migrant may apply under these rules to extend their stay or for indefinite leave to remain.

245EA. Entry to the UK

All migrants arriving in the UK and wishing to enter as a Tier 1 (Investor) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

245EB. Requirements for entry clearance

To qualify for entry clearance as a Tier 1 (Investor) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(aa) The applicant must have leave as a Tier 1 (Investor) Migrant on, or must have had such leave within the last 12 months immediately before, the date of application.

(a) The applicant must not fall for refusal under the general grounds for refusal.

(b) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of Appendix A.

(c) DELETED.

(d) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.

(e) The entry clearance officer must not have reasonable grounds to believe that:

(i) notwithstanding that the applicant has provided the relevant specified documents required under Appendix A or (where relevant) was awarded points in a previous application as a Tier 1 (Investor) Migrant, the applicant is or was not in control of and at liberty to freely invest the money specified in their application for the purposes of meeting the requirements of Appendix A to these Rules; or

(ii) any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules held by:

(1) the applicant; or

(2) where any of the specified money has been made available to the applicant by another party, that party,

has been acquired by means of conduct which is unlawful in the UK, or would constitute unlawful conduct if it occurred in the UK, or has been or will be transferred internationally by means which are unlawful in any of the countries involved; or

(iii) where any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules has been made available by another party, the character, conduct or associations of that party are such that approval of the application would not be conducive to the public good,

and where the Entry Clearance Officer does have reasonable grounds to believe one or more of the above applies, no points from Appendix A will be awarded.

(f) Where the applicant is 18 years of age or older, the applicant must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the past 10 years, while aged 18 or over. This requirement does not need to be met where the Secretary of State is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

(g) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph (f), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or explanation. The requested certificate(s) or explanation must be received at the address specified in the request within 28 calendar days of the date of the request.

(h) The application must be made before 17th February 2026.

245EC. Period and conditions of grant

(a) Entry clearance will be granted for a period of 2 years.
(b) Entry clearance will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a student sponsor licence under the Points Based System, and

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Appendix ATAS of these Rules.

245ED. Requirements for leave to remain

To qualify for leave to remain as a Tier 1 (Investor) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of Appendix A.

(c) The applicant must have, or have last been granted, entry clearance, leave to enter or remain as a Tier 1 (Investor) Migrant.
(d) DELETED.
(e) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.

(f) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

(g) The Secretary of State must not have reasonable grounds to believe that:

(i) notwithstanding that the applicant has provided the relevant specified documents required under Appendix A or (where relevant) was awarded points in a previous application as a Tier 1 (Investor) Migrant, the applicant is not or was not in control of and at liberty to freely invest the money specified in their application for the purposes of meeting the requirements of Appendix A to these Rules; or

(ii) any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules held by:

(1) the applicant; or

(2) where any of the specified money has been made available to the applicant by another party, that party,

has been acquired by means of conduct which is unlawful in the UK, or would constitute unlawful conduct if it occurred in the UK, or has been or will be transferred internationally by means which are unlawful in any of the countries involved; or

(iii) where any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules has been made available by another party, the character, conduct or associations of that party are such that approval of the application would not be conducive to the public good,

and where the Secretary of State does have reasonable grounds to believe one or more of the above applies, no points from Appendix A will be awarded.

(h) The application must be made before 17th February 2026.

245EE. Period, conditions and curtailment of grant

(a) Leave to remain will be granted for a period of 2 years.
(b) Leave to remain under this route will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant:

(1) has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a student sponsor licence under the Points Based System, and provides evidence of this degree; or

(2) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, has been employed during that leave as a Doctor in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the General Medical Council as a training programme or post; or

(3) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, has been employed during that leave as a Dentist in

Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the Joint Committee for Postgraduate Training in Dentistry as a training programme or post, and

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Appendix ATAS of these Rules.

(c) Without prejudice to the grounds for curtailment in paragraph 323 of these Rules, leave to enter or remain as a Tier 1 (Investor) Migrant may be curtailed if:

(i) within 3 months of the date specified in paragraph (d), the applicant has not invested, or had invested on his behalf, at least the amount of capital specified in paragraph (e) in the UK by way of UK Government bonds (where the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place before 29 March 2019 and the date of application is before 6 April 2023), share capital or loan capital in active and trading UK registered companies other than those principally engaged in property investment, or

(ii) the applicant does not maintain at least the level of investment in (i) throughout the remaining period of his leave.

(d) The date referred to in paragraph (c) is:

(i) the date of the applicant's entry to the UK, in the case of an applicant granted entry clearance as a Tier 1 (Investor) Migrant where there is evidence to establish the applicant's date of entry to the UK,

(ii) the date of the grant of entry clearance to the applicant, in the case of an applicant granted entry clearance as a Tier 1 (Investor) Migrant where there is no evidence to establish the applicant's date of entry to the UK, or

(iii) the date of the grant of leave to remain to the applicant, in any other case.

(e) The amount of capital referred to in paragraph (c) is:

(i) at least £2 million if the applicant was last granted leave under the Rules in place from 6 November 2014 and was awarded points as set out in Table 7 or Table 8A of Appendix A to these Rules in that last grant, or

(ii) at least £750,000 if the applicant was last granted leave under the Rules in place before 6 November 2014 or was awarded points as set out in Table 8B of Appendix A to these Rules in his last grant

(f) Paragraph 245EE(c) does not apply where the applicant's two most recent grants of leave were as a Tier 1 (Investor) Migrant.

245EF. Requirements for indefinite leave to remain

To qualify for indefinite leave to remain, a Tier 1 (Investor) Migrant must meet the requirements listed below. if the applicant meets these requirements, indefinite leave to remain will be granted. if the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) DELETED

(b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(c) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of Appendix A

(d) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL.

(e) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

(f) The Secretary of State must not have reasonable grounds to believe that:

(i) notwithstanding that the applicant was awarded points in a previous application as a Tier 1 (Investor) Migrant, the applicant is or was not in control of and at liberty to freely invest the money specified in their application for the purposes of meeting the requirements of Appendix A to these Rules; or

(ii) any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules held by:

(1) the applicant; or
(2) where any of the specified money has been made available to the applicant by another party, that party,

has been acquired by means of conduct which is unlawful in the UK, or would constitute unlawful conduct if it occurred in the UK, or has been transferred internationally by means which are unlawful in any of the countries involved; or

(iii) where any of the money specified in the application for the purposes of meeting the requirements of Appendix A to these Rules has been made available by another party, the character, conduct or associations of that party are such that approval of the application would not be conducive to the public good,

and where the Secretary of State does have reasonable grounds to believe one or more of the above applies, no points from Appendix A will be awarded.

(g) The application must be made before 17th February 2028.

Tier 1 (Graduate Entrepreneur) Migrants

245F. This category is now closed and has been replaced by the Start-up category in Appendix W.

TIER 2 MIGRANTS

Tier 2 (Intra-Company Transfer) Migrants

245G. DELETED

245GA. DELETED

245GB. DELETED

245GC. DELETED

245GD. DELETED

245GE. DELETED

245GF. DELETED

245GF-SD DELETED

Tier 2 (General) Migrants, Tier 2 (Minister of Religion) Migrants and Tier 2 (Sportsperson) Migrants

245H. DELETED

245HA. DELETED

245HB. DELETED

245HC. DELETED

245HD. DELETED

245HE. DELETED

245HF. DELETED

245HG. DELETED

245HH DELETED

Tier 5 (Youth Mobility Scheme) Temporary Migrants

245ZI. DELETED

245ZJ. DELETED

245ZK. DELETED

245ZL. DELETED

Tier 5 (Temporary Worker) Migrants

245ZM. DELETED

245ZN. DELETED

245ZO. DELETED

245ZP. DELETED

245ZQ. DELETED

245ZR. DELETED

245ZS. DELETED

Tier 4 (General) Student

245ZT. Purpose of this route

DELETED.

245ZU. Entry clearance

DELETED.

245ZV. Requirements for entry clearance

DELETED.

245ZW. Period and conditions of grant

DELETED.

245ZX. Requirements for leave to remain

DELETED.

245ZY. Period and conditions of grant

DELETED.

Tier 4 (Child) Student

245ZZ. Purpose of route

DELETED.

245ZZA. Entry clearance

DELETED.

245ZZB. Period and conditions of grant

DELETED.

245ZZC. Requirements for leave to remain

DELETED.

245ZZD. Period and conditions of grant

DELETED.

245ZZE Specified documents, details and requirements of care arrangements

DELETED.

Back to top

Immigration Rules
Part 7

Other categories

Requirements for leave to enter the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

A246. Paragraphs 246 to 248F apply only to a person who has made an application before 9 July 2012 for leave to enter or remain or indefinite leave to remain as a person exercising rights of access to a child resident in the UK, or who before 9 July 2012 has been granted leave to enter or remain as a person exercising rights of access to a child resident in the UK.

AB246. Where an application for leave to enter or remain is made on or after 9 July 2012 as a person exercising rights of access to a child resident in the UK Appendix FM will apply.

246. The requirements to be met by a person seeking leave to enter the United Kingdom to exercise access rights to a child resident in the United Kingdom are that:

(i) the applicant is the parent of a child who is resident in the United Kingdom; and

(ii) the parent or carer with whom the child permanently resides is resident in the United
Kingdom; and

(iii) the applicant produces evidence that he has access rights to the child in the form of:

(a) a Residence Order or a Contact Order granted by a Court in the United Kingdom; or

(b) a certificate issued by a district judge confirming the applicant's intention to maintain contact with the child; and

(iv) the applicant intends to take an active role in the child's upbringing; and

(v) the child is under the age of 18; and

(vi) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and

(vii) the applicant will be able to maintain himself and any dependants adequately without recourse to public funds; and

(viii) the applicant holds a valid United Kingdom entry clearance for entry in this capacity.

Leave to enter the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

247. Leave to enter as a person exercising access rights to a child resident in the United Kingdom may be granted for 12 months in the first instance, provided that on arrival a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of leave to enter the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248. Leave to enter as a person exercising rights of access to a child resident in the United Kingdom is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248A. The requirements to be met by a person seeking leave to remain in the United Kingdom to exercise access rights to a child resident in the United Kingdom are that:

(i) the applicant is the parent of a child who is resident in the United Kingdom; and

(ii) the parent or carer with whom the child permanently resides is resident in the United Kingdom; and

(iii) the applicant produces evidence that he has access rights to the child in the form of:

(a) a Residence Order or a Contact Order granted by a Court in the United Kingdom; or

(b) a certificate issued by a district judge confirming the applicant's intention to maintain contact with the child; or

(c) a statement from the child's other parent (or, if contact is supervised, from the supervisor) that the applicant is maintaining contact with the child; and

(iv) the applicant takes and intends to continue to take an active role in the child's upbringing; and

(v) the child visits or stays with the applicant on a frequent and regular basis and the applicant intends this to continue; and

(vi) the child is under the age of 18; and

(vii) the applicant has limited leave to remain in the United Kingdom as the spouse, civil partner, unmarried partner or same-sex partner of a person present and settled in the United Kingdom who is the other parent of the child; and

(viii) the applicant has not remained in breach of the immigration laws; and

(ix) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and

(x) the applicant will be able to maintain himself and any dependants adequately without recourse to public funds.

Leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248B. Leave to remain as a person exercising access rights to a child resident in the United Kingdom may be granted for 12 months in the first instance, provided the Secretary of State is satisfied that each of the requirements of paragraph 248A is met.

Refusal of leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248C. Leave to remain as a person exercising rights of access to a child resident in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 248A is met.

Indefinite leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248D. The requirements for indefinite leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom are that:

(i) the applicant was admitted to the United Kingdom or granted leave to remain in the United Kingdom for a period of 12 months as a person exercising rights of access to a child and has completed a period of 12 months as a person exercising rights of access to a child; and

(ii) the applicant takes and intends to continue to take an active role in the child's upbringing; and

(iii) the child visits or stays with the applicant on a frequent and regular basis and the applicant intends this to continue; and

(iv) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and

(v) the applicant will be able to maintain himself and any dependants adequately without recourse to public funds; and

(vi) the child is under 18 years of age; and

(vii) the applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(viii) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain as a person exercising rights of access to a child resident in the United Kingdom

248E. Indefinite leave to remain as a person exercising rights of access to a child may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 248D is met.

Refusal of indefinite leave to remain in the United Kingdom as a person exercising rights of access to a child resident in the United Kingdom

248F. Indefinite leave to remain as a person exercising rights of access to a child is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 248D is met.

Holders of special vouchers

Requirements for indefinite leave to enter as the holder of a special voucher

249. DELETED

Indefinite leave to enter as the holder of a special voucher

250. DELETED

Refusal of indefinite leave to enter as the holder of a special voucher

251. DELETED

Requirements for indefinite leave to enter as the spouse or child of a special voucher holder

252. DELETED

Indefinite leave to enter as the spouse or child of a special voucher holder

253. DELETED

Refusal of indefinite leave to enter as the spouse or child of a special voucher holder

254. DELETED

EEA Nationals and their families

Settlement

255. DELETED. But this is subject to the transitional provision in paragraph 5 continues to apply for the purpose of determining an application made before 30 April 2006 for an endorsement under paragraph 255.

255A. DELETED. But this is subject to the transitional provision in paragraph 5 continues to apply for the purpose of determining an application made before 30 April 2006 for an endorsement under paragraph 255.

255B. DELETED. But this is subject to the transitional provision in paragraph 5 continues to apply for the purpose of determining an application made before 30 April 2006 for an endorsement under paragraph 255.

256. DELETED

257. DELETED

257A. DELETED. But this is subject to the transitional provision in paragraph 8 continues to apply for the purpose of determining an application made before 30 April 2006 for an endorsement under paragraph 257A.

257B. DELETED. But this is subject to the transitional provision in paragraph 8 continues to apply for the purpose of determining an application made before 30 April 2006 for an endorsement under paragraph 257B.

257C. DELETED.

257D. DELETED.

257E. DELETED.

The EEA family permit

258. DELETED

Requirements for the issue of an EEA family permit

259. DELETED

Issue of an EEA family permit

260. DELETED

Refusal of an application for an EEA family permit

261. DELETED

Registration with the police for family members of EEA nationals

262. DELETED

Retired persons of independent means

Requirements for leave to enter the United Kingdom as a retired person of independent means

263. DELETED

Leave to enter as a retired person of independent means

264. DELETED

Refusal of leave to enter as a retired person of independent means

265. DELETED

Requirements for an extension of stay as a retired person of independent means

266. DELETED

Extension of stay as a retired person of independent means

266A. DELETED

266C. DELETED

266D.DELETED

266E. DELETED

267. DELETED

Refusal of extension of stay as a retired person of independent means

268. DELETED.

Indefinite leave to remain for a retired person of independent means

269. DELETED

Refusal of indefinite leave to remain for a retired person of independent means

270. DELETED

Partners of persons with limited leave to enter or remain in the United Kingdom as retired persons of independent means

Requirements for leave to enter or remain as the partners of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

271. DELETED

Leave to enter as the partner of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

272. DELETED

Refusal of leave to enter as the partner of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

273. DELETED

Requirements for extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273A. DELETED

Extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273B. DELETED

Refusal of extension of stay as the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273C. DELETED

Requirements for indefinite leave to remain for the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273D. DELETED

Indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273E. DELETED

Refusal of indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means

273F. DELETED

Children of persons with limited leave to enter or remain in the United Kingdom as retired persons of independent means

Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

274. DELETED

Leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

275. DELETED

275A. DELETED

Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom as a retired person of independent means

276. DELETED

Long residence

Long residence in the United Kingdom

276A. DELETED

276A0. DELETED

276A00. DELETED

276A01(1). DELETED

(2). DELETED

276A02. DELETED

276A03. DELETED

276A04. DELETED

Requirements for an extension of stay on the ground of long residence in the United Kingdom

276A1. DELETED

Extension of stay on the ground of long residence in the United Kingdom

276A2. DELETED

Conditions to be attached to extension of stay on the ground of long residence in the United Kingdom

276A3. DELETED

Refusal of extension of stay on the ground of long residence in the United Kingdom

276A4. DELETED

Requirements for indefinite leave to remain on the ground of long residence in the United Kingdom

276B. DELETED

Indefinite leave to remain on the ground of long residence in the United Kingdom

276C. DELETED

Refusal of indefinite leave to remain on the ground of long residence in the United Kingdom

276D. DELETED

Private life

Requirements to be met by an applicant for leave to remain on the grounds of private life

276ADE (1). DELETED

276ADE (2). DELETED

Leave to remain on the grounds of private life in the UK

276BE(1). DELETED

276BE(2). DELETED

276BE(3). DELETED

Refusal of limited leave to remain on the grounds of private life in the UK

276CE. DELETED

Requirements for indefinite leave to remain on the grounds of private life in the UK

276DE. DELETED

Indefinite leave to remain on the grounds of private life in the UK

276DF. DELETED

276DG. DELETED

Refusal of indefinite leave to remain on the grounds of private life in the UK

276DH. DELETED

HM Forces

Transitional provisions and interaction between paragraphs 276E to 276AI of Part 7 and Appendix Armed Forces

276DI. From 1 December 2013, Appendix Armed Forces will apply to all applications to which paragraphs 276E to 276AI of this Part applied on or before 30 November 2013, except where the provisions of 276E to 276AI are preserved and continue to apply in accordance with paragraph 276DL.

276DJ. The requirements to be met under paragraphs 276E to 276AI from 1 December 2013 may be modified or supplemented by the requirements in Appendix Armed Forces or Appendix FM-SE.

276DK. The requirements in paragraphs 8 and 9 of Appendix Armed Forces apply to applications made under paragraphs 276E to 276AI where the decision is made on or after 1 December 2013 (and irrespective of the date of the application).

276DL. Paragraphs 276E-276AI also continue to apply to applications:

(i) made before 1 December 2013 under paragraphs 276E to 276AI but which have not been decided before that date; and

(ii) by persons who have been granted entry clearance or limited leave to enter or remain under paragraphs 276E to 276AI before 1 December 2013 or in accordance with sub-paragraph (i) above and, where it is a requirement of Part 7, that leave to enter or remain is extant.

Definition of Gurkha

276E. For the purposes of these Rules the term "Gurkha" means a citizen or national of Nepal who has served in the Brigade of Gurkhas of the British Army under the Brigade of Gurkhas' terms and conditions of service.

Leave to enter or remain in the United Kingdom as a Gurkha discharged from the British Army

Requirements for indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army

276F. The requirements for indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army are that:

(i) the applicant has completed at least four years' service as a Gurkha with the British Army; and

(ii) was discharged from the British Army in Nepal on completion of engagement on or after 1 July 1997; and

(iii) was not discharged from the British Army more than 2 years prior to the date on which the application is made; and

(iv) holds a valid United Kingdom entry clearance for entry in this capacity; and

(v) does not fall for refusal under the general grounds for refusal.

Indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army

276G. A person seeking indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army may be granted indefinite leave to enter provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army

276H. Indefinite leave to enter the United Kingdom as a Gurkha discharged from the British Army is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army

276I. The requirements for indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army are that the applicant:

(i) has completed at least four years' service as a Gurkha with the British Army; and

(ii) was discharged from the British Army in Nepal on completion of engagement on or after 1 July 1997; and

(iii) was not discharged from the British Army more than 2 years prior to the date on which the application is made unless they are applying following a grant of limited leave to remain under paragraph 276KA; and

(iv) is not in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; and

(v) does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army

276J. A person seeking indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army may be granted indefinite leave to remain provided the Secretary of State is satisfied that each of the requirements of paragraph 276I is met.

Refusal of indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army

276K. Indefinite leave to remain in the United Kingdom as a Gurkha discharged from the British Army is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 276I is met.

Leave to remain in the United Kingdom as a Gurkha discharged from the British Army

276KA. If a Gurkha discharged from the British Army does not meet the requirements for indefinite leave to remain only because paragraph 322(1C)(iii) or 322(1C)(iv) applies, the applicant may be granted limited leave to remain for a period not exceeding 30 months.

Leave to enter or remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

Requirements for indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276L. The requirements for indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces are that the applicant:

(i) has completed at least four years' service with HM Forces; and

(ii) was discharged from HM Forces on completion of engagement; and

(iii) was not discharged from HM Forces more than 2 years prior to the date on which the application is made; and

(iv) holds a valid United Kingdom entry clearance for entry in this capacity; and

(v) does not fall for refusal under the general grounds for refusal.

Indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276M. A person seeking indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces may be granted indefinite leave to enter provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276N. Indefinite leave to enter the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276O. The requirements for indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces are that the applicant:

(i) has completed at least four years' service with HM Forces; and

(ii) was discharged from HM Forces on completion of engagement; and

(iii) was not discharged from HM Forces more than 2 years prior to the date on which the application is made unless they are applying following a grant of limited leavebto remain under paragraph 276QA; and

(iv) is not in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; and

(v) does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276P. A person seeking indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces may be granted indefinite leave to remain provided the Secretary of State is satisfied that each of the requirements of paragraph 276O is met.

Refusal of indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276Q. Indefinite leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 276O is met.

Leave to remain in the United Kingdom as a foreign or Commonwealth citizen discharged from HM Forces

276QA. If a foreign or Commonwealth citizen discharged from HM Forces does not meet the requirements for indefinite leave to remain only because paragraph 322(1C)(iii) or 322(1C)(iv) applies, the applicant may be granted limited leave to remain for a period not exceeding 30 months.

Spouses, civil partners, unmarried or same-sex partners of persons settled or seeking settlement in the United Kingdom in accordance with paragraphs 276E to 276Q (HM Forces rules) or of members of HM Forces who are exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and have at least 5 years' continuous service

Leave to enter or remain in the UK as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service.

Requirements for indefinite leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement under paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276R. The requirements to be met by a person seeking indefinite leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and

settled in the United Kingdom or being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service are that:

(i) the applicant is married to, or the civil partner, unmarried or same-sex partner of, a person present and settled in the United Kingdom or who is being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service; and

(ii) the parties to the marriage, or civil partnership or relationship akin to marriage or civil partnership have met; and

(iii) the parties were married or formed a civil partnership or a relationship akin to marriage or civil partnership at least 2 years ago; and

(iv) each of the parties intends to live permanently with the other as his or her spouse, civil partner, unmarried or same-sex partner; and

(v) the marriage, civil partnership or relationship akin to marriage or civil partnership is subsisting; and

(vi) the applicant holds a valid United Kingdom entry clearance for entry in this capacity; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276S. A person seeking leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service may be granted indefinite leave to enter provided, on arrival, that a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of indefinite leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the UK or being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276T. Leave to enter the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and he does not have entry clearance for entry in this capacity.

Requirement for indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom under paragraphs 276E to 276Q or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276U. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service are that:

(i) the applicant is married to or the civil partner or unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service; and

(ii) the parties to the marriage, civil partnership or relationship akin to marriage or civil partnership have met; and

(iii) the parties were married or formed a civil partnership or relationship akin to marriage or civil partnership at least 2 years ago; and

(iv) each of the parties intends to live permanently with the other as his or her spouse, civil partner, unmarried or same-sex partner; and

(v) the marriage, civil partnership or relationship akin to marriage or civil partnership is subsisting; and

(vi) has, or has last been granted, leave to enter or remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276V. Indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 276U is met.

Refusal of indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276W. Indefinite leave to remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of a person present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 276U is met.

Children of a parent, parents or a relative settled or seeking settlement in the United Kingdom under paragraphs 276E to 276Q (HM Forces rules) or of members of HM Forces who are exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and have at least 5 years' continuous service

Leave to enter or remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

Requirements for indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276X. The requirements to be met by a person seeking indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service are that:

(i) the applicant is seeking indefinite leave to enter to accompany or join a parent, parents or a relative in one of the following circumstances:

(a) both parents are present and settled in the United Kingdom; or

(b) both parents are being admitted on the same occasion for settlement; or

(c) one parent is present and settled in the United Kingdom or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and the other is being admitted on the same occasion for settlement or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service; or

(d) one parent is present and settled in the United Kingdom or being admitted on the same occasion for settlement or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act

1971 and has at least 5 years' continuous service and the other parent is dead; or

(e) one parent is present and settled in the United Kingdom or being admitted on the same occasion for settlement or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and has had sole responsibility for the child's upbringing; or

(f) one parent or a relative is present and settled in the United Kingdom or being admitted on the same occasion for settlement or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and
(iv) holds a valid United Kingdom entry clearance for entry in this capacity; and

(v) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276Y. Indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service may be granted provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276Z. Indefinite leave to enter the United Kingdom as the child of a parent, parents, or a relative present and settled in the United Kingdom or being admitted for settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276AA. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service are that:

(i) the applicant is seeking indefinite leave to remain with a parent, parents or a relative in one of the following circumstances:

(a) both parents are present and settled in the United Kingdom or being granted settlement on the same occasion; or

(ab) one parent is present and settled in the United Kingdom or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and the other is being granted settlement on the same occasion or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service; or

(b) one parent is present and settled in the United Kingdom or being granted settlement on the same occasion or is a member of HM Forces who is exempt

from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and the other parent is dead; or

(c) one parent is present and settled in the United Kingdom or being granted settlement on the same occasion or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and has had sole responsibility for the child's upbringing; or

(d) one parent or a relative is present and settled in the United Kingdom or being granted settlement on the same occasion or is a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(iv) is not in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; and

(v) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276AB. Indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service may be granted if the Secretary of State is satisfied that each of the requirements of paragraph 276AA is met.

Refusal of indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service

276AC. Indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom or being granted settlement on the same occasion in accordance with paragraphs 276E to 276Q or of a member of HM Forces who is exempt from immigration control under section 8(4)(a) of the Immigration Act 1971 and has at least 5 years' continuous service is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 276AA is met.

Spouses, civil partners, unmarried or same-sex partners of armed forces members who are exempt from immigration control under section 8(4) of the Immigration Act 1971

Requirements for leave to enter or remain as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971

276AD. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971 are that:

(i) the applicant is married to or the civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971; and

(ii) each of the parties intends to live with the other as his or her spouse or civil partner, unmarried or same-sex partner during the applicant's stay and the marriage, civil partnership, or relationship akin to a marriage or civil partnership is subsisting; and

(iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds;

(v) the applicant does not intend to stay in the United Kingdom beyond his or her spouse's, civil partner's, unmarried or same-sex partner's enlistment in the home forces, or period of posting or training in the United Kingdom; and

(vi) where the applicant is the unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971, the following requirements are also met:

(a) any previous marriage or civil partnership or relationship akin to a marriage by the applicant or the exempt armed forces member must have permanently broken down,

(b) the applicant and the exempt armed forces member must not be so closely related that they would be prohibited from marrying each other in the UK, and

(c) the applicant and the exempt armed forces member must have been living together in a relationship akin to marriage or civil partnership for a period of at least 2 years.

Leave to enter or remain as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971

276AE. A person seeking leave to enter or remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971 may be given leave to enter or remain in the United Kingdom for a period not exceeding 4 years or the expected duration of the enlistment, posting or training of his or her spouse, civil partner, unmarried or same-sex partner, whichever is shorter, provided that the Immigration Officer, or in the case of an application for leave to remain, the Secretary of State, is satisfied that each of the requirements of paragraph 276AD (i)-(vi) is met. Study will be subject to a condition as set out in Part 15 of these Rules.

Refusal of leave to enter or remain as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971

276AF. Leave to enter or remain in the United Kingdom as the spouse, civil partner, unmarried or same-sex partner of an armed forces member who is exempt from immigration control under section 8(4) of the Immigration Act 1971 is to be refused if the Immigration Officer, or in the case of an application for leave to remain, the Secretary of State, is not satisfied that each of the requirements of paragraph 276AD (i)-(vi) is met.

Children of armed forces members who are exempt from immigration control under section 8(4) of the Immigration Act 1971

Requirements for leave to enter or remain as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971

276AG. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971 are that:

(i) he is the child of a parent who is an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971; and

(ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and

(iii) he is unmarried and is not a civil partner , has not formed an independent family unit and is not leading an independent life; and

(iv) he can and will be maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and

(v) he will not stay in the United Kingdom beyond the period of his parent's enlistment in the home forces, or posting or training in the United Kingdom; and
(vi) his other parent is being or has been admitted to or allowed to remain in the United Kingdom save where:

(a) the parent he is accompanying or joining is his sole surviving parent; or

(b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or

(c) there are serious and compelling family or other considerations which make exclusion from the United Kingdom undesirable and suitable arrangements have been made for his care.

Leave to enter or remain as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971

276AH. A person seeking leave to enter or remain in the United Kingdom as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971 may be given leave to enter or remain in the United Kingdom for a period not exceeding 4 years or the duration of the enlistment, posting or training of his parent,

whichever is the shorter, provided that the Immigration Officer, or in the case of an application for leave to remain, the Secretary of State, is satisfied that each of the requirements of 276AG (i)-(vi) is met.
Study will be subject to a condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

Refusal of leave to enter or remain as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971

276AI. Leave to enter or remain in the United Kingdom as the child of an armed forces member exempt from immigration control under section 8(4) of the Immigration Act 1971 is to be refused if the Immigration Officer, or in the case of an application for leave to remain, the Secretary of State, is not satisfied that each of the requirements of paragraph 276AG (i)-(vi) is met.

Entry clearance to come to the United Kingdom as a relevant Afghan citizen

276BA1 DELETED

276BA2 DELETED

Definition of a “relevant Afghan citizen”

276BB1. DELETED

276BB2. DELETED

276BB3. DELETED

276BB4. DELETED

276BB5. DELETED

276BB6. DELETED

Refusal of entry clearance as a relevant Afghan citizen

276BC1. DELETED

Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain in the United Kingdom as a relevant Afghan citizen

276BD1. DELETED

Dependants of a relevant Afghan citizen

276BE1. DELETED

276BF1. DELETED.

276BG1. DELETED

276BH1. DELETED

276BI1. DELETED

Entry clearance to come to the United Kingdom as the partner of a relevant Afghan citizen

276BJ1. DELETED

276BJ2. DELETED

Definition of “partner” of a relevant Afghan citizen

276BK1. DELETED

Relationship requirements for a partner of a relevant Afghan citizen

276BL1. DELETED

Refusal of entry clearance as the partner of a relevant Afghan citizen

276BM1. DELETED

Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain the United Kingdom as the partner of a relevant Afghan citizen

276BN1. DELETED

Entry clearance to come to the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner

276BO1. DELETED

276BO2. DELETED

Definition of “minor dependent child” of a relevant Afghan citizen or of their partner

276BP1. DELETED

Relationship requirements for a minor dependent child of a relevant Afghan citizen or of their partner

276BQ1. DELETED

Refusal of entry clearance the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner

276BR1. DELETED

Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain in the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner

276BS1. DELETED

Grant or refusal of indefinite leave to remain as a relevant Afghan citizen or their dependant

276BS2. DELETED

276BS3. DELETED.

276BS4. DELETED.

Cancellation of leave to remain in the United Kingdom as a relevant Afghan citizen or their dependants

276BS5. DELETED

Parent of a Child Student
Requirements for leave to enter or remain as the parent of a Child Student

276BT1. DELETED.

Leave to enter or remain as the parent of a Child Student

276BU1 DELETED.

Refusal of leave to enter or remain as the parent of a Child Student

276BV1 DELETED.

Back to top

Immigration Rules
Part 8

Transitional provisions and interaction between Part 8, Appendix FM and Appendix FM-SE

A277 From 9 July 2012 Appendix FM will apply to all applications to which Part 8 of these rules applied on or before 8 July 2012 except where the provisions of Part 8 are preserved and continue to apply, as set out in paragraphs A280 to A280B.

A277A. Where the Secretary of State is considering an application for limited leave to remain or indefinite leave to remain to which Part 8 of these rules continues to apply (excluding an application from a family member of a Relevant Points Based System Migrant or Appendix W Worker), and where the applicant:

(a) does not meet the requirements of Part 8 for indefinite leave to remain, (where the application is for indefinite leave to remain) and

(b) meets or continues to meet the requirements for limited leave to remain under Part 8 in force at the date of decision,

subject to compliance with any requirement notified under paragraph A277D(b), further limited leave to remain under Part 8 may be granted of such a period and subject to such conditions as the Secretary of State deems appropriate. For the purposes of this sub-paragraph an applicant last granted limited leave to enter under Part 8 will be considered as if they had last been granted limited leave to remain under Part 8.

(c) DELETED

A277B. Where the Secretary of State is considering an application for limited leave to remain or indefinite leave to remain to which Part 8 of these rules continues to apply (excluding an application from a family member of a Relevant Points Based System Migrant or Appendix W Worker) and where the application does not meet the requirements for indefinite leave to remain (where the application is for indefinite leave to remain) or limited leave to remain under Part 8 in force at the date of decision:

(a) the application will also be considered as a partner, parent or child under Appendix FM (family life) in line with paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d), R-LTRC.1.1.(a), (b) and (d) and under Appendix Private Life; and

(b) if the applicant meets the requirements for leave as a partner, parent or child under the relevant paragraphs of Appendix FM or under Appendix Private Life (except the requirement for a valid application under that route), the applicant will (subject to compliance with any requirement to pay an Immigration Health Charge notified under paragraph A277D(b)) be granted leave. If the applicant meets provisions in both Appendix FM and Appendix Private Life, the applicant will be granted on Appendix Private Life if the applicant is a child or young adult (as that provides a shorter route to settlement), otherwise the applicant will be granted on Appendix FM; and

(c) if the applicant is granted leave under those provisions, the period of the applicant's continuous leave under Part 8 at the date of application will be counted towards the period of continuous leave which must be completed before the applicant can apply for indefinite leave to remain under paragraph 276B or Appendix Settlement Family Life or Appendix Private Life.

A277C. Subject to paragraphs A277 to A280B and paragraph GEN.1.9. of Appendix FM, the Secretary of State may consider any application to which the provisions of Appendix FM (family life) and Appendix Private life of these rules do not apply, under paragraphs RLTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d), R-LTRC.1.1.(a), (b) and (d) of Appendix FM (family life) and Appendix Private life of these rules. If the applicant meets the requirements for leave under those provisions (except the requirement for a valid application), the applicant will be granted leave under paragraph D-LTRP.1.2., D-LTRPT.1.2. or D-LTRC.1.1. of Appendix FM or under Appendix Private Life.

A277D. Where, pursuant to paragraphs A277A to A277C, a person who has made an application for indefinite leave to remain to which Part 8 of these rules continues to apply does not meet the requirements for indefinite leave to remain but falls to be granted limited leave to remain under Part 8, Appendix Private Life or Appendix FM, or outside the rules on Article 8 grounds:

(a) The Secretary of State will treat that application for indefinite leave to remain as an application for limited leave to remain;

(b) The Secretary of State will notify the applicant in writing of any requirement to pay an immigration health charge under the Immigration (Health Charge) Order 2015; and

(c) If there is such a requirement and that requirement is not met, the application for limited leave to remain will be invalid and the Secretary of State will not refund any application fee paid in respect of the application for indefinite leave to remain.

A278 The requirements to be met under Part 8 after 9 July 2012 may be modified or supplemented by the requirements in Appendix FM and Appendix FM-SE.

A279. Paragraphs 13.2.1.- 13.3.2. apply to all immigration decisions made further to applications under Part 8 and paragraphs 276A-276D where a decision is made on or after 28 July 2014, irrespective of the date the application was made.

A280 The following provisions of Part 8 apply in the manner and circumstances specified:

(a) The following paragraphs apply in respect of all applications made under Part 8 and Appendix FM, irrespective of the date of application or decision:

277-280
289AA

295AA
296

(b) The following paragraphs of Part 8 continue to apply to all applications made on or after 9 July 2012. The paragraphs apply in their current form unless an additional requirement by reference to Appendix FM is specified:

Paragraph number	Additional requirement
295J	None
297-300	Where the applicant falls under paragraph 297, the applicant must not fall for refusal under paragraph S-EC.1.9. of Appendix FM in respect of a parent of the applicant. For these purposes, “a parent of the applicant” is to be construed as including “a relative of the applicant” under paragraph 297.
304-309	Where the applicant falls under paragraph 305, the applicant must not fall for refusal under paragraph S-EC.1.9. of Appendix FM in respect of a parent of the applicant.
309A-316F	Where: (1) the applicant: • falls under paragraph 314(i)(a); or • falls under paragraph 316A(i)(d) or (e); and • is applying on or after 9 July 2012; and (2) the “other parent” mentioned in paragraph 314(i)(a), or one of the prospective parents mentioned in paragraph 316A(i)(d) or (e), has or is applying for entry clearance or limited leave to remain as a partner under Appendix FM, the application must also meet the requirements of paragraphs E-ECC.2.1-2.3 or E-ECC.2.5.-2.6 (entry clearance applications) or E-LTRC 2.1-2.3 or E-LTRC.2.5.-2.6 (leave to remain applications) of Appendix FM.
	Where the applicant: • falls under paragraph 314(i)(d); • is applying on or after 9 July 2012; and • has two parents or prospective parents and one of the applicant’s parents or prospective parents does not have right of abode,

Paragraph number	Additional requirement
	indefinite leave to enter or remain, is not present and settled in the UK or being admitted for settlement on the same occasion as the applicant is seeking admission, but otherwise has or is applying for entry clearance or limited leave to remain as a partner under Appendix FM, the application must also meet the requirements of paragraphs E-ECC.2.1-2.3 or E-ECC.2.5.-2.6 (entry clearance applications) or E-LTRC.2.1-2.3 or E-LTRC.2.5.-2.6 (leave to remain applications) of Appendix FM.
319X	None

(c) The following provisions of Part 8 continue to apply on or after 9 July 2012, and are not subject to any additional requirement listed in

(b) above:

(i) to persons who have made an application before 9 July 2012 under Part 8 which was not decided as at 9 July 2012; and

(ii) to applications made by persons in the UK who have been granted entry clearance or limited leave to enter or remain under Part 8 before 9 July 2012 and where this is a requirement of Part 8, this leave to enter or limited leave to remain is extant:

281-289
289A-289C
290-295
295A-295O
297-316F
317-319
319L-319U
319V-319Y

(d)

(i) The following provisions of Part 8 continue to apply to applications made in the period beginning with 9 July 2012 and ending on 30 November 2013, including those that have not been decided before 1 December 2013, and are not subject to any additional requirement listed in (b) above, by persons who have made an application for entry clearance, leave to enter or remain as the fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner, same sex partner, or child or other dependant relative of a British citizen or settled person who is a full-time member of HM Forces:

281-289
289A-289C
290-295
295A-295O
297-316F
317-319

(ii) Subject to the following provisions, from 1 December 2013, Appendix Armed Forces applies to all applications for entry clearance, leave to enter or remain as the fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner, same sex partner or child of a British citizen or settled person who is a full-time member of HM Forces.

(iii) Except, from 1 December 2013, the provisions in paragraph A280(d)(i) continue to apply to persons who were granted entry clearance, limited leave to enter or remain under Part 8 before 1 December 2013, and where it is a requirement of Part 8, that leave to enter or remain is extant.

(iv) Applications may continue to be made under paragraphs 297 to 316F of Part 8 by the child of a British citizen or settled person who was a full-time member of HM Forces regardless of the date of application and paragraph A280(b) continues to apply to these applications as appropriate.

(v) A new application by a dependent relative of a British citizen or settled person who is a full time member of HM Forces may no longer be made under paragraphs 317-319 on or after 1 December 2013. Those applications must meet the requirements of Appendix FM unless an application was submitted on or before 30 November 2013. An application made by a dependent relative of a British citizen or settled person who is a full time member of HM Forces on or before 30 November 2013 will be considered under the relevant paragraphs 317-319 which apply.

(vi) For the avoidance of doubt, paragraph A280(e) will continue to apply to the spouse, civil partner, unmarried partner or same sex partner of a British citizen or settled person who is a full-time member of HM Forces when the spouse, civil partner,

unmarried or same sex partner was admitted to the UK under paragraph 282(c) or 295B(c) where the applicant has not yet applied for indefinite leave to remain, including where an application relying on paragraph A280(e) is made on or after 1 December 2013.

(vii) The requirements in paragraphs 8 and 9 of Appendix Armed Forces apply to applications for entry clearance, leave to enter or remain as the fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner, same sex partner, or child or other dependent relative of a British citizen or settled person who is a full-time member of HM Forces making an application under Part 8 (where paragraph A280 (d) has permitted such an application) where the decision is made on or after 1 December 2013 (and irrespective of the date of the application).

(e)The following provisions of Part 8 shall continue to apply to applications made on or after 9 July 2012, and are not subject to any additional requirement listed in (b) above, by a spouse, civil partner, unmarried partner or same sex partner who was admitted to the UK before 9 July 2012 further to paragraph 282(c) or 295B(c) of these Rules who has not yet applied for indefinite leave to remain:

284-286
287(a)(i)(c)
287(a)(ii)-(vii)
287(b)
288-289
289A-289C
295D-295F
295G(i)(c)
295G(ii)-(vii)
295H-295I

(f) Paragraphs 301-303F continue to apply to applications made under this route on or after 9 July 2012, and are not subject to any additional requirement listed in (b) above, by a child of a person to whom those paragraphs relate who has been granted limited leave to enter or remain or an extension of stay following an application made before 9 July 2012,

(g) For the avoidance of doubt, notwithstanding the introduction of Appendix FM, paragraphs 319AA - 319J of Part 8 continue to apply, and are not subject to any additional requirement listed in paragraph (b) above, to applications for entry clearance or leave to enter or remain

as the spouse, civil partner, unmarried partner, same sex partner, or child of a Relevant Points Based System Migrant or Appendix W Worker.

A280A. The sponsor of an applicant under Part 8 for limited or indefinite leave to remain as a spouse, civil partner, unmarried partner or same sex partner must be the same person as the sponsor of the applicant's last grant of leave in that category.

A280AA. Where a person aged 18 or over is granted limited leave to enter or remain under Part 8 of these rules, or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the ATAS condition in Appendix ATAS.

A280B. An applicant aged 18 or over may not rely on paragraph A280 where, since their last grant of limited leave to enter or remain under Part 8, they have been granted or refused leave under Appendix FM, Appendix Armed Forces or Appendix Private Life of these rules, or been granted limited leave to enter or remain in a category outside their original route to settlement.

A281. In Part 8 "specified" means specified in Appendix FM-SE, unless otherwise stated, and "English language test provider approved by the Secretary of State" means a provider specified in Appendix O.

A282. From 1 December 2020, all references to 'refusal under General Grounds for Refusal' in Part 8 are to be read as 'refusal under Part 9: grounds for refusal'.

A283. From 12 April 2023, an application for a child to join, stay or settle with a non-parent relative with protection status must meet the requirements under Appendix Child joining or staying with a Non-Parent Relative (Protection) and the application will not be considered under this Part of the Immigration Rules.

A284. From 31 January 2024, an application for settlement from a victim of domestic abuse (and any dependent children), must be made under Appendix Victim of Domestic Abuse and an application for settlement from a bereaved partner (and any dependent children), must be made under Appendix Bereaved Partner (and any application for settlement will not be considered under this Part).

A285. From 11 April 2024, an application for a partner or child to join a member of HM Armed Forces or an HM Armed Forces service leaver must meet the requirements under Appendix HM Armed Forces and will not be considered under this Part of the Immigration Rules.

A286. From 6 June 2024, an application by a child to join an adoptive parent or parents in the UK must meet the requirements under Appendix Adoption and the application will not be considered under this Part of the Immigration Rules.

Spouses and civil partners

277. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as a spouse or civil partner of another if either the applicant or the sponsor will be aged under 18 on the date of arrival in the United Kingdom or (as the case may be) on the date on which the leave to remain or

variation of leave would be granted. In these rules the term "sponsor" includes "partner" as defined in GEN 1.2 of Appendix FM.

278. Nothing in these Rules shall be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as the spouse and civil partner of a man or woman (the sponsor) if:

(i) his or her marriage or civil partnership to the sponsor is polygamous; and

(ii) there is another person living who is the husband or wife of the sponsor and who:

(a) is, or at any time since his or her marriage or civil partnership to the sponsor has been, in the United Kingdom; or

(b) has been granted a certificate of entitlement in respect of the right of abode mentioned in Section 2(1)(a) of the Immigration Act 1988 or an entry clearance to enter the United Kingdom as the husband or wife of the sponsor.

For the purpose of this paragraph a marriage or civil partnership may be polygamous although at its inception neither party had any other spouse or civil partner.

279. Paragraph 278 does not apply to any person who seeks entry clearance, leave to enter, leave to remain or variation of leave where:

(i) he or she has been in the United Kingdom before 1 August 1988 having been admitted for the purpose of settlement as the husband or wife of the sponsor; or

(ii) he or she has, since their marriage or civil partnership to the sponsor, been in the United Kingdom at any time when there was no such other spouse or civil partner living as is mentioned in paragraph 278 (ii).

But where a person claims that paragraph 278 does not apply to them because they have been in the United Kingdom in circumstances which cause them to fall within sub paragraphs (i) or (ii) of that paragraph it shall be for them to prove that fact.

280. For the purposes of paragraphs 278 and 279 the presence of any wife or husband in the United Kingdom in any of the following circumstances shall be disregarded:

(i) as a visitor; or

(ii) an illegal entrant; or

(iii) in circumstances whereby a person is deemed by Section 11(1) of the Immigration Act 1971 not to have entered the United Kingdom.

Spouses or civil partners of persons present and settled in the United Kingdom or being admitted on the same occasion for settlement

Requirements for leave to enter the United Kingdom with a view to settlement as the spouse or civil partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

281. The requirements to be met by a person seeking leave to enter the United Kingdom with a view to settlement as the spouse or civil partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement are that:

(i) (a)(i) the applicant is married to or the civil partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement; and

__ __(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(a) the applicant is aged 65 or over at the time he makes his application; or

(b) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;

(c) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

__ __(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

__ __(iv) the applicant has obtained an academic qualification(not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

__ __(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English, or

__ __(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a

Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English.

or

__(b)(i) the applicant is married to or the civil partner of a person who has a right of abode in the United Kingdom or indefinite leave to enter or remain in the United Kingdom and is on the same occasion seeking admission to the United Kingdom for the purposes of settlement and the parties were married or formed a civil partnership at least 4 years ago, since which time they have been living together outside the United Kingdom; and

__(b)(ii) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

__(b)(iii) DELETED

(ii) the parties to the marriage or civil partnership have met; and

(iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership is subsisting; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the applicant holds a valid United Kingdom entry clearance for entry in this capacity; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

For the purposes of this paragraph and paragraphs 282-289 a member of HM Forces serving overseas, or a permanent member of HM Diplomatic Service or a comparable UK-based staff member of the British Council on a tour of duty abroad, or a staff member of the Department for International Development who is a British Citizen or is settled in the United Kingdom, is to be regarded as present and settled in the United Kingdom.

Leave to enter as the spouse or civil partner of a person present and settled in the United Kingdom or being admitted for settlement on the same occasion

282. A person seeking leave to enter the United Kingdom as the spouse or civil partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement may:

(a) in the case of a person who meets the requirements of paragraph 281(i)(a)(i) and one of the requirements of paragraph 281(i)(a)(ii) - (vi) be admitted for an initial period not exceeding 27 months, or

(b) in the case of a person who meets all of the requirements in paragraph 281(i)(b), be granted indefinite leave to enter, or

(c) in the case of a person who meets the requirement in paragraph 281(i)(b)(i), but not the requirement in paragraph 281(i)(b)(ii) to have sufficient knowledge of the English language and about life in the United Kingdom, be admitted for an initial period not exceeding 27 months, in all cases provided the Immigration Officer is satisfied that each of the relevant requirements of paragraph 281 is met.

Refusal of leave to enter as the spouse or civil partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

283. Leave to enter the United Kingdom as the spouse or civil partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 281 is met.

Requirements for an extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom

284. The requirements for an extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom are that:

(i) the applicant has or was last granted limited leave to enter or remain in the United Kingdom which meets the following requirements:

(a) The leave was given in accordance with any of the provisions of these Rules; and

(b) The leave was granted for a period of 6 months or more, unless it was granted as a fiancé(e) or proposed civil partner; and

(c) The leave was not as the spouse, civil partner, unmarried or same-sex partner of a Relevant Points-Based System Migrant or Appendix W Worker; and

(ii) the applicant is married to or the civil partner of a person present and settled in the United Kingdom; and

(iii) the parties to the marriage or civil partnership have met; and

(iv) the applicant must not be in the UK in breach of immigration laws (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded); and

(v) the marriage or civil partnership has not taken place after a decision has been made to deport the applicant or he has been recommended for deportation or been given notice under Section 6(2) of the Immigration Act 1971 or been given directions for his removal under section 10 of the Immigration and Asylum Act 1999; and

(vi) each of the parties intends to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership is subsisting; and

(vii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(viii) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(ix)(a) the applicant provides an English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(i) the applicant is aged 65 or over at the time he makes his application; or

(ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;

(iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(ix)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

(ix)(c) the applicant has obtained an academic qualification, which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories, Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(ix)(d) the applicant has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English, or

(ix)(e) has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English.

Extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom

285. An extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom may be granted for a period of 2 years in the first instance, provided the Secretary of State is satisfied that each of the requirements of paragraph 284 is met.

Refusal of extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom

286. An extension of stay as the spouse or civil partner of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 284 is met.

Requirements for indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom

287. (a) The requirements for indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom are that:

(i) (a) the applicant was admitted to the United Kingdom for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 281 to 286 of these Rules and has completed a period of 2 years as the spouse or civil partner of a person present and settled in the United Kingdom; or

__(b) the applicant was admitted to the United Kingdom for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 295AA to 295F of these Rules and during that period married or formed a civil partnership with the person whom he or she was admitted or granted an extension of stay to join and has completed a period of 2 years as the unmarried or same-sex partner and then the spouse or civil partner of a person present and settled in the United Kingdom; or

__(c) was admitted to the United Kingdom in accordance with leave granted under paragraph 282(c) of these rules; or

__(d) the applicant was admitted to the UK or given an extension of stay as the spouse or civil partner of a Relevant Points Based System Migrant or Appendix W Worker; and then obtained an extension of stay under paragraphs 281 to 286 of these Rules and has completed a period of 2 years as the spouse or civil partner of the person who is now present and settled here; or

__(e) the applicant was admitted to the UK or given an extension of stay as the unmarried or same-sex partner of a Relevant Points Based System Migrant or Appendix W Worker; and during that period married or formed a civil partnership with the person whom he or she was admitted or granted an extension of stay to join and has completed a period of 2 years as the unmarried or same-sex partner and then the spouse or civil partner of the person who is now present and settled in the UK; or

__(f) the applicant was admitted into the UK in accordance with paragraph 319L and has completed a period of 2 years limited leave as the spouse or civil partner of a refugee or beneficiary of humanitarian protection who is now present and settled in the UK or as the spouse or civil partner of a former refugee or beneficiary of humanitarian protection who is now a British Citizen.
(ii) the applicant is still the spouse or civil partner of the person he or she was admitted or granted an extension of stay to join and the marriage or civil partnership is subsisting; and

(iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

(b) DELETED

Indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom

288. Indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 287 is met.

Refusal of indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom

289. Indefinite leave to remain for the spouse or civil partner of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 287 is met.

Victims of domestic violence

Requirements for indefinite leave to remain in the United Kingdom as the victim of domestic violence

289A. DELETED

Indefinite leave to remain as the victim of domestic violence

289B. DELETED

Refusal of indefinite leave to remain as the victim of domestic violence

289C. DELETED
289D. DELETED

Fiance(e)s and proposed civil partners

289AA. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter or variation of leave as a fiance(e) or proposed civil partner if either the applicant or the sponsor will be aged under 18 on the date of arrival of the applicant in the United Kingdom or (as the case may be) on the date on which the leave to enter or variation of leave would be granted.

Requirements for leave to enter the United Kingdom as a fiance(e) or proposed civil partner (i.e. with a view to marriage or civil partnership and permanent settlement in the United Kingdom)

290. The requirements to be met by a person seeking leave to enter the United Kingdom as a fiance(e) or proposed civil partner are that:

(i) the applicant is seeking leave to enter the United Kingdom for marriage or civil partnership to a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement; and

(ii) the parties to the proposed marriage or civil partnership have met; and

(iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner after the marriage or civil partnership ; and

(iv) adequate maintenance and accommodation without recourse to public funds will be available for the applicant until the date of the marriage or civil partnership; and

(v) there will, after the marriage or civil partnership, be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(vi) the parties will be able after the marriage or civil partnership to maintain themselves and any dependants adequately without recourse to public funds; and

(vii)(a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(i) the applicant is aged 65 or over at the time he makes his application; or

(ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;

(iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(vii)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

(vii)(c) the applicant has obtained an academic qualification, which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(vii)(d) the applicant has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English, or

(vii)(e) has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English.

and

(viii) the applicant holds a valid United Kingdom entry clearance for entry in this capacity.

Leave to enter as a fiance(e) or proposed civil partner

291. A person seeking leave to enter the United Kingdom as a fiance(e) or proposed civil partner may be admitted, with a prohibition on employment, for a period not exceeding 6 months to enable the marriage or civil partnership to take place provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity.

Refusal of leave to enter as a fiance(e) or proposed civil partner

292. Leave to enter the United Kingdom as a fiance(e) or proposed civil partner is to be refused if, on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for an extension of stay as a fiance(e) or proposed civil partner

293. The requirements for an extension of stay as a fiance(e) or proposed civil partner are that:

(i) the applicant was admitted to the United Kingdom with a valid United Kingdom entry clearance as a fiance(e) or proposed civil partner; and

(ii) good cause is shown why the marriage or civil partnership did not take place within the initial period of leave granted under paragraph 291; and

(iii) there is satisfactory evidence that the marriage or civil partnership will take place at an early date; and

(iv) the requirements of paragraph 290 (ii)-(vii) are met.

Extension of stay as a fiance(e) or proposed civil partner

294. An extension of stay as a fiance(e) or proposed civil partner may be granted for an appropriate period with a prohibition on employment to enable the marriage or civil

partnership to take place provided the Secretary of State is satisfied that each of the requirements of paragraph 293 is met.

Refusal of extension of stay as a fiance(e) or proposed civil partner

295. An extension of stay is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 293 is met.

Unmarried and same-sex partners

Leave to enter as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

295AA. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter or variation of leave as an unmarried or same-sex partner if either the applicant or the sponsor will be aged under 18 on the date of arrival of the applicant in the United Kingdom or (as the case may be) on the date on which the leave to enter or variation of leave would be granted.

Requirements for leave to enter the United Kingdom with a view to settlement as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

295A. The requirements to be met by a person seeking leave to enter the United Kingdom with a view to settlement as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement, are that:

(i) (a)(i) the applicant is the unmarried or same-sex partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement and the parties have been living together in a relationship akin to marriage or civil partnership which has subsisted for two years or more; and

__ __(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(a) the applicant is aged 65 or over at the time he makes his application; or

(b) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or

(c) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

__ __(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

__ __(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

__ __(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English, or

__ __(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English.

or

__(b)(i) the applicant is the unmarried or same-sex partner of a person who has a right of abode in the United Kingdom or indefinite leave to enter or remain in the United Kingdom and is on the same occasion seeking admission to the United Kingdom for the purposes of settlement and the parties have been living together outside the United Kingdom in a relationship akin to marriage or civil partnership which has subsisted for 4 years or more; and

__(b)(ii) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

__(b)(iii) DELETED

(ii) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and

(iii) the parties are not involved in a consanguineous relationship with one another; and

(iv) DELETED

(v) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(vi) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vii) the parties intend to live together permanently; and

(viii) the applicant holds a valid United Kingdom entry clearance for entry in this capacity; and

(ix) the applicant does not fall for refusal under the general grounds for refusal.

For the purposes of this paragraph and paragraphs 295B - 295I, a member of HM Forces serving overseas, or a permanent member of HM Diplomatic Service or a comparable UK-based staff member of the British Council on a tour of duty abroad, or a staff member of the Department for International Development who is a British Citizen or is settled in the United Kingdom, is to be regarded as present and settled in the United Kingdom.

Leave to enter the United Kingdom with a view to settlement as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

295B. A person seeking leave to enter the United Kingdom as the unmarried or same-sex partner of a person present and settled in the United Kingdom or who is on the same occasion being admitted for settlement may:

(a) in the case of a person who meets the requirements of paragraph 295A(i)(a)(i), and one of the requirements of paragraph 295A(i)(a)(ii)-(vi) be admitted for an initial period not exceeding 27 months, or

(b) in the case of a person who meets all of the requirements in paragraph 295A(i)(b), be granted indefinite leave to enter, or

(c) in the case of a person who meets the requirement in paragraph 295A(i)(b)(i), but not the requirement in paragraph 295A(i)(b)(ii) to have sufficient knowledge of the English language and about life in the United Kingdom, be admitted for an initial period not exceeding 27 months, in all cases provided the Immigration Officer is satisfied that each of the relevant requirements of paragraph 295A is met.

Refusal of leave to enter the United Kingdom with a view to settlement as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement

295C. Leave to enter the United Kingdom with a view to settlement as the unmarried or same-sex partner of a person present and settled in the United Kingdom or being admitted on the same occasion for settlement, is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 295A is met.

Leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

Requirements for leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295D. The requirements to be met by a person seeking leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom are that:

(i) the applicant has or was last granted limited leave to enter or remain in the United Kingdom which was given in accordance with any of the provisions of these Rules, unless:

(a) as a result of that leave he would not have been in the United Kingdom beyond 6 months from the date on which he was admitted to the United Kingdom; or

(b) the leave was granted as the unmarried or same-sex partner of a Relevant Points Based System Migrant or Appendix W Worker; and

(ii) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and

(iii) the applicant is the unmarried or same-sex partner of a person who is present and settled in the United Kingdom; and

(iv) the applicant must not be in the UK in breach of immigration laws (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded); and

(v) the parties are not involved in a consanguineous relationship with one another; and

(vi) the parties have been living together in a relationship akin to marriage or civil partnership which has subsisted for two years or more; and

(vii) the parties' relationship pre-dates any decision to deport the applicant, recommend him for deportation, give him notice under Section 6(2) of the Immigration Act 1971, or give directions for his removal under section 10 of the Immigration and Asylum Act 1999; and

(viii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(ix) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(x) the parties intend to live together permanently; and

(xi)(a) the applicant provides an English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(i) the applicant is aged 65 or over at the time he makes his application; or

(ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;

(iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(xi)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

(xi)(c) the applicant has obtained an academic qualification, which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(xi)(d) the applicant has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English, or

(xi)(e) has obtained an academic qualification which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English.

Leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295E. Leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom may be granted for a period of 2 years in the first instance provided that the Secretary of State is satisfied that each of the requirements of paragraph 295D are met.

Refusal of leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295F. Leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 295D is met.

Indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

Requirements for indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295G. The requirements to be met by a person seeking indefinite leave to remain as the unmarried partner of a person present and settled in the United Kingdom are that:

(i)(a) the applicant was admitted to the United Kingdom for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 295AA to 295F of these Rules and has completed a period of 2 years as the unmarried or same-sex partner of a person present and settled here; or

(b) the applicant was admitted to the UK or given an extension of stay as the unmarried or same-sex partner of a Relevant Points Based System Migrant or Appendix W Worker; and then obtained an extension of stay under paragraphs 295AA to 295F of these Rules; and the person has completed a period of 2 years as the unmarried or same-sex partner of the person who is now present and settled here; or

(c) the applicant was admitted to the United Kingdom in accordance with leave granted under paragraph 295B(c) of these rules; or

(d) the applicant was admitted into the UK in accordance with paragraph 319O and has completed a period of 2 years limited leave as the unmarried or same-sex partner of a refugee or beneficiary of humanitarian protection who is now present and settled in the UK or as the unmarried or same-sex partner of a former refugee or beneficiary of humanitarian protection who is now a British Citizen.

(ii) the applicant is still the unmarried or same-sex partner of the person he was admitted or granted an extension of stay to join and the relationship is still subsisting; and

(iii) each of the parties intends to live permanently with the other as his partner; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

Indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295H. Indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom may be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph 295G is met.

Refusal of indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom

295I. Indefinite leave to remain as the unmarried or same-sex partner of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 295G is met.

Leave to enter or remain as the unmarried or same-sex partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193; 200-239; or 263-270

Requirements for leave to enter or remain as the unmarried or same-sex partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193; 200-239; or 263-270

295J-295L. DELETED.

Indefinite leave to remain for the bereaved unmarried or same-sex partner of a person present and settled in the United Kingdom

Requirements for indefinite leave to remain for the bereaved unmarried or same-sex partner of a person present and settled in the United Kingdom

295M. DELETED

Indefinite leave to remain for the bereaved unmarried or same-sex partner of a person present and settled in the United Kingdom

295N. DELETED

Refusal of indefinite leave to remain for the bereaved unmarried or same-sex partner of a person present and settled in the United Kingdom

295O. DELETED

Children

296. Nothing in these Rules shall be construed as permitting a child to be granted entry clearance, leave to enter or remain, or variation of leave where his parent is party to a polygamous marriage or civil partnership and any application by that parent for admission or leave to remain for settlement or with a view to settlement would be refused pursuant to paragraphs 278 or 278A.

Leave to enter or remain in the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom

Requirements for indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom

297. The requirements to be met by a person seeking indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom are that he:

(i) is seeking leave to enter to accompany or join a parent, parents or a relative in one of the following circumstances:

(a) both parents are present and settled in the United Kingdom; or

(b) both parents are being admitted on the same occasion for settlement; or

(c) one parent is present and settled in the United Kingdom and the other is being admitted on the same occasion for settlement; or

(d) one parent is present and settled in the United Kingdom or being admitted on the same occasion for settlement and the other parent is dead; or

(e) one parent is present and settled in the United Kingdom or being admitted on the same occasion for settlement and has had sole responsibility for the child's upbringing; or

(f) one parent or a relative is present and settled in the United Kingdom or being admitted on the same occasion for settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately by the parent, parents or relative the child is seeking to join without recourse to public funds in accommodation which the parent, parents or relative the child is seeking to join, own or occupy exclusively; and

(v) can, and will, be maintained adequately by the parent, parents, or relative the child is seeking to join, without recourse to public funds; and

(vi) holds a valid United Kingdom entry clearance for entry in this capacity; and

(vii) does not fall for refusal under the general grounds for refusal.

Requirements for indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom

298. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom are that he:

(i) is seeking to remain with a parent, parents or a relative in one of the following circumstances:

(a) both parents are present and settled in the United Kingdom; or

(b) one parent is present and settled in the United Kingdom and the other parent is dead; or

(c) one parent is present and settled in the United Kingdom and has had sole responsibility for the child's upbringing or the child normally lives with this parent and not their other parent; or

(d) one parent or a relative is present and settled in the United Kingdom and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) has or has had limited leave to enter or remain in the United Kingdom, and

(a) is under the age of 18; or

(b) was given leave to enter or remain with a view to settlement under paragraph 302 or Appendix FM; or

(c) was admitted into the UK in accordance with paragraph 319R and has completed a period of 2 years limited leave as the child of a refugee or beneficiary of humanitarian protection who is now present and settled in the UK or as the child of a former refugee or beneficiary of humanitarian protection who is now a British Citizen, or

(d) the applicant *has* limited leave to enter or remain in *t*he United Kingdom in accordance with paragraph 319X, as the child of a relative with limited leave to remain as a refugee or beneficiary of humanitarian protection in the United Kingdom and who is now present and settled here; or

(e) was last given limited leave to remain under paragraph 298A; or

(f) was last given entry clearance or permission to stay under Appendix Adoption or the adopted children rules in this Part; and

(iii) is not leading an independent life, is unmarried, and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately by the parent, parents or relative the child was admitted to join, without recourse to public funds in accommodation which the parent, parents or relative the child was admitted to join, own or occupy exclusively; and

(v) can, and will, be maintained adequately by the parent, parents or relative the child was admitted to join, without recourse to public funds; and

(vi) does not fall for refusal under the general grounds for refusal, and

(vii) if aged 18 or over, was admitted to the United Kingdom under paragraph 302, or Appendix FM, or 319R or 319X and has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom in accordance with Appendix KoLL.

298A. If an applicant does not meet the requirements of paragraph 298 only because:

(a) the applicant does not meet the requirement in paragraph 298(vi) by reason of a sentence or disposal of a type mentioned in paragraph 9.4.3. of Part 9 of these Rules; or

(b) an applicant aged 18 or over does not meet the requirement in paragraph 298(vii); or

(c) the applicant would otherwise be refused indefinite leave to remain under paragraph 9.4.3. of Part 9 of these Rules,

the applicant may be granted limited leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds.

Indefinite leave to enter or remain in the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom

299. Indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom may be granted provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity. Indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 298 is met.

Refusal of indefinite leave to enter or remain in the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom

300. Indefinite leave to enter the United Kingdom as the child of a parent, parents or a relative present and settled or being admitted for settlement in the United Kingdom is to be

refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity. Indefinite leave to remain in the United Kingdom as the child of a parent, parents or a relative present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 298 is met.

Requirements for limited leave to enter or remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

301. The requirements to be met by a person seeking limited leave to enter or remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement are that he:

(i) is seeking leave to enter to accompany or join or remain with a parent or parents in one of the following circumstances:

(a) one parent is present and settled in the United Kingdom or being admitted on the same occasion for settlement and the other parent is being or has been given limited leave to enter or remain in the United Kingdom with a view to settlement; or
(b) one parent is being or has been given limited leave to enter or remain in the United Kingdom with a view to settlement and has had sole responsibility for the child's upbringing; or

(c) one parent is being or has been given limited leave to enter or remain in the United Kingdom with a view to settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately without recourse to public funds, in accommodation which the parent or parents own or occupy exclusively; and

(iva) can, and will, be maintained adequately by the parent or parents without recourse to public funds; and

(ivb) does not qualify for limited leave to enter as a child of a parent or parents given limited leave to enter or remain as a refugee or beneficiary of humanitarian protection under paragraph 319R; and

(v) (where an application is made for limited leave to remain with a view to settlement) has limited leave to enter or remain in the United Kingdom; and

(vi) if seeking leave to enter, holds a valid United Kingdom entry clearance for entry in this capacity.

Limited leave to enter or remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

302. A person seeking limited leave to enter the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement may be admitted for a period not exceeding 27 months provided he is able, on arrival, to produce to the Immigration Officer a valid passport or other identity document and the applicant has entry clearance for entry in this capacity. A person seeking limited leave to remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement may be given limited leave to remain for a period not exceeding 27 months provided the Secretary of State is satisfied that each of the requirements of paragraph 301 (i)-(v) is met.

Refusal of limited leave to enter or remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

303. Limited leave to enter the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement is to be refused if, on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity. Limited leave to remain in the United Kingdom with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 301 (i)-(v) is met.

Leave to enter and extension of stay in the United Kingdom as the child of a parent who is being, or has been admitted to the united kingdom as a fiance(e) or proposed civil partner

Requirements for limited leave to enter the United Kingdom as the child of a fiance(e) or proposed civil partner

303A. The requirements to be met by a person seeking limited leave to enter the United Kingdom as the child of a fiance(e) or proposed civil partner, are that:

(i) he is seeking to accompany or join a parent who is, on the same occasion that the child seeks admission, being admitted as a fiance(e) or proposed civil partner , or who has been admitted as a fiance(e) or proposed civil partner; and

(ii) he is under the age of 18; and

(iii) he is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(iv) he can and will be maintained and accommodated adequately without recourse to public funds with the parent admitted or being admitted as a fiance(e) or proposed civil partner; and

(v) there are serious and compelling family or other considerations which make the child's exclusion undesirable, that suitable arrangements have been made for his care in the United Kingdom, and there is no other person outside the United Kingdom who could reasonably be expected to care for him; and

(vi) he holds a valid United Kingdom entry clearance for entry in this capacity.

Limited leave to enter the United Kingdom as the child of a parent who is being, or has been admitted to the United Kingdom as a fiance(e) or proposed civil partner

303B. A person seeking limited leave to enter the United Kingdom as the child of a fiance(e) or proposed civil partner, may be granted limited leave to enter the United Kingdom for a period not in excess of that granted to the fiance(e) or proposed civil partner, provided that on arrival a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity. Where the period of limited leave granted to a fiance(e) will expire in more than 6 months, a person seeking limited leave to enter as the child of the fiance(e) or proposed civil partner should be granted leave for a period not exceeding six months.

Refusal of limited leave to enter the United Kingdom as the child of a parent who is being, or has been admitted to the United Kingdom as a fiance(e) or proposed civil partner

303C. Limited leave to enter the United Kingdom as the child of a fiance(e) or proposed civil partner, is to be refused if on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity.

Requirements for an extension of stay in the United Kingdom as the child of a fiance(e) or proposed civil partner

303D. The requirements to be met by a person seeking an extension of stay in the United Kingdom as the child of a fiance(e) or proposed civil partner are that:

(i) the applicant was admitted with a valid United Kingdom entry clearance as the child of a fiance(e) or proposed civil partner; and

(ii) the applicant is the child of a parent who has been granted limited leave to enter, or an extension of stay, as a fiance(e) or proposed civil partner; and

(iii) the requirements of paragraph 303A (ii) - (v) are met.

Extension of stay in the United Kingdom as the child of a fiance(e) or proposed civil partner

303E. An extension of stay as the child of a fiance(e) or proposed civil partner may be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph 303D is met.

Refusal of an extension of stay in the United Kingdom as the child of a fiance(e) or proposed civil partner

303F. An extension of stay as the child of a fiance(e) or proposed civil partner is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 303D is met.

Children born in the United Kingdom who are not British citizens

304. This paragraph and paragraphs 305-309 apply only to dependent children under 18 years of age who are unmarried and are not civil partners and who were born in the United Kingdom on or after 1 January 1983 (when the British Nationality Act 1981 came into force) but who, because neither of their parents was a British Citizen or settled in the United Kingdom at the time of their birth, are not British Citizens and are therefore subject to immigration control. Such a child requires leave to enter where admission to the United Kingdom is sought, and leave to remain where permission is sought for the child to be allowed to stay in the United Kingdom. If he qualifies for entry clearance, leave to enter or leave to remain under any other part of these Rules, a child who was born in the United Kingdom but is not a British Citizen may be granted entry clearance, leave to enter or leave to remain in accordance with the provisions of that other part.

Requirements for leave to enter or remain in the United Kingdom as the child of a parent or parents given leave to enter or remain in the United Kingdom

305. The requirements to be met by a child born in the United Kingdom who is not a British Citizen who seeks leave to enter or remain in the United Kingdom as the child of a parent or parents given leave to enter or remain in the United Kingdom are that he:

(i) (a) is accompanying or seeking to join or remain with a parent or parents who have, or are given, leave to enter or remain in the United Kingdom; or

(b) is accompanying or seeking to join or remain with a parent or parents one of whom is a British Citizen or has the right of abode in the United Kingdom; or

(c) is a child in respect of whom the parental rights and duties are vested solely in a local authority; and

(ii) is under the age of 18; and

(iii) was born in the United Kingdom; and

(iv) is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(v) (where an application is made for leave to enter) has not been away from the United Kingdom for more than 2 years.

Leave to enter or remain in the United Kingdom

306. A child born in the United Kingdom who is not a British Citizen and who requires leave to enter or remain in the circumstances set out in paragraph 304 may be given leave to enter for the same period as his parent or parents where paragraph 305 (i)(a) applies, provided the Immigration Officer is satisfied that each of the requirements of paragraph 305 (ii)-(v) is met. Where leave to remain is sought, the child may be granted leave to remain for the same period as his parent or parents where paragraph 305 (i)(a) applies, provided the Secretary of State is satisfied that each of the requirements of paragraph 305 (ii)-(iv) is met. Where the parent or parents have or are given periods of leave of different duration, the child may be given leave to whichever period is longer except that if the parents are living apart the child should be given leave for the same period as the parent who has day to day responsibility for him.

307. If a child does not qualify for leave to enter or remain because neither of his parents has a current leave, (and neither of them is a British Citizen or has the right of abode), he will normally be refused leave to enter or remain, even if each of the requirements of paragraph 305 (ii)-(v) has been satisfied. However, he may be granted leave to enter or remain for a period not exceeding 3 months if both of his parents are in the United Kingdom and it appears unlikely that they will be removed in the immediate future, and there is no other person outside the United Kingdom who could reasonably be expected to care for him.

308. A child born in the United Kingdom who is not a British Citizen and who requires leave to enter or remain in the United Kingdom in the circumstances set out in paragraph 304 may be given indefinite leave to enter where paragraph 305 (i)(b) or (i)(c) applies provided the Immigration Officer is satisfied that each of the requirements of paragraph 305 (ii)-(v) is met. Where an application is for leave to remain, such a child may be granted indefinite leave to remain where paragraph 305 (i)(b) or (i)(c) applies, provided the Secretary of State is satisfied that each of the requirements of paragraph 305 (ii)-(iv) is met.

Refusal of leave to enter or remain in the United Kingdom

309. Leave to enter the United Kingdom where the circumstances set out in paragraph 304 apply is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 305 is met. Leave to remain for such a child is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 305 (i)-(iv) is met.

Adopted children

309A. DELETED.

309B. DELETED.

Requirements for indefinite leave to enter the United Kingdom as the adopted child of a parent or parents present and settled or being admitted for settlement in the United Kingdom

310. DELETED.

Requirements for indefinite leave to remain in the United Kingdom as the adopted child of a parent or parents present and settled in the United Kingdom

311. DELETED.

Indefinite leave to enter or remain in the United Kingdom as the adopted child of a parent or parents present and settled or being admitted for settlement in the United Kingdom

312. DELETED.

Refusal of indefinite leave to enter or remain in the United Kingdom as the adopted child of a parent or parents present and settled or being admitted for settlement in the United Kingdom

313. DELETED.

Requirements for limited leave to enter or remain in the United Kingdom with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

314. DELETED.

Limited leave to enter or remain in the United Kingdom with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

315. DELETED.

Refusal of limited leave to enter or remain in the United Kingdom with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the United Kingdom with a view to settlement

316. DELETED.

Requirements for limited leave to enter the United Kingdom with a view to settlement as a child for adoption

316A. DELETED.

Limited leave to enter the United Kingdom with a view to settlement as a child for adoption

316B. DELETED.

Refusal of limited leave to enter the United Kingdom with a view to settlement as a child for adoption

316C. DELETED.

Requirements for limited leave to enter the United Kingdom with a view to settlement as a child for adoption under the Hague Convention

316D DELETED.

Limited leave to enter the United Kingdom with a view to settlement as a child for adoption under the Hague Convention

316E DELETED.

Refusal of limited leave to enter the United Kingdom with a view to settlement as a child for adoption under the Hague Convention

316F DELETED.

Parents, grandparents and other dependent relatives of persons present and settled in the United Kingdom

Requirements for indefinite leave to enter or remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom

317. The requirements to be met by a person seeking indefinite leave to enter or remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom are that the person:

(i) is related to a person present and settled in the United Kingdom in one of the following ways:

(a) parent or grandparent who is divorced, widowed, single or separated aged 65 years or over; or

(b) parents or grandparents travelling together of whom at least one is aged 65 or over; or

(c) a parent or grandparent aged 65 or over who has entered into a second relationship of marriage or civil partnership but cannot look to the spouse, civil partner or children of that second relationship for financial support; and where the person settled in the United Kingdom is able and willing to maintain the parent or grandparent and any spouse or civil partner or child of the second relationship who would be admissible as a dependant; or

(d) parent or grandparent under the age of 65 if living alone outside the United Kingdom in the most exceptional compassionate circumstances; or

(e) parents or grandparents travelling together who are both under the age of 65 if living in the most exceptional compassionate circumstances; or

(f) the son, daughter, sister, brother, uncle or aunt over the age of 18 if living alone outside the United Kingdom in the most exceptional compassionate circumstances; and

(ii) is joining or accompanying a person who is present and settled in the United Kingdom or who is on the same occasion being admitted for settlement; and

(iii) is financially wholly or mainly dependent on the relative present and settled in the United Kingdom; and

(iv) can, and will, be accommodated adequately, together with any dependants, without recourse to public funds, in accommodation which the sponsor owns or occupies exclusively; and

(iva) can, and will, be maintained adequately, together with any dependants, without recourse to public funds; and

(v) has no other close relatives in his own country to whom he could turn for financial support; and

(vi) if seeking leave to enter, holds a valid United Kingdom entry clearance for entry in this capacity; and

(vii) does not fall for refusal under the general grounds for refusal.

Indefinite leave to enter or remain as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom

318. Indefinite leave to enter the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom may be granted provided, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity. Indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 317 (i)-(v) is met.

Refusal of indefinite leave to enter or remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom

319. Indefinite leave to enter the United Kingdom as the parent, grandparent or other dependent relative of a person settled in the United Kingdom is to be refused if, on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity. Indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 317 (i)-(v) is met.

Family members of Relevant Points-Based System Migrants and Appendix W Workers

Partners of Relevant Points-Based System Migrants and Appendix W Workers

319AA. In paragraphs A277A to 319K, Appendix C and Appendix E:

(a) Relevant Points Based System migrant means a T1 (Entrepreneur) or T1 (Investor)

(b) DELETED.

319A. Purpose

This route is for the spouse, civil partner, unmarried or same-sex partner of a Relevant Points Based System Migrant or Appendix W Worker (Partner of a Relevant Points Based System Migrant or Appendix W Worker). Paragraphs 277 to 280 of these Rules apply to spouses or civil partners of Relevant Points Based System Migrant or Appendix W Worker; paragraph 277 of these Rules applies to civil partners of Relevant Points Based System Migrant or Appendix W Worker; and paragraph 295AA of these Rules applies to unmarried and same-sex partners of Relevant Points Based System Migrant or Appendix W Worker

319B. Entry to the UK

(a) any person wishing to enter as the Partner of a relevant Points Based System Migrant Worker must on arrival in the UK have a valid entry clearance for entry under this route.

319C. Requirements for entry clearance or leave to remain

To qualify for entry clearance or leave to remain as the Partner of a Relevant Points Based System Migrant or Appendix W Worker, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance or leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, and if applying for leave to remain, must not be an illegal entrant.

(b) The applicant must be the spouse or civil partner, unmarried or same-sex partner of a person who:

(i) has valid leave to enter or remain as a Relevant Points Based System Migrant or Appendix W Worker, or

(ii) is, at the same time, being granted entry clearance or leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or

(iii) has indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or is at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, where the applicant is applying for further leave to remain, or has been refused indefinite leave to remain solely because the applicant has not met the requirements of paragraph 319E(g), and was last granted leave:

(1) as the partner of that same Relevant Points Based System Migrant or Appendix W worker: or

(2) as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules; or

(iv) has become a British Citizen where prior to that they held indefinite leave to Remain as a Relevant Points Based System Migrant or Appendix W Worker and where the applicant is applying for further leave to remain, or has been refused indefinite leave to remain solely because the application has not met the requirements of paragraph 319E(g), and was last granted leave:

(1) as the partner of that same Relevant Points Based System Migrant or Appendix W Worker, or

(2) as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules.

(c) An applicant who is the unmarried or same-sex partner of a Relevant Points Based System Migrant or Appendix W Worker must also meet the following requirements:

(i) any previous marriage or civil partnership or similar relationship by the applicant or the Relevant Points Based System Migrant or Appendix W Worker with another person must have permanently broken down,

(ii) the applicant and the Relevant Points Based System Migrant or Appendix W Worker must not be so closely related that they would be prohibited from marrying each other in the UK, and

(iii) the applicant and the Relevant Points Based System Migrant or Appendix W Worker must have been living together in a relationship similar to marriage or civil partnership for a period of at least 2 years.

(d) The marriage or civil partnership, or relationship similar to marriage or civil partnership, must be genuine and subsisting at the time the application is made.

(e) The applicant and the Relevant Points Based System Migrant or Appendix W Worker must intend to live with the other as their spouse or civil partner, unmarried or same-sex partner throughout the applicants stay in the UK.

(f) The applicant must not intend to stay in the UK beyond any period of leave granted to the Relevant Points Based System Migrant or Appendix W Worker.

(g) Unless the applicant who is applying as the Partner of a Relevant Points Based System Migrant who is a Tier 1 (Investor) Migrant, there must be a sufficient level of funds available to the applicant, as set out in Appendix E.

(h) An applicant who is applying for leave to remain must not have last been granted:

(i) entry clearance or leave as a:

(a) visitor, including where they entered the United Kingdom from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended by the Immigration (Control of Entry through Republic of Ireland) (Amendment) Order 2014) on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters "BIVS" for the purpose of travelling and staying in the Republic for a period of 90 days or fewer; or

(b) short-term student or short term student (child); or

unless the applicant is applying as the Partner of a Relevant Points Based System Migrant who has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245ZQ(b)(ii);

(ii) temporary admission;

(iii) temporary release; or

(iv) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, a grant of immigration bail in circumstances in which temporary admission or temporary release would previously have been granted.

(i) DELETED.

(j) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

(k) Where the applicant is 18 years of age or older and seeking entry clearance as the partner of a person specified below, the applicant must provide of a criminal record certificate from the relevant authority in any country in which they have been present for 12 months (whether continuously or in total) or more in the past 10 years, while aged 18 or over. This requirement does not need to be met where the Secretary of State is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

(1) For the purposes of sub-paragraph (k), a specified person is a person who is seeking, or has been granted, entry clearance or leave to remain as a:

(a) Tier 1 (Entrepreneur) Migrant,

(b) Tier 1 (Investor) Migrant,

(c) DELETED.

(m) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph (k), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or explanation. The requested certificate(s) or explanation must be received at the address specified in the request within 28 calendar days of the date of the request.

319D. Period and conditions of grant

(a) (i) Entry clearance or limited leave to remain will be granted for a period which expires on the same day as the leave granted to the Relevant Points Based System Migrant or Appendix W Worker, or

(ii) If the Relevant Points-Based System Migrant or Appendix W Worker has indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or where the Relevant Points-Based System Migrant or Appendix W Worker has since become a British Citizen, leave to remain will be granted to the applicant for a period of 3 years.

(b) Entry clearance and leave to remain under this route will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) DELETED.

(iv) DELETED.

(v) no employment as a professional sportsperson (including as a sports coach),

(vi) study subject to the ATAS condition in Appendix ATAS where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

319E. Requirements for indefinite leave to remain

To qualify for indefinite leave to remain as the Partner of a Relevant Points Based System Migrant or Appendix W Worker, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must be the spouse or civil partner, unmarried or same-sex partner of a person who:

(i) has indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker; or

(ii) is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or

(iii) has become a British Citizen where prior to that they held indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker.

(c) The applicant must have, or have last been granted, leave as the partner of the Relevant Points Based System Migrant or Appendix W Worker who:

(i) has indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker; or

(ii) is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, or

(iii) has become a British Citizen where prior to that they held indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker.

(d) The applicant and the Relevant Points Based System Migrant or Appendix W Worker must have been living together in the UK in a marriage or civil partnership, or in a relationship similar to marriage or civil partnership, for at least a continuous period of 5 years, during which the applicant must:

(a) have been in a relationship with the same Relevant Points Based System Migrant or Appendix W Worker for this entire period,

(b) have spent the most recent part of the 5 year period with leave as the Partner of that Relevant Points Based System Migrant or Appendix W Worker, and during that part of the period have met all of the requirements of paragraph 319C(a) to (e),

(c) have spent the remainder of the 5 year period, where applicable, with leave as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules, and

(d) not have been absent from the UK for more than 180 days during any 12 month period in the continuous period, except that:

(1) any absence from the UK for the purpose of assisting with a national or international humanitarian or environmental crisis overseas shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s), and

(2) any absence from the UK during periods of leave granted under the Rules in place before 11 January 2018 shall not count towards the 180 days; and

(3) for any applicant who has or has had leave as the dependant partner of a Tier 2 (General) migrant, where the Tier 2 migrant's Certificate of Sponsorship Checking Service entry shows that they were sponsored to work in any PhD level occupation listed in paragraph 245AAA(za) of these rules when the absence occurred, any absence of the applicant from the UK to accompany their partner while the partner carried out research activities overseas shall not count towards the 180 days, if the applicant provides evidence from their partner's sponsor showing that:

> (a) research was the purpose of the partner's absence(s); and
> (b) the partner's sponsor agreed to the partner's absence(s) for that purpose; and
> (c) the absence(s) were directly related to the Tier 2 employment in the UK.

(4) for any applicant who has leave as a PBS partner of a settled migrant who, at the point they applied for settlement, held leave as a Tier 2 (General) migrant, where the Certificate of Sponsorship Checking Service entry showed that they were sponsored to work in any PhD level occupation listed in paragraph 245AAA(za) of these rules, any absence from the UK to accompany the settled migrant for the purpose of their research activities overseas shall not count towards the 180 days, if the applicant provides evidence from their settled partner's employer showing that:

> (a) the settled partner remained working in a PhD level occupation listed in paragraph 245AAA(za) of these rules during the period of absence(s);
> (b) research was the purpose of the partner's absence(s); and
> (c) the settled partner's employer agreed to the absence(s) for that purpose; and
> (d) the absence(s) directly related to the settled partner's employment in the UK.

(5) for any applicant who has or has had leave as the Partner of a Tier 1 (Exceptional Talent) Migrant, or Partner of a Global Talent migrant, where the Tier 1 or Global Talent migrant was endorsed by The Royal Society, The British Academy, The Royal Academy

of Engineering, or UK Research and Innovation, any absence from the UK for the purpose of research activities overseas shall not count towards the 180 days if it occurred while the applicant held this leave.

(6) for any applicant who has leave as the Points Based System Partner or Appendix W Partner of a settled migrant who, at the point they applied for settlement, held leave as a Tier 1 (Exceptional Talent) Migrant or Global Talent migrant, where they were endorsed by The Royal Society, The British Academy, The Royal Academy of Engineering, UK Research and Innovation, any absence from the UK for the purpose of research activities overseas shall not count towards the 180 days.

Any time spent lawfully in the Bailiwick of Guernsey, Bailiwick of Jersey or the Isle of Man shall be deemed to be time spent in the UK.

(e) The marriage or civil partnership, or relationship similar to marriage or civil partnership, must be genuine and subsisting at the time the application is made.

(f) The applicant and the Relevant Points Based System Migrant or Appendix W Worker must intend to live permanently with the other as their spouse or civil partner, unmarried or same-sex partner.

(g) The applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL.

(h) DELETED

(i) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Children of relevant points-based system migrants or Appendix W Workers

319F. Purpose

This route is for the children of a Relevant Points Based System Migrant or Appendix W Worker who are under the age of 18 when they apply to enter under this route. Paragraph 296 of these Rules applies to children of a Relevant Points Based System Migrants or Appendix W Workers.

319G. Entry to the UK

(a) Subject to paragraph (b), all migrants wishing to enter as the Child of a relevant Points Based System Migrant or Appendix W Worker must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

(b) DELETED.

319H. Requirements for entry clearance or leave to remain

To qualify for entry clearance or leave to remain under this route, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance or leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, and if applying for leave to remain, must not be an illegal entrant.

(b) The applicant must be the child of a parent who has, or is at the same time being granted, valid entry clearance, leave to enter or remain, or indefinite leave to remain, as:

(i) a Relevant Points Based System Migrant or Appendix W Worker, or

(ii) the partner of a Relevant Points Based System Migrant or Appendix W Worker.

or who has obtained British citizenship having previously held indefinite leave to remain as above.

(c) The applicant must be under the age of 18 on the date the application is made, or if over 18 and applying for leave to remain, must have, or have last been granted, leave as the child of a Relevant Points Based System Migrant or Appendix W Worker or as the child of the parent who had leave under another category of these Rules and who has since been granted, or, is at the same time being granted, leave to remain as a Relevant Points Based System Migrant or Appendix W Worker.

(d) The applicant must not be married or in a civil partnership, must not have formed an independent family unit, and must not be leading an independent life and, if he is over the age of 16 on the date the application is made, he must provide the specified documents and information in paragraph 319H-SD to show that this requirement is met.

(e) The applicant must not intend to stay in the UK beyond any period of leave granted to the Relevant Points Based System Migrant or Appendix W Worker parent.

(f) Both of the applicant's parents must either be lawfully present (other than as a visitor) in the UK, or being

granted entry clearance or leave to remain (other than as a visitor) at the same time as the applicant or one parent must be lawfully present (other than as a visitor) in the UK and the other is being granted entry clearance or leave to remain (other than as a visitor) at the same time as the applicant, unless:

(i) The Relevant Points Based System Migrant or Appendix W Worker is the applicant's sole surviving parent, or

(ii) The Relevant Points Based System Migrant or Appendix W Worker parent has and has had sole responsibility for the applicant's upbringing, or

(iii) there are serious or compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made in the UK for the applicant's care.

(g) Unless the applicant is applying as the Child of a Relevant Points Based System Migrant who is a Tier 1 (Investor) Migrant, there must be a sufficient level of funds available to the applicant, as set out in Appendix E.

(h) An applicant who is applying for leave to remain must not have last been granted:

(i) entry clearance or leave as a:

(a) visitor, including where they entered the United Kingdom from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended by the Immigration (Control of Entry through Republic of Ireland) (Amendment) Order 2014) on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters “BIVS” for the purpose of travelling and staying in the Republic for a period of 90 days or fewer; or

(b) short-term student (child)

(ii) temporary admission;

(iii) temporary release; or

(iv) after the date on which paragraph 1 of Schedule 10 to the Immigration Act 2016 is commenced, a grant of immigration bail in circumstances in which temporary admission or temporary release would previously have been granted.

(i) DELETED.

(j) DELETED.

(k) If the applicant is a child born in the UK to a Relevant Points Based System migrant or Appendix W Worker and their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

(l) All arrangements for the child's care and accommodation in the UK must comply with relevant UK legislation and regulations.

(m) The applicant must not be in the UK in breach of immigration laws except, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

319H-SD Specified documents and information

Applicants who are over the age of 16 on the date the application is made must provide the following specified documents and information:

(a) The applicant must provide two items from the list below confirming his residential address:

(i) bank statements,

(ii) credit card bills,

(iii) driving licence,

(iv) NHS Registration document,

(v) letter from his current school, college or university, on official headed paper and bearing the official stamp of that organisation, and issued by an authorised official of that organisation.

(b) The documents submitted must be from two separate sources and dated no more than one calendar month before the date of the application.

(c) If the applicant pays rent or board, he must provide details of how much this amounts to each calendar month.

(d) If the applicant is residing separately from the Relevant Points Based System Migrant or Appendix W Worker, he must provide:

(i) reasons for residing away from the family home. Where this is due to academic endeavours he must provide confirmation from his university or college confirming his enrolment and attendance on the specific course, on official headed paper and bearing the official stamp of that organisation, and issued by an authorised official of that organisation,

(ii) the following evidence that he has been supported financially by his parents whilst residing away from the family home:

(1) bank statements for the applicant covering the three months before the date of the application clearly showing the origin of the deposits; and

(2) bank statements for the applicant's parent covering the three months before the date of the application also showing corroborating payments out of their account.

319I. Period and conditions of grant

(a) Entry clearance and leave to remain will be granted for:

(i) a period which expires on the same day as the leave granted to the parent whose leave expires first, or

(ii) Where both parents have, or are at the same time being granted, indefinite leave to remain, or have since become British citizens, leave to remain will be granted to the applicant for a period of 3 years.

(b) Entry clearance and leave to remain under this route will be subject to the following conditions:

(i) no recourse to public funds,

(ii) DELETED

(iii) DELETED.

(iv) no employment as a professional sportsperson (including as a sports coach).

319J. Requirements for indefinite leave to remain

To qualify for indefinite leave to remain under this route, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must be the child of a parent who has, or is at the same time being granted, indefinite leave to remain as:

(i) a Relevant Points Based System Migrant or Appendix W Worker, or

(ii) the partner of a Relevant Points Based System Migrant or Appendix W Worker.

(c) The applicant must have, or have last been granted, leave as the child of or have been born in the United Kingdom to, the Relevant Points Based System Migrant or

Appendix W Worker, or the partner of a Relevant Points Based System Migrant or Appendix W Worker who is being granted indefinite leave to remain.

(d) The applicant must not be married or in a civil partnership, must not have formed an independent family unit, and must not be leading an independent life, and if he is over the age of 16 on the date the application is made, he must provide the specified documents and information in paragraph 319H-SD to show that this requirement is met.

(e) Both of an applicant's parents must either be lawfully settled in the UK, or being granted indefinite leave to remain at the same time as the applicant, unless:

(i) The Relevant Points Based System Migrant or Appendix W Worker is the applicant's sole surviving parent, or

(ii) The Relevant Points Based System Migrant or Appendix W Worker parent has and has had sole responsibility for the applicant's upbringing, or

(iii) there are serious and compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made for the applicant's care, or

(iv) One parent is, at the same time, being granted indefinite leave to remain as a Relevant Points Based System Migrant or Appendix W Worker, the other parent is lawfully present in the UK or being granted leave at the same time as the applicant, and the applicant was granted leave as the child of a Relevant Points Based System Migrant under the Rules in place before 9 July 2012.

(f) The applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL, unless he is under the age of 18 at the date on which the application is made.

(g) If the applicant is a child born in the UK to a Relevant Points Based System migrant or Appendix W Worker and their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

(h) All arrangements for the child's care and accommodation in the UK must comply with relevant UK legislation and regulations.

(i) The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Please note in the printed version of CM5829 these points appear in error numbered as an alternative version of 316D (iii) and (iv).

Other family members of persons with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection.

Requirements for leave to enter the United Kingdom as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection.

319L. The requirements to be met by a person seeking leave to enter the United Kingdom as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection, are that:

(i) (a) the applicant is married to or the civil partner of a person who has limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection granted such status under the immigration rules and the parties are married or have formed a civil partnership after the person granted asylum or humanitarian protection left the country of his former habitual residence in order to seek asylum or humanitarian protection; and

(b) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(i) the applicant is aged 65 or over at the date he makes his application; or

(ii) the Secretary of State or Entry Clearance Officer considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or

(iii) the Secretary of State or entry Clearance officer considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(iv) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; USA; Malta; or

(v) the applicant has obtained an academic qualification(not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; Malta; and provides the specified documents; or

(vi) the applicant has obtained an academic qualification (not a professional or vocational
qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the degree was taught or researched in English, or

(vii) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English; and

(ii) the parties to the marriage or civil partnership have met; and

(iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership is subsisting; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the applicant holds a valid United Kingdom entry clearance for entry in this capacity.

319M. Leave to enter the United Kingdom as the spouse or civil partner of a refugee or beneficiary of humanitarian protection may be granted for 63 months provided the Immigration Officer is satisfied that each of the requirements of paragraph 319I (i) - (vi) are met.

319N. Leave to enter the United Kingdom as the spouse or civil partner of a refugee or beneficiary of humanitarian protection is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 319L(i) - (vi) are met.

Requirements for leave to enter the United Kingdom as the unmarried or same-sex partner of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection.

319O. The requirements to be met by a person seeking leave to enter the United Kingdom as the unmarried or same-sex partner of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection, are that:

(i)

(a) the applicant is the unmarried or same-sex partner of a person who has limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection granted such status under the immigration rules, and the parties

have been living together in a relationship akin to either a marriage or civil partnership subsisting for two years or more after the person granted asylum or humanitarian protection left the country of his former habitual residence in order to seek asylum or humanitarian protection; and

(b) the applicant provides an English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(i) the applicant is aged 65 or over at the time he makes his application;

(ii) the Secretary of State or entry Clearance officer considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement;

(iii) the Secretary of State or Entry Clearance Officer considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement;

(iv) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories, Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; USA; Malta;

(v) the applicant has obtained an academic qualification(not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; the British Overseas Territories, Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; Malta; and provides the specified documents; or

(vi) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, and

(1) provides the specified evidence to show he has the qualification, and

(2) Ecctis has confirmed that the degree was taught or researched in English, or

(vii) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Masters degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification, and

(2) that the qualification was taught or researched in English; and

(ii) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and

(iii) the parties are not involved in a consanguineous relationship with one another; and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and

(v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(vi) the parties intend to live together permanently; and

(vii) the applicant holds a valid United Kingdom entry clearance for entry in this capacity.

319P. Leave to enter the United Kingdom as the unmarried or same-sex partner of a refugee or beneficiary of humanitarian protection may be granted for 63 months provided the Immigration Officer is satisfied that each of the requirements of paragraph 319O (i) - (vii) are met.

319Q. Leave to enter the United Kingdom as the unmarried or same-sex partner of a refugee or beneficiary of humanitatrian protection is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 319O (i) - (vii) are met.

Requirements for leave to enter the United Kingdom as the child of a parent or parents given limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection

319R. The requirements to be met by a person seeking leave to enter the United Kingdom as the child of a parent or parents given limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection, are that the applicant:

(i) is the child of a parent or parents granted limited leave to enter or remain as a refugee or beneficiary of humanitarian protection granted as such under the immigration rules; and

(ii) is under the age of 18, and

(iii) is not leading an independent life, is unmarried, is not in a civil partnership, and has not formed an independent family unit; and

(iv) was conceived after the person granted asylum or humanitarian protection left the country of his habitual residence in order to seek asylum in the UK; and

(v) can, and will, be accommodated adequately by the parent or parents the child is seeking to join without recourse to public funds in accommodation which the parent or parents the child is seeking to join, own or occupy exclusively; and

(vi) can, and will, be maintained adequately by the parent or parents the child is seeking to join, without recourse to public funds; and

(vii) if seeking leave to enter, holds a valid United Kingdom entry clearance for entry in this capacity.

319S. limited leave to enter the United Kingdom as the child of a refugee or beneficiary of humanitarian protection may be granted for 63 months provided the Immigration Officer is satisfied that each of the requirements in paragraph 319R (i)-(vii) are met.

319T. Limited leave to enter the United Kingdom as the child of a refugee or beneficiary humanitarian protection is to be refused if the Immigration Officer is not satisfied that each of the requirements in paragraph 319R (i) - (vii) are met.

Requirements for indefinite leave to remain in the United Kingdom as the spouse or civil partner, unmarried or same - sex partner or child of a refugee or beneficiary of humanitatrian protection present and settled in the United Kingdom

319U. To qualify for indefinite leave to remain in the UK, an applicant must meet the requirements set out in paragraph 287 if the applicant is a spouse or civil partner, paragraph 295G if they are an unmarried or same-sex partner, or 298 if the applicant is a child and the sponsor must be present and settled in the United Kingdom at the time the application is made. if an applicant meets the requirements as set out in the relevant paragraphs, indefinite leave to remain will be granted. if the applicant does not meet these requirements, the application will be refused.

Parents, grandparents and other dependent relatives of persons with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection

Requirements for leave to enter or remain in the United Kingdom as the parent, grandparent or other dependent relative of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection

319V. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the parent, grandparent or other dependent relative of a person with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection are that the person:

(i) is related to a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom in one of the following ways:

(a) parent or grandparent who is divorced, widowed, single or separated aged 65 years or over; or

(b) parents or grandparents travelling together of whom at least one is aged 65 or over; or

(c) a parent or grandparent aged 65 or over who has entered into a second relationship of marriage or civil partnership but cannot look to the spouse, civil partner or children of that second relationship for financial support; and where the person with limited leave to enter or remain in the United Kingdom is able and willing to maintain the parent or grandparent and any spouse or civil partner or child of the second relationship who would be admissible as a dependant; or

(d) a parent or grandparent under the age of 65 if living alone outside the United Kingdom in the most exceptional compassionate circumstances; or

(e) parents or grandparents travelling together who are both under the age of 65 if living in the most exceptional compassionate circumstances; or

(f) the son, daughter, sister, brother, uncle or aunt over the age of 18 if living alone outside the United Kingdom in the most exceptional compassionate circumstances; and

(ii) is joining a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom; and

(iii) is financially wholly or mainly dependent on the relative who has limited leave to enter or remain as a refugee or beneficiary of humanitarian protection in the United Kingdom; and

(iv) can, and will, be accommodated adequately, together with any dependants, without recourse to public funds, in accommodation which the sponsor owns or occupies exclusively; and

(v) can, and will, be maintained adequately, together with any dependants, without recourse to public funds; and

(vi) has no other close relatives in his own country to whom he could turn for financial support; and

(vii) if seeking leave to enter, holds a valid United Kingdom entry clearance for entry in this capacity, or, if seeking leave to remain, holds valid leave to remain in another capacity.

319VA. Limited leave to enter the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom may be granted for 5 years provided on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity. Limited leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom may be

granted provided the Secretary of State is satisfied that each of the requirements of paragraph 319V (i)-(vii) is met.

319VB. Limited leave to enter the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom is to be refused if, on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity. Limited leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 319V (i)-(vii) is met.

Requirements for indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection who is present and settled in the United Kingdom or of a former refugee or beneficiary humanitarian protection, who is now a British Citizen.

319W. The requirements for indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection who is now present and settled in the United Kingdom or who is now a British Citizen are that:

(i) the applicant has limited leave to enter or remain in the United Kingdom in accordance with paragraph 319V as a dependent relative of a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom; and

(ii) the sponsor the applicant was admitted to join is now present and settled in the United Kingdom, or is now a British Citizen; and

(iii) the applicant is financially wholly or mainly dependent on the relative who is present and settled in the United Kingdom; and

(iv) the applicant can, and will, be accommodated adequately, together with any dependants, without recourse to public funds, in accommodation which the sponsor owns or occupies exclusively; and

(v) the applicant can, and will, be maintained adequately, together with any dependants, without recourse to public funds; and

(vi) the applicant has no other close relatives in their country of former habitual residence to whom he could turn for financial support; and

(vii) does not fall for refusal under the general grounds for refusals.

319WA. Indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a refugee or beneficiary of humanitarian protection who is present and

settled in the United Kingdom, or who is now a British Citizen may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 319W (i)-(vii) is met.

319WB. Indefinite leave to remain in the United Kingdom as the parent, grandparent or other dependent relative of a person present and settled in the United Kingdom is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 319W (i)-(vii) is met.

Requirements for leave to enter or remain in the United Kingdom as the child of a relative with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection.

319X. DELETED

319XA. DELETED

Granting leave to enter or remain where there are exceptional circumstances

319XAA. DELETED

319XB. DELETED

Requirements for indefinite leave to remain in the United Kingdom as the child of a relative who is present and settled in the United Kingdom or as a former refugee or beneficiary of humanitarian protection who is now a British Citizen

319Y. DELETED.

Back to top

Immigration Rules

Part 9

Grounds for refusal.

Suitability requirements apply to all routes and must be met in addition to validity and eligibility requirements.

Where this Part applies a person will not meet the suitability requirements if they fall for refusal under this Part.

A person may also have their entry clearance or permission cancelled on suitability grounds.

More than one grounds for refusal or cancellation may apply, for example, the presence of a foreign criminal in the UK may not be conducive to the public good.

The Immigration Act 1971, section 76 of the Nationality, Immigration and Asylum Act 2002 (revocation of indefinite leave), the Immigration (Leave to Enter and Remain) Order 2000 and Schedule 2 of the Immigration Act 1971 set out the powers to cancel entry clearance or permission. These rules set out how those powers are to be exercised.

Decisions on suitability are either mandatory (must) or discretionary (may) and must be compatible with the UK obligations under the Refugee Convention and the European Convention on Human Rights, which are mainly provided for under other provisions in these Rules.

Some routes have their own, or additional, suitability requirements.

This Part is in 5 sections.

1. Application of this Part;
2. Grounds for refusal, or cancellation of, entry clearance, permission to enter and permission to stay;
3. Additional grounds for refusal of entry, or cancellation of entry clearance or permission, on arrival in the UK;
4. Additional grounds for refusal, or cancellation, of permission to stay;

Additional grounds for cancellation of entry clearance, permission to enter and permission to stay which apply to specified routes

Section 1: Application of this Part

9.1.1. Part 9 does not apply to the following:

(a) Appendix FM, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.9.2, 9.15.1, 9.15.2, 9.15.3, 9.16.2, 9.19.2, 9.20.1, 9.23.1 and 9.24.1. apply, and paragraph 9.7.3 applies to permission to stay; and paragraph 9.8.2 (a) and (c). applies where the application is for entry clearance; and

(b) Appendix Private Life, except paragraphs 9.6.1. and 9.6.2.; and

(c) DELETED

(d) Appendix EU; and

(e) Appendix EU (Family Permit); and

(f) Paragraph DWMS 2.1, except paragraphs 9.2.1(c), 9.2.2, 9.3.1, 9.3.2, 9.4.1(b), 9.4.1(c), 9.4.2, 9.4.5, 9.7.1, 9.7.2, 9.7.3, 9.9.1, 9.9.2. 9.16.2, 9.20.1, 9.23.1, 9.24.1; and
(g) Part 11 (Asylum), except Part 9 does apply to paragraphs 352ZH to 352ZS, and 352I to 352X; and
(h) applications for entry clearance or permission to stay granted by virtue of the ECAA Association Agreement, except that in relation to permission granted under the Agreement paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
(i) applications for permission to stay under Appendix ECAA Extension of Stay, except paragraphs 9.2.1, 9.3.1, 9.4.1, 9.4.3, 9.6.1, 9.7.1, 9.7.2, 9.11.1, 9.12.1 and 9.21.1, and in relation to such permission paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
(j) Appendix S2 Healthcare Visitor; and
(k) Appendix Service Providers from Switzerland.
(l) Appendix Ukraine Scheme, except paragraphs 9.2.1 to 9.7.3, 9.8.1 to 9.8.8, 9.9.1 to 9.9.2, 9.10.1 to 9.10.2, 9.14.1 to 9.20.2, 9.23.1 and 9.24.1 and
(m) Appendix Settlement Protection; and
(n) Appendix Settlement Family Life, except paragraphs 9.6.1. and 9.6.2; and
(o) Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery except paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.5.2, 9.7.3, 9.18.1, 9.20.1, 9.20.2, 9.23.1 and;
(p) Appendix Electronic Travel Authorisation; and
(q) Appendix Adult Dependent Relative, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.9.2, 9.15.1, 9.15.2, 9.15.3, 9.16.2, 9.19.2, 9.20.1, 9.23.1 and 9.24.1. apply, and paragraph 9.7.3 applies to permission to stay; and paragraph 9.8.2 (a) and (c). applies where the application is for entry clearance.

9.1.2. Part 9 applies to the following:
(a) Appendix Victim of Domestic Abuse, except paragraph 9.8.4.(a)
(b) Appendix Bereaved Partner, except paragraph 9.8.4.(a)
(c) Appendix HM Armed Forces
(d) Appendix International Armed Forces and International Civilian Employees
(e) Appendix Adoption.

Section 2: Grounds for refusal, or cancellation, of entry clearance, permission to enter and permission to stay

Exclusion, deportation order or travel ban grounds

9.2.1. An application for entry clearance, permission to enter or permission to stay must be refused where:
(a) the Secretary of State has personally directed that the applicant be excluded from the UK; or
(b) the applicant is the subject of an exclusion order; or
(c) the applicant is the subject of a deportation order, or a decision to make a deportation order.

9.2.2. Entry clearance or permission held by a person must be cancelled where the Secretary of State has personally directed that the person be excluded from the UK.

9.2.3. An application for entry clearance must be refused where the applicant is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

9.2.4. Entry clearance must be cancelled where the person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

Non-conducive grounds

9.3.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).

9.3.2. Entry clearance or permission held by a person must be cancelled where the person's presence in the UK is not conducive to the public good.

Criminality grounds

9.4.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
(b) is a persistent offender who shows a particular disregard for the law; or
(c) has committed a criminal offence, or offences, which caused serious harm.

9.4.2. Entry clearance or permission held by a person must be cancelled where the person:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
(b) is a persistent offender who shows a particular disregard for the law; or
(c) has committed a criminal offence, or offences, which caused serious harm.

9.4.3. An application for entry clearance, permission to enter or permission to stay may be refused (where paragraph 9.4.2. and 9.4.4. do not apply) where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or
(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

9.4.4. An application for entry clearance or permission to enter under Appendix V: Visitor, or where a person is seeking entry on arrival in the UK for a stay for less than 6 months, must be refused where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless more than 12 months have passed since the end of the custodial sentence; or
(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is

recorded on their criminal record, unless more than 12 months have passed since the date of conviction.

9.4.5. Entry clearance or permission held by a person may be cancelled (where paragraph 9.4.2. does not apply) where the person:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or

(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

Exclusion from asylum or humanitarian protection grounds

9.5.1. An application for entry clearance, permission to enter or permission to stay may be refused where the Secretary of State:

(a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or

(b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

9.5.2. Entry clearance or permission held by a person may be cancelled where the Secretary of State:

(a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or

(b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

Involvement in a sham marriage or sham civil partnership grounds

9.6.1. An application for entry clearance, permission to enter or permission to stay may be refused where the decision maker is satisfied that it is more likely than not that the applicant is, or has been, involved in a sham marriage or sham civil partnership.

9.6.2. Entry clearance or permission held by a person may be cancelled where the decision maker is satisfied that it is more likely than not the person is, or has been, involved in a sham marriage or sham civil partnership.

False representations, etc. grounds

9.7.1. An application for entry clearance, permission to enter or permission to stay may be refused where, in relation to the application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:

(a) false representations are made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
(b) relevant facts are not disclosed.

9.7.2. An application for entry clearance, permission to enter or permission to stay must be refused where the decision maker can prove that it is more likely than not the applicant used deception in the application.

9.7.3. Entry clearance or permission held by a person may be cancelled where, in relation to an application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:
(a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
(b) relevant facts were not disclosed.

9.7.4 Permission extended under section 3C of the Immigration Act 1971 may be cancelled where the decision maker can prove that it is more likely than not the applicant used deception in the application for permission to stay.

Previous breach of immigration laws grounds

9.8.1. An application for entry clearance or permission to enter must be refused if:
(a) the applicant has previously breached immigration laws; and
(b) the application is for entry clearance or permission to enter and it was made within the relevant time period in paragraph 9.8.7.

9.8.2. An application for entry clearance or permission to enter may be refused where:
(a) the applicant has previously breached immigration laws; and
(b) the application was made outside the relevant time period in paragraph 9.8.7; and
(c) the applicant has previously contrived in a significant way to frustrate the intention of the rules, or there are other aggravating circumstances (in addition to the immigration breach), such as a failure to cooperate with the redocumentation process, such as using a false identity, or a failure to comply with enforcement processes, such as failing to report, or absconding.

9.8.3. An application for permission to stay may be refused where a person has previously failed to comply with the conditions of their permission, unless permission has been granted in the knowledge of the previous breach.

9.8.3A. Unless 9.8.1. applies, an application for entry clearance, permission to enter or permission to stay may be refused where a person used deception in relation to a previous application (whether or not successfully).

9.8.4. In paragraphs 9.8.1. and 9.8.2, a person will only be treated as having previously breached immigration laws if, when they were aged 18 or over, they:
(a) overstayed their permission and neither paragraph 9.8.5. nor paragraph 9.8.6. apply; or
(b) breached a condition attached to their permission and entry clearance or further permission was not subsequently granted in the knowledge of the breach; or

(c) were (or still are) an illegal entrant; or
(d) used deception in relation to an application (whether or not successfully).

9.8.5. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4. (a) where the person left the UK voluntarily, not at the expense (directly or indirectly) of the Secretary of State, and:

(a) the person overstayed for 90 days or less, where the overstaying began before 6 April 2017; or
(b) the person overstayed for 30 days or less, where the overstaying began on or after 6 April 2017; or
(c) paragraph 39E applied to the period of overstaying.

9.8.6. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4.(a) where the overstaying arose from a decision to refuse an application, or cancellation of permission, which was subsequently withdrawn, or quashed, or reconsidered by direction of a court or tribunal, unless the legal challenge which led to the reconsideration was brought more than 3 months after the date of the decision to refuse or cancel.

9.8.7. The relevant time period under paragraphs 9.8.1. and 9.8.2. is as set out in the following table (and where the person previously breached more than one immigration law, only the breach which leads to the longest period of absence from the UK will be taken into account):

Time from date the person left the UK (or date of refusal of the application under row (f))	**This applies where the applicant**	**And the applicant left the UK**	**And the applicant left the UK**
(a) 12 months	left voluntarily	at their own expense	N/A
(b) 2 years	left voluntarily	at public expense	Within 6 months of being given notice of liability for removal or when they no longer had a pending appeal or administrative review, whichever is later.
(c) 5 years	left voluntarily	at public expense	more than 6 months after being given notice of liability for removal or when they no longer had a pending appeal or administrative review, whichever is later.
(d) 5 years	left or was removed from the UK	as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act	-

Time from date the person left the UK (or date of refusal of the application under row (f))	This applies where the applicant	And the applicant left the UK	And the applicant left the UK
		2003 (and providing that any condition prohibiting their return to the UK has itself expired)	
(e) 10 years	Was removed from the UK	at public expense	-
(f) 10 years	Used deception in an application (for visits this applies to applications for entry clearance only)	-	-

9.8.8. Permission (including permission extended under section 3C of the Immigration Act 1971) may be cancelled where the person has failed to comply with the conditions of their permission.

Failure to provide required information, etc grounds

9.9.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person fails without reasonable excuse to comply with a reasonable requirement to:

(a) attend an interview; or
(b) provide information; or
(c) provide biometrics (whether or not requested as part of an application); or
(d) undergo a medical examination; or
(e) provide a medical report.

9.9.2. Any entry clearance or permission held by a person may be cancelled where the person fails without reasonable excuse to comply with a reasonable requirement to:

(a) attend an interview; or
(b) provide information; or
(c) provide biometrics; or
(d) undergo a medical examination; or
(e) provide a medical report.

Admissibility to the Common Travel Area or other countries grounds

9.10.1. An application for entry clearance or permission to enter must be refused where a person is seeking entry to the UK with the intention of entering another part of the Common Travel Area and fails to satisfy the decision maker that they are acceptable to the immigration authorities there.

9.10.2. An application for entry clearance, permission to enter or permission to stay may be refused where a person seeking entry fails to satisfy the decision maker that they will be admitted to another country after a stay in the UK.

Debt to the NHS grounds

9.11.1. An application for entry clearance, permission to enter or permission to stay may be refused where a relevant NHS body has notified the Secretary of State that the applicant has failed to pay charges under relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Unpaid litigation costs grounds

9.12.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person has failed to pay litigation costs awarded to the Home Office.

Purpose not covered by the Immigration Rules grounds

9.13.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person is seeking to come to or stay in the UK for a purpose not covered by these rules.

Innovator fit and proper person requirement

9.13A.1 An application for entry clearance, permission to enter or permission to stay as an Innovator Founder may be refused where the decision maker has reason to believe that the applicant:

(a) is the subject of any serious civil or criminal investigations or proceedings with regard to corruption or other financial crime or financial misconduct; or
(b) is or has been the subject of non-criminal sanctions, including being disbarred from acting as a director or carrying out regulated financial activities in any country.

9.13A.2 The entry clearance or permission of an Innovator Founder may be cancelled if the decision maker has reason to believe that the applicant is or has been:

(a) the subject of any serious civil or criminal action with regard to corruption or other financial crime or serious misconduct; or
(b) disbarred from acting as a director or carrying out regulated financial activities in any country.

Section 3: Additional grounds for refusal of entry on arrival in the UK

No entry clearance grounds

9.14.1. Permission to enter must be refused if the person seeking entry is required under these rules to obtain entry clearance in advance of travel to the UK, and the person does not hold the required entry clearance.

Failure to produce recognised passport or travel document grounds

9.15.1. Permission to enter must be refused if the person seeking entry fails to produce a passport or other travel document that satisfies the decision maker as to their identity and nationality, unless the person holds a travel document issued by the national authority of a state of which the person is not a national and the person's statelessness or other status prevents the person from obtaining a document satisfactorily establishing their identity and nationality.

9.15.2. Permission to enter may be refused if the person seeking entry produces a passport or other travel document which:

(a) was issued by a territorial entity or authority which is not recognised by Her Majesty's Government as a state, or is not dealt with as a government by them; or
(b) was issued by a territorial entity or authority which does not accept valid UK passports for the purpose of its own immigration controls; or
(c) does not comply with international passport practice.

9.15.3. Entry clearance or permission held by a person may be cancelled where on arrival a person fails to produce a passport or other travel document that meets the requirements in paragraph 9.15.1. or 9.15.2.

Medical grounds

9.16.1. Permission to enter must be refused where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person, unless the decision maker is satisfied that there are strong compassionate reasons justifying admission.

9.16.2. Entry clearance or permission held by a person may be cancelled where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person.

Consent for a child to travel grounds

9.17.1. A child may be refused permission to enter if they are not travelling with their parent or legal guardian and, if required to do so, the child's parent or legal guardian fails to provide the decision maker with written consent to the child seeking entry to the UK.

Returning residents grounds

9.18.1. A person granted settlement may return to the UK where, although having been absent from the UK and Islands, that permission has not lapsed, but where that permission has lapsed, Appendix Returning Resident applies if the person wants to return to and settle in the UK.

9.18A.1. A person granted settlement who is seeking entry to the UK may be refused permission to enter if they fail to satisfy the decision maker that their leave has not lapsed, and they do not have entry clearance granted under Appendix Returning Resident.

Customs breaches grounds

9.19.1. Permission to enter may be refused where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued.

9.19.2. Where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued, any entry clearance or permission held by the person may be cancelled.

Change of circumstances or purpose grounds

9.20.1. Entry clearance or permission held by a person may be cancelled where there has been such a change in circumstances since the entry clearance or permission was granted that it should be cancelled.

9.20.2. Entry clearance or permission to enter held by a person on arrival in the UK may be cancelled where the person's purpose in seeking entry is different from the purpose specified in their entry clearance.

Electronic Travel Authorisation

9.20A.1. Permission to enter may be refused if the person seeking entry is required under these rules to obtain an Electronic Travel Authorisation before travel to the UK, and the person does not hold the required Electronic Travel Authorisation on arrival in the UK.

Section 4: Additional grounds for refusal of permission to stay

Rough sleeping in the UK

9.21.1. Permission to stay may be refused where the decision maker is satisfied that a person has been rough sleeping in the UK and has repeatedly refused offers of suitable support and has engaged in persistent anti-social behaviour.

9.21.2. Where the decision maker is satisfied that a person has been rough sleeping in the UK and has repeatedly refused offers of suitable support, and has engaged in persistent anti-social behaviour, any permission held by the person may be cancelled.

Crew members

9.22.1. Where a person has permission to enter as a crew member an application for permission to stay may be refused, unless permission to stay is granted to fulfil the purpose for which the person has permission to enter.

Section 5: Additional grounds for cancellation of entry clearance, permission to enter and permission to stay

Ceasing to meet requirement of rules

9.23.1. A person's entry clearance or permission may be cancelled if they cease to meet the requirements of the rules under which the entry clearance or permission was granted.

Dependent grounds

9.24.1. A person's entry clearance or permission may be cancelled where they are the dependent of another person whose permission is, or has been, cancelled.

Withdrawal of sponsorship or endorsement grounds

9.25.1. A person's entry clearance or permission may be cancelled where their sponsorship or endorsement has been withdrawn and they have entry clearance or permission on one of the following routes:

(a) Student; or
(b) Child Student; or
(c) Skilled Worker; or
(d) Intra-Company Transfer; or
(e) Intra-Company Graduate Trainee; or
(f) Representative of an Overseas Business; or
(g) T2 Minister of Religion; or
(h) International Sportsperson; or
(i) Temporary Worker; or
(j) Start-up; or
(k) Innovator Founder; or
(l) Global Talent; or
(m) Global Business Mobility routes; or
(n) Scale-up (subject to paragraph 9.33.1.).

9.25.2 A Student's permission may be cancelled where the sponsor withdraws their sponsorship of the Student because, having completed a pre- sessional course, the student does not have a knowledge of English equivalent to level B2 or above of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening).

9.25.3. Entry clearance or permission held under the Global Talent route may be cancelled where the prize named in Appendix Global Talent: Prestigious Prizes which they used to qualify, has been withdrawn.

9.25.4. Entry Clearance or permission on the Innovator Founder route may be cancelled where that entry clearance or permission was granted on or after 13 April 2023 and where the holder fails to undergo a contact point meeting with their Endorsing Body.

Student does not start course or ceases to study

9.26.1. The entry clearance or permission of a Student or Child Student may be cancelled if:

(a) they do not start their studies with their sponsor; or
(b) they or their sponsor confirm that their course of study has ceased, or will cease before the end date recorded on the Certificate of Acceptance for Studies; or
(c) the start date for the course is delayed for more than 28 days; or
(d) they cease to study with their sponsor.

Worker does not start work or ceases their employment

9.27.1. A person's entry clearance or permission on the Skilled Worker, Intra-Company, Global Business Mobility, Representative of an Overseas Business, Scale-up Worker

(subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may be cancelled if:

(a) they do not start working for their sponsor; or
(b) they or their sponsor confirm that their employment, volunteering, training or job shadowing has ceased or will cease before the end date recorded on the Certificate of Sponsorship; or
(c) the start date for the job, as recorded in the Certificate of Sponsorship, is delayed by more than 28 days; or
(d) they cease to work for their sponsor.

Sponsor loses licence or transfers business

9.28.1. A person on the Student, Child Student, Skilled Worker, Intra-Company, Global Business Mobility, Scale-up Worker (subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may have their entry clearance or permission cancelled if:

(a) their sponsor does not have a sponsor licence; or
(b) their sponsor transfers the business for which the person works, or at which they study, to another business or institution, and that business or institution:
    (i) fails to apply for a sponsor licence; or
    (ii) fails to apply for a sponsor licence within 28 days of the date of a transfer of their business or institution; or
    (iii) applies for a sponsor licence but is refused; or
    (iv) makes a successful application for a sponsor licence, but the sponsor licence granted is not in a category that would allow the sponsor to issue a Certificate of Sponsorship or Confirmation of Acceptance for Studies to the person.

Change of employer

9.29.1. A person on the Skilled Worker, IntraCompany, Global Business Mobility, Scale-up Worker (subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may have their permission cancelled where they have changed their employer, unless any of the following exceptions apply:

(a) they are a person on the Government Authorised Exchange route or a Seasonal Worker and the change of employer is authorised by the sponsor; or
(b) they are working for a different sponsor unless the change of sponsor does not result in a change of employer, or the change in employer is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006, equivalent statutory transfer schemes, or the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector; or
(c) they have permission as an International Sportsperson, and all of the following apply:
    (i) they are sponsored by a sports club; and
    (ii) they are sponsored as a player and are being temporarily loaned to another sports club; and
    (iii) player loans are specifically permitted in rules set down by the relevant sports governing body; and
    (iv) their sponsor has made arrangements with the loan club to enable to the sponsor to continue to meet its sponsor duties; and
    (v) the player will return to working for the sponsor at the end of the loan.

Absence from employment

9.30.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, Scale-up (subject to paragraph 9.33.1.), Global Business Mobility T2 Minister of Religion, International Sportsperson or Temporary Worker routes who has been absent from work without pay, or on reduced pay, for more than 4 weeks during any calendar year may have their permission cancelled unless the reason for absence is one or more of the following:

(a) statutory maternity leave, paternity leave, parental leave, or shared parental leave; or
(b) statutory adoption leave; or
(c) sick leave; or
(d) assisting with a national or international humanitarian or environmental crisis, providing their sponsor agreed to the absence for that purpose; or
(e) taking part in legally organised industrial action; or
(f) jury service; or
(g) attending court as a witness.

Change of job or lower salary rate

9.31.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, Scale-up (subject to paragraph 9.33.1.) Global Business Mobility,T2 Minister of Religion or Temporary Worker routes may have their permission cancelled where they have changed jobs or they receive a lower salary rate (unless any of paragraphs 9.31.2. to 9.31.3. apply) if:

(a) they are a person on the Intra-Company, Global Business Mobility, or Skilled Worker or Scale-up Worker routes and have changed to a different job in the same SOC 2020 occupation code but the salary rate for the new job is lower than the salary rate for the old job as set out in Appendix Skilled Occupation; or
(b) they are a Skilled Worker and scored points for a job in Appendix Immigration Salary List (or the previous Appendix Shortage Occupation List) and the new job does not appear in Appendix Immigration Salary List; or
(c) they have changed jobs and the new job has a different SOC 2020 occupation code to that recorded by the Certificate of Sponsorship (unless paragraph 9.31.2. applies), or unless they are sponsored in a SOC 2010 occupation code and the change is a result of switching to a SOC 2020 occupation code; or
(d) the person no longer meets the salary requirement or going rate requirement for the job.

9.31.2. The following exception applies to paragraph 9.31.1.(c):

(a) the person is sponsored to undertake a graduate training programme covering multiple roles within the organisation; and
(b) the person is changing to a job with a different SOC 2020 occupation code either as a part of that programme or when appointed to a permanent role with the sponsor at the end of that programme; and
(c) their sponsor has notified the Home Office of the change of job and any change in salary.

9.31.3. The following exceptions apply to reduction in salary under paragraph 9.31.1:

(a) a reduction in salary coincides with an absence from employment permitted under paragraph 9.30.1; or

(b) the person is on the Intra-Company or Global Business Mobility routes and a reduction in salary coincides with working for the sponsor group while the person is not physically present in the UK; or

(c) the person is a Skilled Worker and:

(i) if the person has permission under Appendix Skilled Worker, they would, after the change to the job, score 20 tradeable points in either the same option in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), whichever they had scored points under when obtaining their most recent grant of permission; or

(ii) if the person has permission as a Tier 2 (General) Migrant, they would, after the change to the job, score 20 tradeable points under option A or F in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), if they were to apply under Appendix Skilled Worker; or

(iii) if the person has permission as a Tier 2 (General) Migrant who was considered a new entrant in their application for that Tier 2 (General) permission, they would, after the change to the job, score 20 tradeable points under option E in the table in paragraph SW 4.2, if they were to apply under Appendix Skilled Worker; or

(d) a reduction in salary coincides with a temporary reduction in the person's hours for individual health reasons, or a phased return to work for individual health reasons, in either case being supported by an occupational health assessment and where the reduction in pay does not result in the hourly rate falling below any requirement which applied when the person obtained their most recent grant of permission.

Endorsing body no longer approved

9.32.1. Where a person has entry clearance or permission on the Global Talent, Start-up or Innovator Founder route their entry clearance or permission may be cancelled if their endorsing body ceases to hold that status for the route in which they were endorsed.

Exception for Scale-up Workers

9.33.1 Paragraphs 9.25.1. and 9.27.1. to 9.31.1. only apply to a Scale-up Worker during the 6- month period that the Scale-up Worker is required to work for a Sponsor under Appendix Scale-up.

Back to top

Immigration Rules

Part 11

Asylum

Transitional provisions and interaction between Part 11 and Appendix Family Reunion (Protection)

A326. From 12 April 2023 an application for family reunion must meet the requirements under Appendix Family Reunion (Protection) and the application will not be considered under this Part of the Immigration Rules.

326A. Procedure

The procedures set out in these Rules shall apply to protection claims.

326B. Where the Secretary of State is considering an application for asylum and/or a claim for humanitarian protection under this Part, she will consider any Article 8 elements of that claim in line with the provisions of Appendix FM (family life) and, for applications made before 20 June 2022, in line with paragraphs 276ADE(1) to 276DH (private life) or, for applications made on or after 20 June 2022, Appendix Private Life (private life) of these Rules which are relevant to those elements unless the person is someone to whom Part 13 of these Rules applies.

Definition of EU asylum applicant

326C. DELETED

326D. DELETED

Inadmissibility of EU asylum applications

326E. DELETED

326F. DELETED

Definition of asylum applicant

327. Under this Part:

i) An “application for asylum” (or an “asylum application”) is a claim by a person to be recognised as a refugee under the Refugee Convention on the basis that it would be contrary to the United Kingdom's obligations under the Refugee Convention for them to be removed from or required to leave the United Kingdom, and which is recorded as valid or a claim deemed to be an application for asylum in accordance with paragraph 327EC.

ii) An “asylum applicant” is someone who makes a claim under paragraph 327(i) or who is deemed to have made such a claim in accordance with paragraph 327EC.

327A. DELETED

327AB. An application for asylum will only be recorded as valid if:

i) it is made at a designated place as defined in section 14 of the Nationality and Borders Act 2022 unless subsequently or otherwise accepted by the Secretary of State; and
ii) it is made in person; and

iii) it is made by a person who is not a British Citizen; and

iv) it is particularised (if the applicant is 18 or over); and

v) it does not fall for consideration under paragraph 353 of the Immigration Rules, unless and until it has been accepted as a fresh claim under paragraph 353 of the Immigration Rules.

327AC. If a claim does not meet these requirements, it will not be recorded as a valid asylum application.

327B. DELETED

327C. DELETED

327D. DELETED

Definition of a claim for humanitarian protection

327EA. Under this Part, a claim for humanitarian protection is a request by a person for international protection due to a claim that if they are removed from or required to leave the UK, they would face a real risk of suffering serious harm (as defined in paragraph 339CA) in their country of origin, and they are unable, or owing to such risk, unwilling to avail themselves of the protection of that country.

327EB. A claim for humanitarian protection must meet the requirements of paragraphs 327AB(i) to (iv) otherwise it will not be recorded as a valid claim for humanitarian protection.

327EC. If someone makes a claim for humanitarian protection, they will be deemed to be an asylum applicant and to have made an application for asylum for the purposes of these Rules. The claim will be recorded, subject to meeting the requirements of Rule 327AB(i) to (iv), as an application for asylum and will be assessed under paragraph 334 for refugee status in the first instance. If the application for refugee status is refused, then the Secretary of State will go on to consider the claim as a claim for humanitarian protection.

Inadmissibility of a claim for Humanitarian Protection

327F. If an application for asylum is declared inadmissible under section 80A or 80B of the Nationality Immigration and Asylum Act 2002 then any associated claim for humanitarian protection (meaning a claim made on the same facts) will also be inadmissible. Such an outcome is not a decision to refuse the claim and, accordingly, no right of appeal under section 82(1)(a) of the Nationality, Immigration and Asylum Act 2002 (appeal against refusal of protection claim) arises.

Applications for asylum

328. All asylum applications will be determined by the Secretary of State in accordance with the Refugee Convention and the Immigration Rules. Every asylum application made by a person at a port or airport in the United Kingdom will be referred by the Immigration Officer for determination by the Secretary of State in accordance with these Rules.

328A. DELETED

329. For so long as an asylum applicant cannot be removed from or required to leave the UK because section 77 of the Nationality, Immigration and Asylum Act 2002 applies, any dependants who meet the definition under paragraph 349 must also not be removed from or required to leave the UK.

330. If the Secretary of State decides to grant refugee status or humanitarian protection and the person has not yet been given leave to enter, the Immigration Officer will grant limited leave to enter.

331. If a person seeking leave to enter is refused asylum or their application for asylum is withdrawn or treated as withdrawn under paragraph 333C of these Rules, the Immigration Officer will consider whether or not they are in a position to decide to give or refuse leave to enter without interviewing the person further. If the Immigration Officer decides that a further interview is not required they may serve the notice giving or refusing leave to enter by post. If the Immigration Officer decides that a further interview is required, they will then resume their examination to determine whether or not to grant the person leave to enter under any other provision of these Rules. If the person fails at any time to comply with a requirement to report to an Immigration Officer for examination, the Immigration Officer may direct that the person's examination shall be treated as concluded at that time. The Immigration Officer will then consider any outstanding applications for entry on the basis of any evidence before them.

332. If a person who has been refused leave to enter makes an application for asylum and that application is refused or withdrawn or treated as withdrawn under paragraph 333C of these Rules, leave to enter will again be refused unless the applicant qualifies for admission under any other provision of these Rules.

333. Written notice of decisions on applications for asylum shall be given to the asylum applicant. Where the applicant is legally represented, notice may instead be given to the representative. Where the applicant has no legal representative and free legal assistance is not available, they shall be informed of the decision on the application for asylum and, if the application is refused, how to challenge the decision, in a language that they may reasonably be supposed to understand.

333A. The Secretary of State shall ensure that a decision is taken on each application for asylum as soon as possible, without prejudice to an adequate and complete examination. Where a decision on an application for asylum has not been taken within:

(a) six months of the date it was recorded; or

(b) within any revised timeframe notified to an applicant during or after the initial six-month period in accordance with this paragraph, and

(c) where the applicant has made a specific written request for an update,

the Secretary of State shall inform the applicant of the delay and provide information on the timeframe within which the decision on their application is to be expected. The provision of such information shall not oblige the Secretary of State to take a decision within the expected timeframe.

333B. Applicants for asylum shall be allowed an effective opportunity to consult, at their own expense or at public expense in accordance with provision made for this by the Legal Aid Agency or otherwise, a person who is authorised under Part V of the Immigration and Asylum Act 1999 to give immigration advice. This paragraph shall also apply where the Secretary of State is considering revoking a person's refugee status in accordance with these Rules.

Withdrawal of applications

333C. If an application for asylum is withdrawn either explicitly or implicitly, it will not be considered.

(a) An application will be treated as explicitly withdrawn if the applicant signs the relevant form provided by or on behalf of the Secretary of State, or otherwise explicitly declares a desire to withdraw their asylum claim.

(b) An application may be treated as implicitly withdrawn if the applicant:

(i) fails to maintain contact with the Home Office or provide up to date contact details as required by paragraph 358B of these Rules; or

(ii) leaves the United Kingdom (without authorisation) at any time before the conclusion of their application for asylum; or

(iii)fails to complete an asylum questionnaire as requested by or on behalf of the Secretary of State; or

(iv)fails to attend any reporting events, unless the applicant demonstrates within a reasonable time that the failure was due to circumstances beyond their control; or

(v) fails to attend a personal interview required under paragraph 339NA, unless the applicant demonstrates within a reasonable time that that failure was due to circumstances beyond their control.

(c) The applicant's asylum record will be updated to reflect that the application for asylum has been withdrawn.

Grant of refugee status

334. An asylum applicant will be granted refugee status in the United Kingdom following a claim if the Secretary of State is satisfied that:

(i) they are in the United Kingdom or have arrived at a port of entry in the United Kingdom; and

(ii) they are a refugee, as defined in Article 1 of the 1951 Refugee Convention; and

(iii) there are no reasonable grounds for regarding them as a danger to the security of the United Kingdom in accordance with Article 33(2) of the Refugee Convention; and
(iv) having been convicted by a final judgment of a particularly serious crime, they do not constitute a danger to the community of the United Kingdom in accordance with Article 33(2) of the Refugee Convention as defined in Section 72 of the Nationality Immigration and Asylum Act 2002; and
(v) refusing their application would result in them being required to go (whether immediately or after the time limited by any existing leave to enter or remain in the UK) in breach of the Refugee Convention, to a country in which they would be persecuted on account of their race, religion, nationality, political opinion or membership of a particular social group.

335. If the Secretary of State decides to grant refugee status to a person who has previously been given leave to enter (whether or not the leave has expired) or to a person who has entered without leave, the Secretary of State will vary the existing leave or grant limited leave to remain. Where a person has an existing grant of indefinite leave to remain, their leave to remain will not be varied.

Refusal of asylum

336. An application which does not meet the criteria set out in paragraph 334 will be refused. Where an application for asylum is refused, the reasons in fact and law shall be stated in the decision and information provided in writing on how to challenge the decision.

337. DELETED

338. DELETED

339. DELETED

Revocation of refugee status

338A. A person's grant of refugee status under paragraph 334 must be revoked if any of paragraphs 339A, 339AA, 339AB or 339AC apply.

Refugee Convention ceases to apply (cessation)

339A. This paragraph applies when the Secretary of State is satisfied that one or more of the following applies:

(i) they have voluntarily re-availed themselves of the protection of the country of nationality;

(ii) having lost their nationality, they have voluntarily re-acquired it;

(iii) they have acquired a new nationality, and enjoy the protection of the country of their new nationality;

(iv) they have voluntarily re-established themselves in the country which they left or outside which they remained owing to a fear of persecution;

(v) they can no longer, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of nationality;

(vi) being a stateless person with no nationality, they are able, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist, to return to the country of former habitual residence;

In considering (v) and (vi), the Secretary of State shall have regard to whether the change of circumstances is of such a significant and non-temporary nature that the refugee's fear of persecution can no longer be regarded as well-founded.

Exclusion from the Refugee Convention

339AA. This paragraph applies where the Secretary of State is satisfied that the person should have been, or is, excluded from being a refugee in accordance with Article 1D and 1E

of the 1951 Refugee Convention and Article 1F of the Refugee Convention, as defined in section 36 of the Nationality and Borders Act 2022.

Misrepresentation

339AB. This paragraph applies where the Secretary of State is satisfied that the person's misrepresentation or omission of facts, including the use of false documents, were decisive for the grant of refugee status and the person does not otherwise qualify for refugee status under paragraph 334.

Danger to the United Kingdom

339AC. This paragraph applies where the Secretary of State is satisfied that: Article 33(2) of the Refugee Convention applies in that:

(i) there are reasonable grounds for regarding the person as a danger to the security of the United Kingdom; or

(ii) having been convicted by a final judgment of a particularly serious crime, the person constitutes a danger to the community of the United Kingdom (see section 72 of the Nationality Immigration and Asylum Act 2002).

339B. When a person's grant of refugee status is revoked or not renewed any limited or indefinite leave which they have may be curtailed or cancelled.

339BA. Where the Secretary of State is considering revoking refugee status or humanitarian protection in accordance with these Rules, the following procedure will apply. The person concerned shall be informed in writing that the Secretary of State is reconsidering their qualification for refugee status or humanitarian protection and the reasons for the reconsideration. That person shall be given the opportunity to submit, in a personal interview or in a written statement, reasons as to why their refugee status or humanitarian protection should not be revoked. If there is a personal interview, it shall be subject to the safeguards set out in these Rules.

339BB. The procedure in paragraph 339BA does not need to be followed where the person:

(i) acquires British citizenship; or

(ii) has unequivocally renounced their refugee status or humanitarian protection.

339BC. If the person leaves the United Kingdom, the procedure set out in paragraph 339BA may be initiated, and completed, while the person is outside the United Kingdom.

Grant of humanitarian protection

339C. An asylum applicant will be granted humanitarian protection in the United Kingdom if the Secretary of State is satisfied that:

(i) they are in the United Kingdom or have arrived at a port of entry in the United Kingdom;

(ii) they are not a refugee within the meaning of Article 1 of the 1951 Refugee Convention;

(iii) substantial grounds have been shown for believing that the asylum applicant concerned, if returned to the country of origin, would face a real risk of suffering serious harm and is unable, or, owing to such risk, unwilling to avail themselves of the protection of that country; and

(iv) they are not excluded from a grant of humanitarian protection.

339CA. For the purposes of paragraph 339C, serious harm consists of:

(i) the death penalty or execution;

(ii) unlawful killing;

(iii) torture or inhuman or degrading treatment or punishment of a person in the country of origin; or

(iv) serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

Exclusion from humanitarian protection

339D. An asylum applicant is excluded from a grant of humanitarian protection for the purposes of paragraph 339C(iv) where the Secretary of State is satisfied that there are serious reasons for considering that the asylum applicant:

(i) has committed, instigated or otherwise participated in the commission of a crime against peace, a war crime, a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; or

(ii) has committed, instigated or otherwise participated in the commission of a serious non-political crime outside the UK prior to their admission to the UK as a person granted humanitarian protection; or

(iii) has been guilty of acts contrary to the purposes and principles of the United Nations; or

(iv) having been convicted by a final judgement of a particularly serious crime (as defined in Section 72 of the Nationality, Immigration and Asylum Act 2002), constitutes a danger to the community of the UK; or

(v) is a danger to the security of the UK.

339DA. In 339D(ii):

(i) the reference to a serious non-political crime includes a particularly cruel action, even if it is committed with an allegedly political objective; and

(ii) the reference to a crime being committed by a person outside the UK prior to their admission to the UK as a person granted humanitarian protection includes a crime committed by that person at any time up to and including the day on which they are issued with a relevant biometric immigration document by the Secretary of State.

339DB. For the purposes of 339DA(ii), a relevant biometric immigration document is a document that:

(i) records biometric information (as defined in section 15(1A) of the UK Borders Act 2007); and

(ii) is evidence of leave to remain in the United Kingdom granted to a person as a result of being granted humanitarian protection.

339E. If the Secretary of State decides to grant humanitarian protection to a person who has previously been given leave to enter (whether or not the leave has expired), or to a person who has entered without leave, the Secretary of State will vary the existing leave or grant limited leave to remain. Where a person has an existing grant of indefinite leave to remain, their leave to remain will not be varied.

Refusal of humanitarian protection

339F. Where the criteria set out in paragraph 339C is not met humanitarian protection will be refused.

Revocation of humanitarian protection

339G. A person's humanitarian protection granted under paragraph 339C must be revoked if any of paragraphs 339GA, 339GB or 339GD apply.

Humanitarian protection ceases to apply

339GA. This paragraph applies where the Secretary of State is satisfied that the circumstances which led to the grant of humanitarian protection have ceased to exist or have changed to such a degree that such protection is no longer required.

In applying this paragraph the Secretary of State shall have regard to whether the change of circumstances is of such a significant and non-temporary nature that the person no longer faces a real risk of serious harm.

Revocation of humanitarian protection on the grounds of exclusion

339GB. This paragraph applies where the Secretary of State is satisfied that the person granted humanitarian protection should have been or is excluded from humanitarian protection under paragraph 339D of these rules.

339GC. DELETED

Revocation of humanitarian protection on the basis of misrepresentation

339GD. This paragraph shall apply where the Secretary of State is satisfied that the person granted humanitarian protection misrepresented or omitted facts, including the use of false documents, which were decisive to the grant of humanitarian protection and the person does not otherwise qualify for humanitarian protection under paragraph 339C.

339H. When a person's humanitarian protection is revoked any limited or indefinite leave which they have may be curtailed or cancelled.

Consideration of applications

339HA. The Secretary of State shall ensure that the personnel examining applications for asylum and taking decisions on the Secretary of State's behalf have the knowledge with respect to relevant standards applicable in the field of asylum and refugee law.

339I. When the Secretary of State considers an applicant’s protection claim, or human rights claim it is the duty of the person to submit to the Secretary of State as soon as possible all material factors needed to substantiate the protection claim or substantiate the human rights claim, which the Secretary of State shall assess in cooperation with the person.

The material factors include:

(i) the person’s statement on the reasons for making protection claim or for making a human rights claim; and
(ii) all documentation at the person’s disposal regarding the person’s age, background (including background details of relevant relatives), identity, nationality(ies), country(ies) and place(s) of previous residence, previous asylum applications, travel routes; and
(iii) identity and travel documents.

339IA. For the purposes of examining individual applications for asylum

(i) information provided in support of an application and the fact that an application has been made shall not be disclosed to the alleged actor(s) of persecution of the applicant, and

(ii) information shall not be obtained from the alleged actor(s) of persecution that would result in their being directly informed that an application for asylum has been made by the applicant in question and would jeopardise the physical integrity of the applicant and their dependants, or the liberty and security of their family members still living in the country of origin.

This paragraph shall also apply where the Secretary of State is considering revoking a person's refugee status or humanitarian protection in accordance with these Rules.

339J. The assessment by the Secretary of State of a protection claim or a human rights claim will be carried out on an individual, objective and impartial basis. This will include taking into account in particular:

(i) all relevant facts as they relate to the country of origin at the time of taking a decision on the grant; including laws and regulations of the country of origin or country of return and the manner in which they are applied;

(ii) relevant statements and documentation presented by the person including information on whether the person has been or may be subject to persecution or serious harm;

(iii) the individual position and personal circumstances of the person, including factors such as background, gender and age, so as to assess whether, on the basis of the person's personal circumstances, the acts to which the person has been or could be exposed would amount to persecution or serious harm;

(iv) whether the person's activities since leaving the country of origin were engaged in for the sole or main purpose of creating the necessary conditions for making a protection claim or a human rights claim, so as to assess whether these activities will expose the person to persecution or serious harm if returned to that country; and

(v) whether the person could reasonably be expected to avail themselves of the protection of another country where they could assert citizenship.

339JA. Reliable and up-to-date information shall be obtained from various sources as to the general situation prevailing in the countries of origin of applicants for asylum and, where necessary, in countries through which they have transited. Such information shall be made available to the personnel responsible for examining applications and taking decisions and may be provided to them in the form of a consolidated country information report.

This paragraph shall also apply where the Secretary of State is considering revoking a person's refugee status or humanitarian protection in accordance with these Rules.

339K. The fact that a person has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, will be regarded as a serious indication of the person's well-founded fear of persecution or real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated.

339L. It is the duty of the person to substantiate the protection claim or substantiate their human rights claim. Where aspects of the person's statements are not supported by documentary or other evidence, those aspects will not need confirmation when all of the following conditions are met:

(i) the person has made a genuine effort to substantiate his protection claim or substantiate their human rights claim;

(ii) all material factors at the person's disposal have been submitted, and a satisfactory explanation regarding any lack of other relevant material has been given;

(iii) the person's statements are found to be coherent and plausible and do not run counter to available specific and general information relevant to the person's case;

(iv) the person has made an asylum claim or sought to protection claim or made a human rights claim at the earliest possible time, unless the person can demonstrate good reason for not having done so; and

(v) the general credibility of the person has been established.

339M. The Secretary of State may consider that a person has not substantiated their protection claim or substantiated their human rights claim, and thereby refuse their application for asylum, determine that they are not eligible for humanitarian protection or refuse their human rights claim, if they fail, without reasonable explanation, to make a prompt and full disclosure of material facts, either orally or in writing, or otherwise to assist the Secretary of State in establishing the facts of the case; this includes, for example, failure to report to a designated place to be fingerprinted, failure to complete an asylum questionnaire or failure to comply with a requirement to report to an immigration officer for examination.

339MA. Applications for asylum shall be neither rejected nor excluded from examination on the sole ground that they have not been made as soon as possible.

339N. In determining whether the general credibility of the person has been established the Secretary of State will apply the provisions in s.8 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

Personal interview

339NA. Before a decision is taken on the application for asylum, the applicant shall be given the opportunity of a personal interview on their application for asylum with a representative of the Secretary of State who is legally competent to conduct such an interview.

The personal interview may be omitted where:

(i) the Secretary of State is able to take a positive decision (a grant of refugee status or humanitarian protection) on the basis of evidence available;

(ii) the Secretary of State has already had a meeting with the applicant for the purpose of assisting them with completing their application and submitting the essential information regarding the application;

(iii) the applicant, in submitting their application and presenting the facts, has only raised issues that are not relevant or of minimal relevance to the examination of whether they are a refugee, as defined in Article 1 of the Refugee Convention and/or has only raised issues that are not relevant or of minimal relevance to the examination of whether they are eligible for humanitarian protection;

(iv) the applicant has made inconsistent, contradictory, improbable or insufficient representations which make their claim clearly unconvincing in relation to having been the object of persecution or serious harm;

(v) the applicant has submitted a subsequent application which does not raise any relevant new elements with respect to their particular circumstances or to the situation in their country of origin;

(vi) the applicant is making an application merely in order to delay or frustrate the enforcement of an earlier or imminent decision which would result in their removal;

(vii) it is not reasonably practicable, in particular where the Secretary of State is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstances beyond their control; or

(viii) the applicant is an EU national whose claim the Secretary of State has nevertheless decided to consider substantively in accordance with section 80A(4) of the Nationality, Immigration and Asylum Act 2002.

The omission of a personal interview shall not prevent the Secretary of State from taking a decision on the application.

Where the personal interview is omitted, the applicant and dependants shall be given a reasonable opportunity to submit further information.

339NB. (i) The personal interview mentioned in paragraph 339NA above shall normally take place without the presence of the applicant's family members unless the Secretary of State considers it necessary for an appropriate examination to have other family members present.

(ii) The personal interview shall take place under conditions which ensure appropriate confidentiality.

339NC (i) A written report shall be made of every personal interview containing at least the essential information regarding the asylum application as presented by the applicant in accordance with paragraph 339I of these Rules.

(ii) The Secretary of State shall ensure that the applicant has timely access to the report of the personal interview and that access is possible as soon as necessary for allowing an appeal to be prepared and lodged in due time.

339ND The Secretary of State shall provide at public expense an interpreter for the purpose of allowing the applicant to submit their case, wherever necessary. The Secretary of State shall select an interpreter who can ensure appropriate communication between the applicant and the representative of the Secretary of State who conducts the interview.

339NE The Secretary of State may require an audio recording to be made of the personal interview referred to in paragraph 339NA. Where an audio recording is considered necessary for the processing of an application for asylum, the Secretary of State shall inform the applicant in advance that the interview will be recorded.

Internal relocation

339O

(i) The Secretary of State will not:

(a) grant refugee status if section 35 of the Nationality and Borders Act 2022 applies; or

(b) grant humanitarian protection if in part of the country of origin a person would not face a real risk of serious harm, and the person can reasonably be expected to stay in that part of the country.

(ii) Any assessment under paragraph 339O(i)(b) must:

(a) have regard to the general circumstances prevailing in that part of the country, and

(b) have regard to the personal circumstances of the person; and

(c) disregard any technical obstacles relating to travel to that part of that country.

Sur place claims

339P. A person may have a well-founded fear of being persecuted or a real risk of suffering serious harm based on events which have taken place since the person left the country of origin and/or activities which have been engaged in by a person since they left the country of origin, in particular where it is established that the activities relied upon constitute the expression and continuation of convictions or orientations held in the country of origin.

339Q. DELETED

Permission to stay on a protection route

339QA. Where the Secretary of State has granted an asylum applicant refugee status under paragraph 334, the asylum applicant will be granted permission to stay on a protection route at the same time as or as soon as possible after the grant of refugee status.

Permission to stay on a protection route will be valid for a minimum period of 5 years and renewable upon application where the person still has and remains eligible for refugee status. Applications for further permission to stay on a protection route under this Part should be made within the last 28 days of the applicant’s permission to stay.

339QB. Where the Secretary of State has granted an asylum applicant humanitarian protection under paragraph 339C, the asylum applicant will be granted permission to stay on a protection route at the same time as or as soon as possible after the grant of humanitarian protection. Permission to stay on a protection route will be valid for a minimum period of 5 years and will be renewable upon application where the person still has and remains eligible for humanitarian protection. Applications for further permission to stay on a protection route under this Part should be made within the last 28 days of the applicant's permission to stay.

339QC. Where the Secretary of State has granted an asylum applicant refugee status or humanitarian protection, any dependant of the asylum applicant who meets the requirements of paragraph 349 may be granted permission to stay. Permission to stay will not be granted to dependants where they would, if they were an asylum applicant, be excluded under Article 1(F) of the 1951 Refugee Convention (as defined in Section 36 of the Nationality and Borders Act 2022), be refused refugee status under paragraph 334(iii) or paragraph 334(iv), or be excluded from humanitarian protection under paragraph 339D. Permission to stay will be granted with the same expiry date and with the same conditions as that which is granted to the asylum applicant. Permission to stay will be renewable upon application where the dependant still meets the requirements of the Rules under which they were granted, and the asylum applicant who was granted refugee status or humanitarian protection is being granted further permission to stay at the same time or already has further permission to stay. An adult who was last granted permission to stay as a dependent child of a parent who has or had at the time that permission to stay as a dependant was granted, permission to stay on a protection route, may still qualify for further permission to stay as a dependant where they meet the other requirements of the Rules under which they were granted permission to stay. Applications for further permission to stay should be made at the same time as the asylum applicant's application and within the last 28 days of the applicant's permission to stay.

339QD. The Secretary of State may curtail, revoke or refuse to grant further permission to stay on a protection route under paragraphs 339QA or 339QB where a person's refugee status or humanitarian protection is revoked.

339QE. The Secretary of State may curtail, revoke or refuse to grant further permission to stay on a protection route to a dependant granted permission to stay on a protection route under paragraph 339QC where the refugee status or humanitarian protection of the applicant on whom they are a dependant is revoked, or where they no longer meet the requirements of the Rules under which they were granted.

Requirements for indefinite leave to remain for persons granted refugee status or humanitarian protection

339R. DELETED.

Indefinite leave to remain for a person granted refugee status or humanitarian protection

339S. DELETED.

Refusal of indefinite leave to remain for a person granted refugee status or humanitarian protection

339T. DELETED.

Consideration of asylum applications and human rights claims

340. DELETED

341. DELETED

342. DELETED

343. DELETED

344. DELETED

Travel documents

344A(i). After having received a complete application for a travel document, the Secretary of State will issue to a person in the United Kingdom who meets the definition of a refugee in Article 1 of the Refugee Convention and their dependants travel documents, in the form set out in the Schedule to the Refugee Convention, for the purpose of travel outside the United Kingdom, unless compelling reasons of national security or public order otherwise require.

(ii) After having received a complete application for a travel document, the Secretary of State will issue to a person granted humanitarian protection in the United Kingdom and their dependants a travel document where that person is unable to obtain a national passport or other identity documents which enable that person to travel, unless compelling reasons of national security or public order otherwise require.

(iii) Where the person referred to in (ii) can obtain a national passport or identity documents but has not done so, the Secretary of State will issue that person with a travel document where that person can show that they have made reasonable attempts to obtain a national passport or identity document and there are serious humanitarian reasons for travel.

(iv) For the purposes of paragraph 344A, a “dependant” refers only to a person who has been treated as a dependant under paragraph 349 of these Rules or a person who has been granted permission to stay or entry clearance in accordance with Appendix Family Reunion (Protection) of these Rules.

Access to Employment

344B. The Secretary of State will not impose conditions restricting the employment or occupation in the United Kingdom of a person granted refugee status or humanitarian protection.

Information

344C. A person who is granted refugee status or humanitarian protection will be provided with access to information in a language that they may reasonably be supposed to understand which sets out the rights and obligations relating to that status. The Secretary of State will provide the information as soon as possible after the grant of refugee status or humanitarian protection.

Third country cases

345. DELETED

345(2A). DELETED

Inadmissibility of non-EU applications for asylum

345A. DELETED

Safe Third Country of Asylum

345B. DELETED

345C. DELETED

Exceptions for admission of inadmissible claims to UK asylum process made under section 80B(7)(b) of the Nationality, Immigration Act 2002 (as amended)

345D. When an application has been treated as inadmissible and the Secretary of State believes removal to a safe third country within a reasonable period of time is unlikely, the applicant will be admitted for consideration of the claim in the UK

Dublin Transfers

345E. DELETED.

Previously rejected applications

346. DELETED

347. DELETED

Rights of appeal

348. DELETED

Dependants

349. A spouse, civil partner, unmarried partner, or minor child accompanying a principal applicant may be included in the application for asylum as a dependant, provided, in the case of an adult dependant with legal capacity, the dependant consents to being treated as such at the time the application is lodged. A spouse, civil partner, unmarried partner or minor child may also claim asylum in their own right. If the principal applicant is granted refugee status or humanitarian protection and leave to enter or remain any spouse, civil partner, unmarried partner or minor child will be granted leave to enter or remain for the same duration. The case of any dependant who claims asylum in their own right will be also considered individually in accordance with paragraph 334 above. An applicant under this paragraph, including an accompanied child, may be interviewed where they make a protection claim as a dependant or in their own right.
If the spouse, civil partner, unmarried partner, or minor child in question has a protection claim in their own right, that claim should be made at the earliest opportunity. Any failure to do so will be taken into account and may damage credibility if no reasonable explanation for it is given. Where an asylum or humanitarian protection application is unsuccessful, at the same time that asylum or humanitarian protection is refused the applicant may be notified of removal directions or served with a notice of the Secretary of State's intention to deport them, as appropriate. In this paragraph and paragraphs 350-352 a child means a person who is under 18 years of age or who, in the absence of documentary evidence establishing age, appears to be under that age. An unmarried partner for the purposes of this paragraph, is a person who has been living together with the principal applicant in a subsisting relationship akin to marriage or a civil partnership for two years or more.

Unaccompanied children

350. Unaccompanied children may also make a protection claim and, in view of their potential vulnerability, particular priority and care is to be given to the handling of their cases.

351. A person of any age may qualify for refugee status under the Convention and the criteria in paragraph 334 apply to all cases. However, account should be taken of the applicant's maturity and in assessing the protection claim of a child more weight should be given to objective indications of risk than to the child's state of mind and understanding of their situation. An asylum application made on behalf of a child should not be refused solely because the child is too young to understand their situation or to have formed a well founded fear of persecution. Close attention should be given to the welfare of the child at all times.

352. Any child aged 12 or over who has made a protection claim in their own right must be given the opportunity to be interviewed about the substance of their claim before a decision is taken.

The opportunity for a personal interview may be omitted for a child aged 12 or over where:

(a) the child is unfit to be interviewed; or
(b) the child is unable to be interviewed; or
(c) protection status can be granted to the child without an interview based on the evidence available; or
(d) one of the exceptions in paragraph 339NA applies.

Where the personal interview is omitted, the child must be given a reasonable opportunity to submit further information if insufficient information is available to take a decision on

protection status. If the interview can be omitted and the child still requests an asylum interview, then this request must be considered.

When an interview takes place:

(a) it must be conducted in the presence of a parent, guardian, representative or another adult independent of the Secretary of State who has responsibility for the child; and

(b) the interviewer must have specialist training in the interviewing of children; and

(c) the child must be allowed to express themselves in their own way and at their own speed and, if they appear tired or distressed, the interview should be suspended, and the interviewer should consider whether it would be appropriate for the interview to be resumed the same day or on another day.

352ZA. The Secretary of State must, as soon as possible after an unaccompanied child makes a protection claim, take measures to ensure that the child has a person to represent and/or assist the child with respect to the examination of their claim and ensure that the representative is given the opportunity to inform the child about the meaning and possible consequences of the interview and, where appropriate, how to prepare themselves for the interview.

The child's representative has the right to be present at the interview and ask questions and make comments in the interview, within the framework set by the interviewer.

For the purposes of paragraph 352 and 352ZA a representative can include a legal representative, social worker, local authority representative, independent child trafficking guardian, Scottish guardianship service representative, Northern Ireland independent guardian service representative, foster carer, relative, a Refugee Council representative or charity worker or other representative permitted to attend by the Secretary of State.

352ZB. The decision on the application for asylum shall be taken by a person who is trained to deal with protection claims from children.

Requirements for limited leave to remain as an unaccompanied asylum seeking child

352ZC The requirements to be met in order for a grant of limited leave to remain to be made in relation to an unaccompanied asylum seeking child under paragraph 352ZE are:

a) the applicant is an unaccompanied asylum seeking child under the age of 17 ½ years throughout the duration of leave to be granted in this capacity;

b) the applicant must have applied for asylum and been granted neither refugee status nor Humanitarian Protection;

c) there are no adequate reception arrangements in the country to which they would be returned if leave to remain was not granted;

d) the applicant must not be excluded from being a refugee under Article 1D and 1E of the 1951 Refugee Convention and Article 1F of the Refugee Convention, as defined in section 36 of the Nationality and Borders Act 2022 or excluded from a grant of Humanitarian Protection under paragraph 339D or both;

e) there are no reasonable grounds for regarding the applicant as a danger to the security of the United Kingdom;

f) the applicant does not constitute a danger to the community in the United Kingdom as a result of having been convicted by a final judgment of a particularly serious crime, (as defined in section 72 of the Nationality, Immigration and Asylum Act 2002); and

g) the applicant is not, at the date of their application, the subject of a deportation order or a decision to make a deportation order.

352ZD An unaccompanied asylum seeking child is a person who:

a) is under 18 years of age when the asylum application is submitted.

b) is applying for asylum in their own right; and

c) is separated from both parents and is not being cared for by an adult who in law or by
custom has responsibility to do so.

352ZE. Limited leave to remain should be granted for a period of 30 months or until the child is 17 ½ years of age whichever is shorter, provided that the Secretary of State is satisfied that the requirements in paragraph 352ZC are met.

352ZF. Limited leave granted under this provision will cease if

a) any one or more of the requirements listed in paragraph 352ZC cease to be met, or

b) a misrepresentation or omission of facts, including the use of false documents, were decisive for the grant of leave under 352ZE.

Section 67 of the Immigration Act 2016 leave

352ZG. Paragraphs 352ZH to 352ZS only apply where a person has been transferred to the United Kingdom under Section 67 of the Immigration Act 2016.

Grant of Section 67 of the Immigration Act 2016 leave

352ZH. The person described in paragraph 352ZG will be granted Section 67 of the Immigration Act 2016 leave to remain in the United Kingdom (“Section 67 leave”) if the Secretary of State is satisfied that:

(i) the person is not excluded from being a refugee under Article 1D and 1E of the 1951 Refugee Convention and Article 1F of the Refugee Convention, as defined in section 36 of the Nationality and Borders Act 2022 or excluded from a grant of humanitarian protection under paragraph 339D of these Rules;
(ii) where the person has made an application for refugee status or humanitarian protection, that application has been refused;
(iii) there are no reasonable grounds for regarding the person as a danger to the security of the United Kingdom;

(iv) the applicant does not constitute a danger to the community in the United Kingdom as a result of having been convicted by a final judgment of a particularly serious crime (as defined in section 72 of the Nationality, Immigration and Asylum Act 2002); and
(v) must not fall for refusal under paragraphs 9.2.1 (c), 9.3.1, 9.4.1, 9.4.3, 9.5.1, 9.7.1, 9.7.2, 9.8.1. to 9.8.4, 9.9.1, 9.11.1, 9.12.1 or 9.13.1 of Part 9 Grounds for refusal.

352ZHA. For persons arriving in the United Kingdom after 1 October 2019, the grant of Section 67 leave will be made upon their arrival in the United Kingdom.

Residence Permits

352ZI. The Secretary of State will issue to a person granted Section 67 leave a residence permit as soon as possible after the grant of Section 67 leave. The residence permit will be valid for five years.

352ZJ. The Secretary of State will issue a residence permit to a dependant of a person granted Section 67 leave in accordance with paragraph 352ZO.

352ZK. The Secretary of State may revoke a person's residence permit where their grant of Section 67 leave is revoked under the provisions in these Rules.

Requirements for indefinite leave to remain for a person granted Section 67 leave

352ZL. A person may apply for indefinite leave to remain under paragraph 352ZN where:

(i) they have been granted Section 67 leave; or
(ii) they transferred to the UK under Section 67 of the Immigration Act 2016 and, having been granted refugee status or humanitarian protection, that person has had their status ended or refused under either paragraph 339A or paragraph 339G of the Immigration Rules following a review.

352ZM. The requirements for indefinite leave to remain for a person described in paragraph 352ZL are that:

(i) each of the requirements of paragraph 352ZH continue to be met;
(ii) the person has held a residence permit issued under paragraph 352ZI, 352ZJ, 339QA or 339QB for a continuous period of five years in the UK;
(iii) the person's residence permit has not been revoked; and
(iv) the person has not in the view of the Secretary of State, at the date on which the application has been decided, demonstrated the undesirability of granting settlement in the United Kingdom in light of his or her conduct (including convictions which do not fall within paragraphs 339R(iii)(a-e)), character or associations or the fact that he or she represents a threat to national security.

Indefinite leave to remain for a person granted Section 67 leave

352ZN. Indefinite leave to remain will, on application, be granted to a person described in paragraph 352ZL where each of the requirements in paragraph 352ZM is met.

Dependants of a person transferred to the UK under Section 67 of the Immigration Act 2016

352ZO. The dependent child of a person granted leave to remain under paragraph 352ZH or 352ZN, will be granted leave to enter or remain for the same duration as that person ("leave in line") provided that the requirements of paragraph 352ZH (except for (ii)); and 352ZM (iv) are met. For the purposes of this paragraph, a dependent child means a child who is under 18 years of age and for whom the person has parental responsibility.

Curtailment and Revocation of Section 67 leave

352ZP. A person's grant of leave under paragraph 352ZH or 352ZN may be curtailed or revoked if any of the grounds in paragraph 9.3.2, 9.4.2 (b), 9.4.2(c), 9.4.5, 9.7.3, 9.8.8 and 9.9.2 of Part 9 Grounds for refusal apply.

352ZQ. Any curtailment or revocation of a person's leave under paragraph 352ZP shall also apply to any leave in line granted to a dependent child of that person.

Travel documents

352ZR. Following receipt of a completed application for a travel document, the Secretary of State will issue to a person granted Section 67 leave, unless compelling reasons of national security or public order otherwise require, a travel document if that person can demonstrate they are unable to obtain a national passport or other identity documents which enable that person to travel.

352ZS. Where the person referred to in paragraph 352ZR can obtain a national passport or identity documents but has not done so, the Secretary of State will issue that person with a travel document if that person can show that they have made reasonable attempts to obtain a national passport or identity document and there are compelling reasons for travel.

Family Reunion Requirements for leave to enter or remain as the partner of a refugee

352A. DELETED

352AA. DELETED

352AB. DELETED

Granting family reunion to the partner of a refugee

352B. DELETED

352BA DELETED

Refusing family reunion to the partner of a refugee

352C. DELETED

352CA. DELETED

Requirements for leave to enter or remain as the child of a refugee

352D. DELETED

352DA. DELETED

Granting leave to enter or remain under exceptional circumstances

352DB. DELETED

Granting family reunion to the child of a refugee

352E. DELETED

Refusing family reunion to the child of a refugee

352F. DELETED

Requirements for leave to enter or remain as the partner of a person with humanitarian protection

352FA. DELETED

Granting family reunion to the partner of a person with humanitarian protection

352FB. DELETED

Refusing family reunion to the partner of a person with humanitarian protection

352FC. DELETED

352FD. DELETED

352FE. DELETED

352FF. DELETED

Requirements for leave to enter or remain as the child of a person with humanitarian protection

352FG. DELETED

Granting leave to enter or remain under exceptional circumstances

352FGA. DELETED

Granting family reunion to the child of a person with humanitarian protection

352FH. DELETED

Refusing family reunion to the child of a person with humanitarian protection

352FI. DELETED

Refusing family reunion where the sponsor is a British Citizen

352FJ. DELETED

Interpretation

352G. For the purposes of this Part:

(a) “Country of origin” means the country or countries of nationality or, for a stateless person, the country of former habitual residence; and

(b) “Partner” means the applicant’s spouse, civil partner, or a person who has been living together with the applicant in a relationship akin to a marriage or civil partnership for at least 2 years prior to the date of application.

Restriction on study

352H. Where a person is granted leave in accordance with the provisions set out in Part 11 of the Immigration Rules that leave will, in addition to any other conditions which may apply, be granted subject to the condition in Appendix ATAS of these Rules.

Calais leave to remain in the United Kingdom

352I. Paragraphs 352I to 352X only apply to a person who was transferred to the United Kingdom:

(i) from 17 October 2016 to 13 July 2017 inclusive; and
(ii) in connection with the clearing of the Calais migrant camp; and
(iii) for the purpose of being reunited with family in the United Kingdom,

and either:

(a) as part of the expedited process operated by the Secretary of State;
(b) pursuant to an order of the Tribunal; or
(c) under the Dublin III Regulation.

Grant of Calais leave

352J. The person described in paragraph 325I will be granted Calais leave to remain in the United Kingdom ("Calais leave") for a period of five years if the Secretary of State is satisfied that:

(i) the person is not excluded from being a refugee under Article 1F of the 1951 Refugee Convention (as defined in section 36 of the Nationality and Borders Act 2022) or excluded from a grant of humanitarian protection under paragraph 339D of these Rules;

(ii) the person's application for refugee status or humanitarian protection has been refused;

(iii) there are no reasonable grounds for regarding the person as a danger to the security of the United Kingdom;

(iv) the applicant does not constitute a danger to the community in the United Kingdom as a result of having been convicted by a final judgment of a particularly serious crime (as defined in section 72 of the Nationality, Immigration and Asylum Act 2002); and

(v) must not fall for refusal under paragraphs 9.2.1 (c), 9.3.1, 9.4.1, 9.4.3, 9.5.1, 9.7.1, 9.7.2, 9.8.1 to 9.8.4, 9.9.1, 9.11.1, 9.12.1 or 9.13.1 of Part 9: grounds for refusal.

352K. At the end of the five-year period, if each of the requirements of paragraph 352J continue to be met, the person will be granted Calais leave for a further period of five years.

Persons previously granted a form of protection

352L. Where a person was transferred to the UK in accordance with paragraph 352I and, having been granted refugee status or humanitarian protection, that person has had their status ended or refused under either paragraph 339A or paragraph 339G of the Immigration Rules following a review, that person will be entitled to a grant of Calais leave providing that the requirements of paragraph 352J (except sub-paragraph (ii)) are met.

Residence Permits

352M. The Secretary of State will issue to a person granted Calais leave a residence permit as soon as possible after the grant of Calais leave. The residence permit will be valid for five years.

352N. The Secretary of State will issue a residence permit to a dependant of a person granted Calais leave in accordance with paragraph 352T.

352O. The Secretary of State may revoke or refuse to renew a person's residence permit where their grant of Calais leave is revoked under the provisions in these Rules.

352P. At the end of the five-year period, if the person's Calais leave has been renewed, they will be issued with another residence permit, valid for a further period of five years.

Requirements for indefinite leave to remain for a person granted Calais leave

352Q. A person may apply for indefinite leave to remain under paragraph 352S where:

(i) they have been granted Calais leave for a continuous period of ten years; or

(ii) having been granted Calais leave under paragraph 352L, they have been granted leave to remain in the UK for a continuous period of ten years.

352R. The requirements for indefinite leave to remain for a person described in paragraph 352Q are that:

(i) each of the requirements of paragraph 352J continue to be met;

(ii) the person has held residence permits issued under paragraph 352M, 352N or 352P, and, in the case of a person to whom paragraph 352L applies, paragraph 339QA or 339QB, for a continuous period of ten years in the UK;

(iii) the person's residence permit has not been revoked; and (iv) the person has not in the view of the Secretary of State, at the date on which the application has been decided, demonstrated the undesirability of granting settlement in the United Kingdom in light of his or her conduct (including convictions which do not fall within paragraphs 339R(iii)(a-e)), character or associations or the fact that he or she represents a threat to national security.

Indefinite leave to remain for a person granted Calais leave

352S. Indefinite leave to remain will, on application, be granted to a person described in paragraph 352Q where each of the requirements in paragraph 352R is met.

Dependants of a person granted Calais leave

352T. The dependent child of a person granted leave to remain under paragraph 352J or 352S, will be granted leave to enter or remain for the same duration as that person ("leave in line") provided that the requirements of paragraph 352J (except for (ii)); and 352R (iv) are met. For the purposes of this paragraph, a dependent child means a child who is under 18 years of age and for whom the person has parental responsibility.

Curtailment and Revocation of Calais leave

352U. A person's grant of leave under paragraph 352J or 352S may be curtailed or revoked if any of the grounds in paragraph 9.3.2, 9.4.2 (b), 9.4.2(c), 9.4.5, 9.7.3, 9.8.8. and 9.9.2. of Part 9 Grounds for refusal apply.

352V. Any curtailment or revocation of a person's leave under paragraph 352U shall also apply to any leave in line granted to a dependent child of that person.

Travel documents

352W. Following receipt of a completed application for a travel document, the Secretary of State will issue to a person granted Calais leave, unless compelling reasons of national security or public order otherwise require, a travel document if that person can demonstrate they are unable to obtain a national passport or other identity documents which enable that person to travel.

352X. Where the person referred to in paragraph 352W can obtain a national passport or identity documents but has not done so, the Secretary of State will issue that person with a travel document if that person can show that they have made reasonable attempts to obtain a national passport or identity document and there are compelling reasons for travel.

Back to top

Immigration Rules

Part 11A

Temporary Protection

Definition of Temporary Protection Directive

354. For the purposes of paragraphs 355 to 356B, "Temporary Protection Directive" means Council Directive 2001/55/EC of 20 July 2001 regarding the giving of temporary protection by Member States in the event of a mass influx of displaced persons.

Grant of temporary protection

355. An applicant for temporary protection will be granted temporary protection if the Secretary of State is satisfied that:

(i) the applicant is in the United Kingdom or has arrived at a port of entry in the United Kingdom; and

(ii) the applicant is a person entitled to temporary protection as defined by, and in accordance with, the Temporary Protection Directive; and

(iii) the applicant does not hold an extant grant of temporary protection entitling him to reside in another Member State of the European Union. This requirement is subject to the provisions relating to dependants set out in paragraphs 356 to 356B and to any agreement to the contrary with the Member State in question; and

(iv) the applicant is not excluded from temporary protection under the provisions in paragraph 355A.

355A. An applicant or a dependant may be excluded from temporary protection if:

(i) there are serious reasons for considering that:

(a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; or

(b) he has committed a serious non-political crime outside the United Kingdom prior to his application for temporary protection; or

(c) he has committed acts contrary to the purposes and principles of the United Nations, or

(ii) there are reasonable grounds for regarding the applicant as a danger to the security of the United Kingdom or, having been convicted by a final judgment of a particularly serious crime, to be a danger to the community of the United Kingdom.

Consideration under this paragraph shall be based solely on the personal conduct of the applicant concerned. Exclusion decisions or measures shall be based on the principle of proportionality.

355B. If temporary protection is granted to a person who has been given leave to enter or remain (whether or not the leave has expired) or to a person who has entered without leave, the Secretary of State will vary the existing leave or grant limited leave to remain.

355C. A person to whom temporary protection is granted will be granted limited leave to enter or remain, which is not to be subject to a condition prohibiting employment, for a period not exceeding 12 months. On the expiry of this period, he will be entitled to apply for an extension of this limited leave for successive periods of 6 months thereafter.

355D. A person to whom temporary protection is granted will be permitted to return to the United Kingdom from another Member State of the European Union during the period of a mass influx of displaced persons as established by the Council of the European Union pursuant to Article 5 of the Temporary Protection Directive.

355E. A person to whom temporary protection is granted will be provided with a document in a language likely to be understood by him in which the provisions relating to temporary protection and which are relevant to him are set out. A person with temporary protection will also be provided with a document setting out his temporary protection status.

355F. The Secretary of State will establish and maintain a register of those granted temporary protection. The register will record the name, nationality, date and place of birth and marital status of those granted temporary protection and their family relationship to any other person who has been granted temporary protection.

355G. If a person who makes an asylum application is also eligible for temporary protection, the Secretary of State may decide not to consider the asylum application until the applicant ceases to be entitled to temporary protection.

Dependants

356. In this part:

"dependant" means a family member or a close relative.

"family member" means:

> (i) the spouse or civil partner of an applicant for, or a person who has been granted, temporary protection; or

(ii) the unmarried or same-sex partner of an applicant for, or a person who has been granted, temporary protection where the parties have been living together in a relationship akin to marriage which has subsisted for 2 years or more; or

(iii) the minor child (who is unmarried and not a civil partner); of an applicant for, or a person who has been granted, temporary protection or his spouse,

who lived with the principal applicant as part of the family unit in the country of origin immediately prior to the mass influx.

"close relative" means:

(i) the adult child (who is unmarried and not a civil partner), parent or grandparent of an applicant for, or person who has been granted, temporary protection; or

(ii) sibling (who is unmarried and not a civil partner or the uncle or aunt of an applicant for, or person who has been granted, temporary protection, who lived with the principal applicant as part of the family unit in the country of origin immediately prior to the mass influx and was wholly or mainly dependent upon the principal applicant at that time, and would face extreme hardship if reunification with the principal applicant did not take place.

356A. A dependant may apply for temporary protection. Where the dependant falls within paragraph 356 and does not fall to be excluded under paragraph 355A, he will be granted temporary protection for the same duration and under the same conditions as the principal applicant.

356B. When considering any application by a dependant child, the Secretary of State shall take into consideration the best interests of that child.

Back to top

Immigration Rules

Part 11B

Asylum

Reception Conditions for non-EU asylum applicants

357. Part 11B only applies to asylum applicants (within the meaning of these Rules) who are not nationals of a member State.

Information to be provided to asylum applicants

357A. The Secretary of State shall inform asylum applicants in a language they may reasonably be supposed to understand and within a reasonable time after their claim for asylum has been recorded of the procedure to be followed, their rights and obligations during the procedure, and the possible consequences of non-compliance and non-co-operation. They shall be informed of the likely timeframe for consideration of the application and the means at their disposal for submitting all relevant information.

358. The Secretary of State shall inform asylum applicants within a reasonable time not exceeding fifteen days after their claim for asylum has been recorded of the benefits and services that they may be eligible to receive and of the rules and procedures with which they must comply relating to them. The Secretary of State shall also provide information on non-governmental organisations and persons that provide legal assistance to asylum applicants and which may be able to help asylum applicants or provide information on available benefits and services.

358A The Secretary of State shall ensure that the information referred to in paragraph 358 is available in writing and, to the extent possible, will provide the information in a language that asylum applicants may reasonably be supposed to understand. Where appropriate, the Secretary of State may also arrange for this information to be supplied orally.

Information to be provided by asylum applicants

358B An asylum applicant must notify the Secretary of State of his current address and of any change to his address or residential status. If not notified beforehand, any change must be notified to the Secretary of State without delay after it occurs.

The United Nations High Commissioner for Refugees

358C. A representative of the United Nations High Commissioner for Refugees (UNHCR) or an organisation working in the United Kingdom on behalf of the UNHCR pursuant to an agreement with the government shall:

(a) have access to applicants for asylum, including those in detention;

(b) have access to information on individual applications for asylum, on the course of the procedure and on the decisions taken on applications for asylum, provided that the applicant for asylum agrees thereto;

(c) be entitled to present his views, in the exercise of his supervisory responsibilities under Article 35 of the Geneva Convention, to the Secretary of State regarding individual applications for asylum at any stage of the procedure.

This paragraph shall also apply where the Secretary of State is considering revoking a person's refugee status in accordance with these Rules.

Documentation

359 The Secretary of State shall ensure that, within three working days of recording an asylum application, a document is made available to that asylum applicant, issued in his own name, certifying his status as an asylum applicant or testifying that he is allowed to remain in the United Kingdom while his asylum application is pending. For the avoidance of doubt, in cases where the Secretary of State declines to examine an application it will no longer be pending for the purposes of this rule.

359A The obligation in paragraph 359 above shall not apply where the asylum applicant is detained under the Immigration Acts, the Immigration and Asylum Act 1999 or the Nationality, Immigration and Asylum Act 2002.

359B A document issued to an asylum applicant under paragraph 359 does not constitute evidence of the asylum applicant's identity.

359C In specific cases the Secretary of State or an Immigration Officer may provide an asylum applicant with evidence equivalent to that provided under rule 359. This might be, for example, in circumstances in which it is only possible or desirable to issue a time-limited document.

Right to request permission to take up employment

360 An asylum applicant may apply to the Secretary of State for permission to take up employment if a decision at first instance has not been taken on the applicant's asylum application within one year of the date on which it was recorded. The Secretary of State shall

only consider such an application if, in the Secretary of State's opinion, any delay in reaching a decision at first instance cannot be attributed to the applicant.

360A If permission to take up employment is granted under paragraph 360, that permission will be subject to the following restrictions:

(i) employment may only be taken up in a post which is, at the time an offer of employment is accepted, included in Appendix Immigration Salary List;

(ii) no work in a self-employed capacity; and

(iii) no engagement in setting up a business.

360B If an asylum applicant is granted permission to take up employment under paragraph 360 this shall only be until such time as his asylum application has been finally determined.

360C Where an individual makes further submissions which raise asylum grounds and which fall to be considered under paragraph 353 of these Rules, that individual may apply to the Secretary of State for permission to take up employment if a decision pursuant to paragraph 353 of these Rules has not been taken on the further submissions within one year of the date on which they were recorded. The Secretary of State shall only consider such an application if, in the Secretary of State's opinion, any delay in reaching a decision pursuant to paragraph 353 of these Rules cannot be attributed to the individual.

360D If permission to take up employment is granted under paragraph 360C, that permission will be subject to the following restrictions:

(i) employment may only be taken up in a post which is, at the time an offer of employment is accepted, included in Appendix Immigration Salary List;

(ii) no work in a self-employed capacity; and

(iii) no engagement in setting up a business.

360E Where permission to take up employment is granted pursuant to paragraph 360C, this shall only be until such time as:

(i) a decision has been taken pursuant to paragraph 353 that the further submissions do not amount to a fresh claim; or

(ii) where the further submissions are considered to amount to a fresh claim for asylum pursuant to paragraph 353, all rights of appeal from the immigration decision made in consequence of the rejection of the further submissions have been exhausted.

Interpretation

361 For the purposes of this Part -

(a) 'working day' means any day other than a Saturday or Sunday, a bank holiday, Christmas day or Good Friday;

(b) 'member State' has the same meaning as in Schedule 1 to the European Communities Act 1972.

Back to top

Immigration Rules

Part 12

Procedure and rights of appeal

Fresh Claims

353. When a human rights or protection claim has been refused or withdrawn or treated as withdrawn under paragraph 333C of these Rules and any appeal relating to that claim is no longer pending, the decision maker will consider any further submissions and, if rejected, will then determine whether they amount to a fresh claim. The submissions will amount to a fresh claim if they are significantly different from the material that has previously been considered. The submissions will only be significantly different if the content:

(i) had not already been considered; and

(ii) taken together with the previously considered material, created a realistic prospect of success, notwithstanding its rejection.

This paragraph does not apply to claims made overseas.

353A. Consideration of further submissions shall be subject to the procedures set out in these Rules. An applicant who has made further submissions shall not be removed before the Secretary of State has considered the submissions under paragraph 353 or otherwise.

Exceptional Circumstances

353B. Where further submissions have been made and the decision maker has established whether or not they amount to a fresh claim under paragraph 353 of these Rules, or in cases with no outstanding further submissions whose appeal rights have been exhausted and which are subject to a review, the decision maker will also have regard to the migrant's:

(i) character, conduct and associations including any criminal record and the nature of any offence of which the migrant concerned has been convicted;

(ii) compliance with any conditions attached to any previous grant of leave to enter or remain and compliance with any conditions of temporary admission or immigration bail where applicable;

(iii) length of time spent in the United Kingdom spent for reasons beyond the migrant's control after the human rights or asylum claim has been submitted or refused;

in deciding whether there are exceptional circumstances which mean that removal from the United Kingdom is no longer appropriate.

This paragraph does not apply to submissions made overseas.

This paragraph does not apply where the person is liable to deportation.

Back to top

Immigration Rules

Part 13

Deportation

This part of the Rules sets out when a person will be considered for deportation and when a deportation order will be revoked. It also applies where deportation is recommended by a court.

A deportation order is made on the grounds that the deportation of the person is conducive to the public good.

Deportation of EEA citizens and their family members on public policy, public security or public health grounds is set out in the EEA Regulations 2016 (as saved).

Deportation of Frontier Workers is set out in the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.

A deportation order invalidates any permission to enter or stay in the UK and prevents the person from returning to the UK while the deportation order is in force.

Where deportation is being considered and the person has made a claim under Article 8 of the Human Rights Convention, that claim will be considered in line with the provisions under this Part.

Where deportation would be a breach of a person's rights under the Human Rights Act 1998, they may be granted permission to enter or stay in the UK for a temporary period.

Exemptions from deportation are set out at Section 7 and Section 8 of the Immigration Act 1971.

This Part is in four sections:

1. Grounds for deportation
2. Article 8 ECHR exceptions to deportation
3. Outcome of an Article 8 decision
4. Revocation of a deportation order

Section 1: Grounds for deportation

13.1.1. A foreign national, who is not an Irish citizen, is liable for deportation where:

(a) they have been convicted of a criminal offence for which they have received a custodial sentence of at least 12 months; or
(b) the Secretary of State otherwise considers that the deportation of the foreign national is conducive to the public good; or
(c) they are the spouse, civil partner or child aged under 18 of a foreign national who is, or has been ordered to be, deported.

13.1.2. An Irish citizen may only be deported where a court has recommended deportation or where the Secretary of State concludes that, due to the exceptional circumstances of the case, the public interest requires deportation.

13.1.3. A deportation order will not be made if the foreign national's removal from the UK pursuant to the order would be contrary to the UK's obligations under the Refugee Convention or the Human Rights Convention, and, where deportation would not be contrary to these obligations, the presumption is in favour of deportation.

Section 2: Article 8 ECHR exceptions to deportation

13.2.1. Where a foreign national has been convicted in the UK or overseas and received a custodial sentence of at least 12 months; has been convicted of an offence that has caused serious harm; or is a persistent offender, the public interest requires the foreign national's deportation unless:

(a) the private life exception in paragraph 13.2.3, or the family life exception in paragraph 13.2.4, is met; or
(b) there are very compelling circumstances such that removal would be contrary to the Human Rights Act 1998.

13.2.2. A foreign national, who has received a custodial sentence of at least 4 years, must show very compelling circumstances over and above the exception in paragraph 13.2.3. or 13.2.4 for deportation to be a breach of Article 8 of the Human Rights Convention.

13.2.3. The Article 8 private life exception is met where:

(a) the foreign national has been lawfully resident in the UK for most of their life; and
(b) they are socially and culturally integrated in the UK; and
(c) there would be very significant obstacles to their integration into the country to which they are to be deported.

13.2.4. The Article 8 family life exception is met where the foreign national has:

(a) a parental relationship with a child that meets all the requirements of paragraph 13.2.5; or
(b) a partner relationship that meets all the requirements of paragraph 13.2.6.

13.2.5. The foreign national has a parental relationship with a child and all of the following apply:

(a) the relationship is genuine and subsisting; and
(b) the child is either a British citizen or has lived in the UK continuously for at least the 7 years immediately before the date of the decision to make the deportation order; and
(c) the child is at the date of the decision to make the deportation order resident in the UK; and
(d) it would be unduly harsh for the child to live in the country to which the foreign national is to be deported; and
(e) it would be unduly harsh for the child to stay in the UK without the foreign national who is to be deported.

13.2.6. The foreign national has a partner relationship and all of the following apply:

(a) the foreign national's relationship with the partner is genuine and subsisting; and
(b) the partner is either a British citizen or is settled in the UK; and
(c) the partner is resident in the UK; and
(d) the relationship did not begin when the foreign national to be deported was in the UK unlawfully or when their immigration status was precarious; and
(e) it would be unduly harsh for that partner to live in the country to which the foreign national is to be deported; and
(f) it would be unduly harsh for that partner to stay in the UK without the foreign national who is to be deported.

Part 3: Outcome of an Article 8 Decision

13.3.1. If the decision maker is satisfied that the foreign national satisfies the requirements of paragraph 13.2.1. or 13.2.2. and the foreign national does not have permission (including where previous permission has been cancelled, invalidated or revoked), the foreign national will be granted temporary permission.

13.3.2. Where temporary permission is granted under paragraph 13.3.1, it will be granted for a period not exceeding 30 months and subject to such conditions the Secretary of State considers to be appropriate.

Section 4: Revocation of a deportation order

13.4.1 Revocation of a deportation order does not entitle the foreign national to re-enter the United Kingdom; it means they may apply for and may be granted entry clearance or permission to enter or stay in the UK.

13.4.2. A deportation order remains in force until either:

(a) it is revoked; or
(b) it has been quashed by a court or tribunal.

13.4.3. A foreign national who is subject to a deportation order can apply to the Home Office for revocation of the order and should normally apply from outside the UK after they have been deported.

13.4.4. Where an application for revocation is made, a deportation order will be revoked where:

(a) in the case of a foreign national who has been convicted of an offence and sentenced to a period of imprisonment of less than 4 years, the Article 8 private or family life exception set out in paragraph 13.2.3 or 13.2.4, or both, is met or where there are very compelling circumstances which would make a decision not to revoke the deportation order a breach of Article 8 of the Human Rights Convention; or
(b) in the case of a foreign national who has been convicted of an offence and sentenced to a period of imprisonment of 4 years or more, there are very compelling circumstances which would make a decision not to revoke the deportation order a breach of Article 8 of the Human Rights Convention; or

(c) a decision not to revoke the deportation order would be contrary to the Human Rights Convention or the Refugee Convention.

13.4.5. Where an application for revocation is made, a deportation order made in relation to a foreign national who has not been convicted of an offence for which they received a custodial sentence may be revoked where there has been a material change in circumstances in relation to the factors that resulted in the foreign national's deportation on the ground it was conducive to the public good.

Back to top

Immigration Rules

Part 14

Stateless persons

Definition of a stateless person

401. DELETED

Exclusion from recognition as a stateless person

402. DELETED

Requirements for limited leave to remain as a stateless person

403. DELETED

Refusal of limited leave to remain as a stateless person

404. DELETED

Grant of limited leave to remain to a stateless person

405. DELETED

Curtailment of limited leave to remain as a stateless person

406. DELETED

Requirements for indefinite leave to remain as a stateless person

407. DELETED

Grant of indefinite leave remain as a stateless person

408. DELETED

Refusal of indefinite leave to remain as a stateless person

409. DELETED

Requirements for limited leave to enter or remain as the family member of a stateless person

410. DELETED

411. DELETED

Refusal of leave to enter or remain as the family member of a stateless person

412. DELETED

Grant of leave to enter or remain as the family member of a stateless person

413. DELETED

Curtailment of limited leave to enter or remain as the family member of a stateless person

414. DELETED

Requirements for indefinite leave to remain as the family member of a stateless person

415. DELETED

Refusal of indefinite leave to remain as the family member of a stateless person

416. DELETED

417. Applications made on or after 31 January 2024 by an applicant who has, or last had, permission to enter or stay as a family member under Part 14 will be decided under the Part 14 rules in force on 30 January 2024. An application by a child born in the UK to a parent who has either permission to enter or stay under Part 14 as a stateless person or is the partner of a stateless person will be decided under the Part 14 rules in force on 30 January 2024. In any other case, the partner or child of a stateless person must apply for permission under Appendix FM.

418. In respect of applicants applying under these transitional provisions, paragraph 411(b) also includes family members of a stateless person granted permission to stay under

Appendix Statelessness where the stateless person previously had permission to stay under Part 14.

Back to top

Immigration Rules

Appendix A

Attributes

This is a consolidated version of the current Immigration Rules

Attributes for Tier 1 (Exceptional Talent) Migrants

1. DELETED.

2. DELETED.

3. DELETED.

Table 1 - DELETED

Tier 1 (Exceptional Talent) Limit

4. DELETED

5. DELETED

6. DELETED

Money earned in the UK

6A. DELETED.

Attributes for Tier 1 (General) Migrants

7. DELETED

8. DELETED

9. DELETED

10. DELETED

11. DELETED

Table 2 - DELETED

Table 3 - DELETED

12. DELETED

13. DELETED

14. DELETED

14-SD. DELETED

15. DELETED

16. DELETED

17. DELETED

18. DELETED

19. DELETED

19-SD. DELETED

20. DELETED

21. DELETED

21-SD. DELETED

22. if the applicant has not indicated a period for assessment of earnings, or has indicated a period which does not meet the conditions in paragraph 21 above, their earnings will be assessed against the 12-month period immediately preceding their application, assuming the specified documents in paragraph 19-SD above have been provided. Where the specified documents in paragraph 19-SD above have not been provided, points will not be awarded for previous earnings.

23. DELETED

24. DELETED

25. DELETED

26. DELETED

27. DELETED

28. DELETED

29. DELETED

30. DELETED

31. DELETED

32. DELETED

33. DELETED

34. DELETED

34-SD. DELETED

Attributes for Tier 1 (Entrepreneur) Migrants

35. An applicant applying for entry clearance, leave to remain or indefinite leave to remain as a Tier 1 (Entrepreneur) Migrant must score 75 points for attributes.

36. Available points are shown in Table 4 for initial applications for applicants who have entry clearance, leave to enter or leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant or a Start-up migrant, or have had such leave in the 12 months immediately before the date of application.

37. Available points are shown in Table 5 for extension applications for applicants who have entry clearance, leave to enter or leave to remain as a Tier 1 (Entrepreneur) Migrant, or have had such leave in the 12 months immediately before the date of application.

38. Available points for applications for indefinite leave to remain are shown in Table 6.

Notes

39. (a) In all cases, an applicant cannot score points from any of the following:

(i) the same money being used to score points for maintenance funds for themselves or their dependants under Appendices C or E,

(ii) money made available from a third party, where the third party is another Tier 1 (Entrepreneur) Migrant, or that migrant's business or close family member,

(iii) money invested in their business more than 12 months (or 24 months if the applicant was previously granted leave as a Tier 1 (Graduate Entrepreneur) Migrant) before the date of the application which led to their first grant of leave as a Tier 1 (Entrepreneur) Migrant,

(iv) money invested in the form of a director's loan unless it is unsecured and subordinated to other creditors' loans to the business, or

(v) investment in any residential accommodation, property development or property management, meaning:

(1) any development of property owned by the applicant or their business to increase the value of the property with a view to earning a return either through rent or a future sale or both, or

(2) management of property (whether or not it is owned by the applicant or their business) for the purposes of renting it out or resale.

For the avoidance of doubt, (v) requires that the business income is generated from the supply of goods and/or services, and not derived from the increased value of property or any income generated from property, such as rent.

(b) Points will only be awarded for an applicant's business if it is a UK business.

(c) A business will be considered to be a UK business if the applicant provides the specified evidence in this Appendix to show that:

(i) it is trading within the UK economy,

(ii) it has its registered office in the UK, or, in the case of multinational companies with no UK registered office, its head office in the UK, except where the applicant is registered with HM Revenue & Customs as self-employed and does not have a business office,

(iii) it has a UK bank account, and

(iv) it is subject to UK taxation.

(d) Points will not be awarded for being the director of a UK business or member of a UK partnership if the applicant is on Companies House's list of disqualified directors.

(e) Where evidence from an accountant is required, it will only be accepted if the accountant:

(i) is not the applicant,

(ii) has prepared and signed off the accounts in accordance with all relevant statutory requirements,

(iii) has a valid licence to practice or practising certificate, and

(iv) is a member of at least one of the following:

(1) the Institute of Chartered Accountants in England and Wales,

(2) the Institute of Chartered Accountants in Scotland,

(3) the Institute of Chartered Accountants in Ireland,

(4) the Association of Chartered Certified Accountants,

(5) the Association of Authorised Public Accountants,

(6) the Chartered Institute of Public Finance and Accountancy,

(7) the Institute of Financial Accountants,

(8) the Chartered Institute of Management Accountants,

(9) the Association of International Accountants, or

(10) the Association of Accounting Technicians.

(f) Where personal or business bank statements are required:

(i) The bank or building society must be based in the UK and regulated by the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA).

(ii) Each statement must be on the institution's official stationery showing the institution's name and logo, and confirm the applicant's name (and, where relevant, the applicant's entrepreneurial team partner's name), the account number and the date of the statement.

(iii) Each statement must have been issued by an authorised official of that institution.

(iv) If the statements are printouts of electronic statements, they must either be accompanied by a supporting letter from the institution, on its headed paper, confirming the authenticity of the statements, or bear the official stamp of the institution on each page of the statement.

(g) Further notes to accompany Table 4 appear below Table 4.

(h) Further notes to accompany Tables 5 and 6 appear below Table 6.

Table 4: Initial applications as referred to in paragraph 36

Row	Investment and business activity	Points
1	At least £50,000 is available to the applicant or their business, or has been invested in their business due to their activity.	25
2	The money is held in one or more regulated financial institutions, which are regulated by the appropriate regulatory body for the country in which they operate.	25
3	The money is disposable in the UK If the applicant is applying for leave to remain, the money must be held in the UK.	25

Available money: notes

40.

(a) Available money must be cash, not Individual Savings Accounts or other assets such as stocks and shares.

(b) Where multiple documents are provided, they must show the total amount required is available on the same date.

(c) The money must either be held in a UK regulated financial institution or be transferable to the UK and convertible to sterling.

(d) If the money is available to the applicant's business, rather than to the applicant themselves, the business must be a company or partnership and the applicant must be registered as a director, in the case of a company, or member, in the case of a partnership.

(e) The money must remain available to the applicant or their business until it is spent for the purposes of the applicant's business(es). The Secretary of State reserves the right to request further evidence or otherwise verify that the money will remain available, and to refuse the application if this evidence is not provided or cannot be satisfactorily verified.

(f) DELETED

(g) Money is disposable in the UK if all of the money is held in a UK based financial institution and free from sanctions or if the money is freely transferable to the UK and convertible to sterling. Funds in a foreign currency will be converted to pounds sterling (£) using the exchange rate specified in FIN 1.1, FIN 1.2. or FIN 1.3.

(h) No points will be awarded unless the money is held in a financial institution permitted under Appendix Finance.

Available money: specified documents

41. (a) If all or part of the money has not yet been invested in the applicant's business, the applicant must provide all of the specified documents set out in the relevant row of Table 4A below. If the applicant is claiming points for available money from more than one source, the applicant must provide the specified documents for each row which applies.

Table 4A: Specified documents showing available money

Row	Available money	Specified documents (see descriptions below table)
1	Money available from a seed funding competition or a UK or Devolved Government Department, as set out in Table 4	(i)
2	Money available from a third party, other than those in row 1 above, where the money is still held by the third party	All of (vi)-(viii)
3	Money held by the applicant for less than 90 consecutive days, ending no earlier than 31 days before the date of application, where the source of that money is other than those in row 1 above.	(vi) and (vii), and either (ix) or (x) as appropriate
4	Money held by the applicant for at least 90 consecutive days, ending no earlier than 31 days before the date of application	Either (ix) or (x) as appropriate

Specified documents:

(i) A letter confirming the amount of money available to the applicant, the entrepreneurial team or the applicant's business from the seed funding competition or a UK or Devolved Government Department. The letter must be from an authorised official of that organisation or, in the case of a UK or Devolved Government Department, a letter from an authorised official of an intermediary public body providing it confirms that it has been authorised to award funds from that Department for the specific purpose of establishing or expanding UK businesses.

(ii) DELETED

(iii) DELETED

(iv) DELETED

(v) DELETED

(vi) A written declaration from each third party that they have made the money available to invest in the applicant’s business in the UK, containing:

(1) the names of the third party and the applicant (and their entrepreneurial team partner's name where relevant), or the name of the applicant’s business,

(2) the date of the declaration,

(3) the applicant's signature and the signature of the third party (and the signature of the applicant's entrepreneurial team partner where relevant),

(4) the amount of money available in pounds sterling,

(5) the relationship(s) of the third party to the applicant,

(6) if the third party is another business in which the applicant is self-employed or a director, evidence of the applicant's status within that business and that the applicant is the sole controller of that business's finances, or, where the applicant is not the sole controller, the letter must be signed by another authorised official of that business who is not the applicant, and

(7) confirmation that the money will remain available until such time as it is transferred to the applicant, the entrepreneurial team or the applicant's business.

(vii) A letter (or letters) from one or more legal representatives, who are not the applicant or the third party, which confirm(s) all letters and declarations in (ii)-(vi) and (viii) (where required) contain the genuine signatures of the required signatories. The letter(s) must clearly show the registration or authority of the legal representative to practise legally in the country where the third party or the money is.

(viii) A letter from each financial institution holding the funds, issued by an authorised official of that institution, confirming in each case the amount of money that the third party intends to make available, and that the institution is not aware of the third party having promised to make that money available to any other person available.

(ix) For money held outside the UK, a letter from each financial institution holding the funds, issued by an authorised official of that institution, confirming the minimum balance available from the applicant's own funds held in that institution on the date of the letter and, in the case as described in row 4 of Table 4A, during a consecutive 90-day period of time ending on the date of the letter.

(x) For money held in the UK, recent personal bank or building society statements, with the most recent statement being dated no earlier than 31 days before the date of application, which taken altogether show that the relevant required sum of available money is held in the account(s) on the date of the most recent statement(s). In the case described in row 4 of Table 4AA, the statements must show the sum has been held for a consecutive 90 day period of time immediately before the date of the statement.

(b) Each letter referred to in (a)(i) and (vii)-(ix) above must:

(1) DELETED

(2) be on the organisation's official headed paper,

(3) be dated no earlier than three months (in the case of (i) and (vii)), or 31 days (in the case of (viii) and (ix)), immediately before the date of application,

(4) state the applicant's name, and their entrepreneurial team partner's name where relevant, or the name of the applicant's business,

(5) include the contact details of the person or (where relevant) an official of the organisation issuing the letter

(6) include (where relevant) the name of the third party providing the money, including their full address, postal code, telephone contact number and any email address,

(7) in the case of (vii), include the number of the third party or their authorised representative's identity document (such as a passport or national identity card), the place of issue and dates of issue and expiry.

(8) in the case of (viii)-(ix), show the account number,

(9) in the case of (viii)-(ix), confirm that the financial institution is regulated by the appropriate body and, if not regulated by the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA), that the money can be transferred into the UK.

42. If the money is available to the applicant's business, rather than to the applicant themselves, the applicant must also provide a Companies House document showing the address of the business's registered office in the UK, or head office in the UK if it has no registered office in the UK, and that the applicant is a director, in the case of a company, or member, in the case of a partnership.

43. If all or part of the money has been invested in the applicant's business, the applicant must provide:

(a) all of the specified documents required in paragraph 45 to show the amount of money invested, and

(b) all of the specified documents required in paragraph 48 to show that the applicant has established a new UK business or joined or taken over an existing UK business, in which the money was invested.

44. DELETED.

Table 5: Extension applications referred to in paragraph 37

Row	Investment, business activity and job creation	Points
1	The applicant has invested or has caused investment to be made by one or more third parties, totalling at least £200,000 (or £50,000 if they were awarded points for £50,000 funding or investment in their last grant of leave) in cash directly into one or more UK businesses.	20

Row	Investment, business activity and job creation	Points
	The applicant does not need to provide evidence of this investment if they were awarded points under Table 5 in their last grant of entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant.	
2	The applicant has: (a) registered with HM revenue and Customs as self-employed, or (b) registered with Companies House as a director of a UK company, or member of a UK partnership. The applicant must have registered as above within 6 months of entering the UK (if they were most recently granted entry clearance and there is evidence to establish their date of entry) or, in any other case, within 6 months of the date on which the most recent leave was granted.	20
3	Within three months before the date of application, the applicant was: (a) registered with HM Revenue & Customs as self-employed, or (b) registered with Companies House as a director of a UK company or member of a UK partnership.	15
4	The applicant has: (a) established a new business or businesses that has or have created the equivalent of at least two new full time jobs for settled workers, or (b) taken over or invested in an existing business or businesses and their services or investment have resulted in a net increase in the employment provided by the business or businesses for settled workers by creating the equivalent of at least 2 new full time jobs for settled workers. The jobs must have existed for at least 12 months during the applicant's most recent grant of leave as a Tier 1 (Entrepreneur) Migrant or, where that leave was granted less than 12 months ago, for at least the 12 months immediately before the date of application.	20

Table 6: Applications for indefinite leave to remain as referred to in paragraph 38

Row	Investment and business activity	Points
1	The applicant has invested or has caused investment to be made by one or more third parties, totalling at least £200,000 (or £50,000 if they were awarded points for £50,000 funding or investment in their last grant of leave) in cash directly into one or more UK businesses. The applicant does not need to provide evidence of this investment if they were last granted entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant, having been awarded points under Table 5.	20
2	The applicant was: (a) registered with HM Revenue & Customs as self-employed, or (b) registered with Companies House as a director of a UK company or member of a UK partnership. The above requirement must have been met: (i) within 6 months of entering the UK (if they were most recently granted entry clearance and there is evidence to establish their date of entry) or, in any other case, within 6 months from the date the most recent leave was granted, and (ii) within the three months before the date of application. The applicant does not need to provide evidence of (i) if they were last granted entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant, having been awarded points under Table 5.	20
3	The applicant has: (a) established a new UK business or businesses that has or have created the equivalent of at least 2 new full time jobs for settled workers, or (b) taken over or invested in an existing UK business or businesses and their services or investment have resulted in a net increase in the employment provided by the business or businesses for settled	20

Row	Investment and business activity	Points
	workers by creating the equivalent of at least 2 new full time jobs for settled workers The jobs must have existed for at least 12 months during the applicant's most recent grant of leave or, where that leave was granted less than 12 months ago, for at least the 12 months immediately before the date of application. In respect of an applicant who was granted a COVID-19 related extension of leave, the applicant must have: (i) created two jobs meeting the criteria in (a) or (b) for at least the 12-month period referred to above; and **(ii)** created at least a further two jobs meeting the criteria in (a) or (b) that have been in existence for at least 12 months by the date of application (these jobs can be the same as (i) providing they meet the requirement of existing for at least a further 12 months).	
4	(a) The applicant has spent a continuous period of 5 years lawfully in the UK with leave as a Tier 1 (Entrepreneur) Migrant, or (b) The applicant has spent a continuous period of 3 years lawfully in the UK as a Tier 1 (Entrepreneur) Migrant, and has: (i) created the equivalent of at least 10 (including the jobs already relied upon to score points under row 3) new full time jobs which meet the requirements in row 3 above, or (ii) established a new UK business or businesses that has or have had a gross income from business activity of at least £5 million during the 3 year continuous period, or (iii) taken over or invested in an existing UK business or businesses and the applicant's services or investment have resulted in a net increase in gross income from business activity of £5 million during the 3 year continuous period, when compared to the 3 year period immediately before the date the applicant became involved with the business.	15

Investment: specified documents

45. The applicant must provide their business accounts and accompanying evidence of their investment, which must meet the following requirements:

(a) if the applicant's business is legally required to produce audited accounts, the audited accounts must be provided;

(b) if the applicant's business is not legally required to produce audited accounts, unaudited accounts and an accounts compilation report must be provided from an accountant;

(c) the audited or unaudited accounts must show the investment in money made directly in the business by:

(i) the applicant, in their own name,

(ii) one or more seed funding competitions or UK or Devolved Government Departments, as set out in Table 4, and the accounts must be accompanied by a letter from the source, confirming that the investment was made on the applicant's behalf, or

(iii) a third party other than those in (ii), and the accounts must either:

(1) confirm that the investment was made as a result of the applicant's activity, or

(2) be accompanied by a letter from the Department for International Trade, confirming that the investment was made as a result of the applicant's activity;

(d) if the applicant has made the investment in the form of a director's loan:

(i) it must be shown in the relevant set of accounts provided,

(ii) unless the investment was made on or before 19 November 2015 and the date of application is before 19 November 2021, the investment must be shown through readily identifiable transactions in the applicant's business bank statements, which must clearly show the transfer of this money from the applicant to their business, and

(iii) the applicant must provide a legal agreement, between the applicant (in the name that appears on their application) and the business, showing:

(1) the terms of the loan,

(2) any interest that is payable,

(3) the period of the loan, and

(4) that the loan is unsecured and subordinated to other creditors' loans to the business;

(e) if the applicant has made the investment in the form of share capital, the accounts must show the shareholders, the amount and value of the shares (on the date of purchase) in the applicant's name as it appears on their application. If the value of the applicant's share capital is not shown in the accounts, then a printout of the company's register of members from Companies House must be provided;

(f) the accounts must clearly show the name of the accountant, the date the accounts were produced, and how much the applicant has invested in the business;

(g) if the applicant is claiming points for investment from a venture capital firm, they must also provide a dated letter from the venture capital firm, on its headed paper, confirming:

(i) the applicant's name,

(ii) the date(s) the money was transferred to the applicant or invested in their business,

(iii) that the venture capital firm was registered with the Financial Conduct Authority on the date(s) in (ii) above, and

(iv) confirmation that the venture capital firm will verify the contents of the letter to the Home Office on request.

(h) if the applicant is claiming points for investing £50,000 from one of the following sources, and has not been awarded points for those funds in a previous application, they must also provide the following documents:

(i) if the source is a seed funding competition or a UK or devolved government department, the applicant must provide the specified evidence in Table 4A above as evidence of the source of the funds (except that the letter referred to in paragraph 41(a)(i) does not need to be dated within the three months immediately before the date of the application);

(ii) if the source is a venture capital firm, the applicant must provide:

(1) A letter from a director, partner or fund manager of the venture capital firm, which includes:

(_a) confirmation of the amount of money that was made available to the applicant, the entrepreneurial team or the applicant's business from the organisation,

(_b) a statement providing detailed information on the strategy, structure and financial exposure of the fund,

(_c) a statement detailing the rationale for the investment, providing specific information about the circumstances which led to the investment decision,

(_d) a statement confirming that the business/proposed business is a genuine and credible proposition, and

(_e) confirmation that the venture capital firm was, at the time the investment was made, registered with the Financial Conduct Authority (FCA) and its entry in the register included a permission to arrange, deal in or manage investments, or to manage alternative investment funds.

(2) A copy of the completed term sheet for the investment, signed by all parties to the transaction, which must include details of the company valuation, company structure, founder and investor rights, the structure of funding and the type of security being taken.

(3) A breakdown of the technical, legal, commercial and financial due diligence conducted by the venture capital firm in support of the investment.

(4) A letter from an accountant, validating the financial condition of the fund.

(5) A letter from a legal representative, who is not the applicant, which confirms that the letters and declarations in (1)-(4) contain the genuine signatures of the required signatories. The letter must clearly show the registration or authority of the legal representative to practise legally in the UK.

(i) if the applicant has bought property as part of their business investment, the value of any residential accommodation cannot be included. The applicant must provide an estimate of the value of the residential accommodation if it is part of the premises also used for the business. The valuation must be from a surveyor who is a member of the Royal Institution of Chartered Surveyors, and dated within the three months before the date of application.

Business activity: notes

46. A business will only be considered to be a “new” business for the purposes of paragraph 43 and Tables 5 and 6 if it was established by the applicant no earlier than 12 months (or 24 months if the applicant was previously granted leave as a Tier 1 (Graduate Entrepreneur) Migrant) before the date of the application which led to the applicant’s first grant of leave as a Tier 1 (Entrepreneur) Migrant.

Business activity: specified documents

47. The applicant must provide the following specified documents, showing that they obtained the necessary business registration within the 6 month period referred to in Table 5 or 6:

(a) if the applicant was self-employed, evidence of their registration with HM Revenue & Customs;

(b) if the applicant was a director of a UK company or member of a UK partnership, a printout from Companies House of the company’s filing history page and of the applicant’s personal appointments history, showing the date of their appointment as a director or member.

48. The applicant must provide the following specified documents to show that they have established a new UK business or joined or taken over an existing business, and that they are engaged in business in the UK when they make their application:

(a) if the applicant is self-employed, they must provide:

(i) evidence of their registration with HM Revenue & Customs to show that their business is based in the UK, and such evidence is dated no earlier than three months before the date of application,

(ii) HM Revenue & Customs evidence that the applicant is making tax returns within the self-assessment tax system, and

(iii) a personal bank statement showing transactions for their business, or a business bank statement, or a letter from a UK-regulated financial institution, on the institution's headed paper, confirming that the applicant has a business and acts through that bank for the purposes of that business;

(b) if the applicant is a director of a UK company or member of a UK partnership, they must provide:

(i) printouts of Companies House documents, dated no earlier than three months before the date of the application, showing all of the following:

(1) the address of the registered office in the UK, or head office in the UK if it has no registered office,

(2) the applicant's name, as a director or member,

(3) the date of the applicant's appointment as a director or member, and

(4) that the business is actively trading (not dormant, struck-off, dissolved or in liquidation),

(ii) evidence from HM Revenue & Customs confirming that the company is registered for corporation tax (if the applicant is a director of a company) or that the applicant is making tax returns within the self-assessment tax system (if the applicant is self-employed), and

(iii) a business bank statement from a UK account which shows business transactions, or a letter from the UK bank in question, on its headed paper, confirming that the company or partnership has a bank account, that the applicant is a signatory of that account, and that the company or partnership uses that account for the purposes of their business.

(c) regardless of whether the applicant is self-employed, a director or member, they must also provide:

(i) an overview of the business's activity, including an explanation of the goods or services it provides to its customers or clients; and

(ii) the applicant's job title and job description, setting out their role within the company, how they are implementing their business plan and what their main tasks and responsibilities are in running the business on a day-to-day basis.

Job creation: notes

49. (a) A full time job is one involving at least 30 hours of paid work per week.

(b) "The equivalent of" a full time job means two or more part time jobs that add up to 30 hours per week, if each of the jobs exist for at least 12 months. However, one full time job of more than 30 hours of work per week will not count as more than one full time job.

(c) A job may count even if it does not last 12 consecutive months (for example it lasts for 6 months in one year and 6 months the following year) provided that it is the same job.

(d) The jobs need not exist on the date of application, provided that they existed for at least 12 months as specified in Table 5 (row 4) and Table 6 (row 3).

(e) Different jobs that have existed for less than 12 months cannot be combined together to make up a 12 month job.

(f) If jobs are being combined the employees being relied upon must be clearly identified by the applicant in their application.

(g) The jobs must comply with all relevant UK legislation including, but not limited to, the National Minimum Wage Regulations in effect at the time and the Working Time Regulations 1998.

(h) A job will be considered one for settled worker if the worker met the definition of settled worker in the Immigration Rules in force at the time they started the job, and they remained employed for the whole claimed 12 month period, even if they ceased to be a settled worker at a later date.

Job creation: specified documents

50. If the applicant is required to score points for job creation in Table 5 or Table 6, they must provide all of the following specified documents:

(a) printouts of Real Time Full Payment Submissions showing that the applicant complied with Pay As You Earn (PAYE) reporting requirements to HM Revenue & Customs in respect of each relevant settled worker as legally required, and has done so for the full period of employment used to claim points. These must show every payment made to each settled worker as well as any deductions;

(b) duplicate payslips or wage slips for each settled worker used to claim points, covering the full period(s) of the employment for which points are being claimed;

(c) confirmation of the employment start date, job title, job description, hours paid per pay period and the hourly rate for each settled worker relied upon, including any changes to the same and the dates of those changes;

(d) copies of any of the following documents which demonstrate that each employee has settled status in the UK:

(i) the biometric data page of a British or EEA passport, showing the photograph and personal details of the employee,

(ii) a birth certificate, showing the employee was born in the UK and Colonies before 1 January 1983,

(iii) if the employee was born in the UK on or after 1 January 1983, a birth certificate, together with documentation, such as a passport or naturalisation certificate, which confirms one of their parents had settled status in the UK when the employee was born, and additionally, if the parent is the employee's father, a marriage certificate to the mother,

(iv) if the employee is an EEA national, a UK registration certificate/permanent residence document,

(v) if the employee is the spouse of an EEA national, the biometric data page of their passport, showing their photograph and personal details, or a residence card, and any of the documents in (i) or (iv) above which relate to the EEA national, together with their marriage certificate to the EEA national, or

(vi) if the worker is an overseas national with settled status in the UK, the biometric data page of their passport containing their photograph and personal details, and the pages where a UK Government stamp or an endorsement appear, or a biometrics residence permit, or official documentation from the Home Office which confirms their settled status in the UK;

(e) if the applicant was self-employed at the time a settled worker was employed by their business, the specified documents in paragraph 48(a) above showing the dates that the applicant became registered with HMRC as self-employed, with the bank statements referred to in 48(a)(iii) showing all the payments made to the settled worker in the full period of employment used to claim points, and the address of the business;

(f) if the applicant was a director of a UK company or member of a UK partnership at the time the settled worker was employed by their business, a printout from Companies House of the company's filing history page and of the applicant's personal appointments history, showing this;

(g) if the applicant took over or joined a business, they must provide a signed and dated letter from an accountant, showing:

(i) the name and contact details of the business,

(ii) the applicant's status in the business,

(iii) the number of jobs created in the business and the hours paid in each of the jobs,

(iv) the start dates and end dates (where applicable) of the jobs relied upon,

(v) the registration or permission of the accountant to operate in the UK,

(vi) confirmation that the business did not employ any workers before the applicant took over or joined it, if relevant and

(vii) confirmation that the accountant will verify the contents of the letter to the Home Office on request;

This applies regardless of how long the business existed for before the applicant took over or joined it;

(h) if the business referred to in (g) employed workers before the applicant took over or joined it, they must also provide the following documents for the year immediately before the applicant joined the business and the years that the jobs were created, showing the net increase in employment and signed and dated by the applicant:

(i) duplicate Real Time Full Payment Submissions sent to HM Revenue & Customs, or

(ii) if the business started employing settled workers for whom points are being claimed, before reporting under Real Time, a form P35.

Settlement on the basis of £5 million business activity: specified documents

51. (a) Where Table 6 applies and the applicant is relying on the business activity of a new UK business or businesses, they must provide audited (if the business is legally required to produce audited accounts) or unaudited accounts which show the gross income resulting from the business' activities and that this reached at least £5 million.

(b) Where Table 6 applies and the applicant is relying on business activity from an existing UK business which they have taken over or invested in, they must provide both of the following:

(i) audited accounts (if the business is legally required to produce audited accounts) or unaudited accounts clearly showing:

(1) the name of the accountant,

(2) the date the accounts were produced,

(3) the gross income from business activity for the 3 year period immediately before the date on which the applicant became involved with the business, and

(4) a net increase of at least £5 million in gross income from business activity during the three year for which the applicant is claiming points under Table 6, row 4;

(ii) a signed and dated accountant's letter, confirming:

(1) the name and contact details of the business,

(2) an explanation of the applicant's status in the business,

(3) the net increase in business activity,

(4) the registration or permission of the accountant to operate in the United Kingdom, and,

(5) that the accountant will verify the content of the letter to the Home Office on request.

Entrepreneurial teams: notes

52. Two applicants, but no more than two applicants, may claim points for the same investment, available funds, jobs created and business activity in Tables 4, 5 or 6 provided all of the following requirements are met:

(a) The applicants have equal level of control over the funds and (where relevant) equal status as owners, directors and/or members of the business or businesses in question.

(b) The applicants are both shown by name, passport number and (where relevant) Points-Based System reference number in each other's applications and in the specified evidence required in the relevant table.

(c) Neither applicant has previously been granted leave as a Tier 1 (Entrepreneur) Migrant on the basis of investment and/or business activity linked in this way with any applicant other than each other, if the same funds were relied on in a previous application.

53. (a) No points will be awarded for money that is made available to any individual other than the applicant, except:

(i) under the terms of paragraph 52 above; or

(ii) where the money is held in a joint account with the applicant's spouse, civil partner or partner (defined as a person who has been living together with the applicant in a relationship akin to a marriage or civil partnership for at least two years prior to the date of application), and that spouse or partner is not (and is not applying to be) another Tier 1 (Entrepreneur) Migrant.

(b) No points will be awarded for investment, job creation and business activity shared with another Tier 1 (Entrepreneur) applicant, except under the terms of paragraph 52 above.

(c) If the applicant is not the sole member or director in their business, they must provide confirmation of:

(i) the names of the other members or directors,

(ii) whether any of the other members or directors are also Tier 1 (Entrepreneur) Migrants, and

(iii) if so:

(1) the dates they became members or directors,

(2) whether they are applying under the provisions in paragraph 52 above, and

(3) if they have made (or are making at the same time) an application in which they claimed points for creating jobs, the names of the jobholders in question.

Attributes for Tier 1 (Investor) Migrants

54. An applicant applying for entry clearance, leave to remain or indefinite leave to remain as a Tier 1 (Investor) Migrant must score 75 points for attributes.

55. DELETED.

56. (a) has had entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant in the 12 months immediately before the date of application, unless Table 8B applies.

(b) Available points for entry clearance or leave to remain are shown in Table 8B where **all** of the following apply:

(i) The applicant has had entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant, in the 12 months immediately before the date of application.

(ii) The applicant's initial grant of entry clearance or leave to remain as a Tier 1 (Investor) Migrant was under the Rules in place before 6 November 2014.

(iii) The date of application is before 6 April 2020.

57. (a) Available points for applications for indefinite leave to remain are shown in Table 9A for an applicant who was last granted as a Tier 1 (Investor) Migrant, unless Table 9B applies.

(b) Available points for applications for indefinite leave to remain are shown in Table 9B where the date of application is before 6 April 2022 and the applicant was last granted as a

Tier 1 (Investor) Migrant under the Rules in place before 6 November 2014, or was awarded points as set out in Table 8B of Appendix A in his last grant.

58. Notes to accompany Tables 8A to Table 9B appear below Table 9B.

Table 7: DELETED

Table 8A: Applications for entry clearance or leave to remain referred to in paragraph 56(a)

Money and investment	Points
The applicant has invested not less than £2 million of his own under his control in the UK by way of UK Government bonds, share capital or loan capital in active and trading UK registered companies, subject to the restrictions set out in paragraph 65 below. Where the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place from 29 March 2019, no points will be awarded for investments in UK government bonds. Where the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place before 29 March 2019 and the date of application is on or after 6 April 2023, no points will be awarded for investments that were held in UK Government bonds on or after 6 April 2023. The investment referred to above was made: (1) within 3 months of the applicant's entry to the UK, if he was granted entry clearance as a Tier 1 (Investor) Migrant and there is evidence to establish his date of entry to the UK, unless there are exceptionally compelling reasons for the delay in investing, or (2) where there is no evidence to establish his date of entry in the UK or where the applicant was granted entry clearance in a category other than Tier 1 (Investor) Migrant, within 3 months of the date of the grant of entry clearance or leave to remain as a Tier 1 (Investor) Migrant, unless there are exceptionally compelling reasons for the delay in investing, or (3) where the investment was made prior to the application which led to the first grant of leave as a Tier 1 (Investor) Migrant, no earlier than 12 months before the date of such application. Where the applicant was awarded points as set out in Table 8B in their last grant as a Tier 1 (Investor) Migrant, at least £1 million of the above investment must have been made within the timescales in (1) to (3) above.	75

Money and investment	Points
The remaining balance of the £2 million investment must have been made before the date of application and be shown in the most recent portfolio report referred to in paragraph 65-SD(a) below. In each case the level of investment must have been at least maintained for the whole of the remaining period of that leave. "Compelling reasons for the delay in investing" must be unforeseeable and outside of the applicant's control. Delays caused by the applicant failing to take timely action will not be accepted. Where possible, the applicant must have taken reasonable steps to mitigate such delay.	

Table 8B: Applications for entry clearance or leave to remain from applicants who initially applied to enter the category before 6 November 2014 as referred to in paragraph 56(b)

Money and investment	Points
The applicant: (a) has money of his own under his control in the UK amounting to not less than £1 million, or (b) (i) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £2 million, and (ii) has money under his control and disposable in the UK amounting to not less than £1 million which has been loaned to him by a UK regulated financial institution.	30
The applicant has invested not less than £750,000 of his capital in the UK by way of UK Government bonds, share capital or loan capital in active and trading UK registered companies, subject to the restrictions set out in paragraph 65 below and has invested the remaining balance of £1,000,000 in the UK by the purchase of assets or by maintaining the money on deposit in a UK regulated financial institution.	30
(i) The investment referred to above was made: (1) within 3 months of the applicant's entry to the UK, if he was granted entry clearance as a Tier 1 (Investor) Migrant and there is evidence to	15

Money and investment	Points
establish his date of entry to the UK, unless there are exceptionally compelling reasons for the delay in investing, or (2) where there is no evidence to establish the date of his entry in the UK or where the applicant was granted entry clearance in a category other than Tier 1 (Investor) Migrant, within 3 months of the date of the grant of entry clearance or leave to remain as a Tier 1 (Investor) Migrant, unless there are exceptionally compelling reasons for the delay in investing, or (3) where the investment was made prior to the application which led to the first grant of leave as a Tier 1 (Investor) Migrant, no earlier than 12 months before the date of such application, and in each case the investment has been at least maintained for the whole of the remaining period of that leave. "Compelling reasons for the delay in investing" must be unforeseeable and outside of the applicant's control. Delays caused by the applicant failing to take timely action will not be accepted. Where possible, the applicant must have taken reasonable steps to mitigate such delay.	

Table 9A: Applications for indefinite leave to remain referred to in paragraph 57(a)

Row	Money and investment	Points
1	The applicant has invested money of his own under his control amounting to at least: (a) £10 million; or (b) £5 million; or (c) £2 million in the UK by way of UK Government bonds, share capital or loan capital in active and trading UK registered companies, subject to the restrictions set out in paragraph 65 below. Where the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place from 29 March 2019, no points will be awarded for investments in UK Government bonds.	40

Row	Money and investment	Points
	Where the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place before 29 March 2019 and the date of application is on or after 6 April 2025, no points will be awarded for investments that were held in UK Government bonds on or after 6 April 2025.	
2	The applicant has spent the specified continuous period lawfully in the UK, with absences from the UK of no more than 180 days in any 12 calendar months during that period. The specified continuous period must have been spent with leave as a Tier 1 (Investor) Migrant. The specified continuous period is: (a) 2 years if the applicant scores points from row 1(a) above; (b) 3 years if the applicant scores points from row 1(b) above; or (c) 5 years if the applicant scores points from row 1(c) above.	20
3	The investment referred to above was made no earlier than 12 months before the date of the application which led to the first grant of leave as a Tier 1 (Investor) Migrant. The level of investment has been at least maintained throughout the relevant specified continuous period referred to in row 2, other than in the first 3 months of that period, and the applicant has provided the specified documents to show that this requirement has been met. When calculating the specified continuous period, the first day of that period will be taken to be the later of: (a) the date the applicant first entered the UK as a Tier 1 (Investor) Migrant (or the date entry clearance was granted as a Tier 1 (Investor) Migrant), or the date the applicant first entered the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man with leave in a category equivalent to Tier 1 (Investor) if this is earlier, or (b) the date 3 months before the full specified amount was invested in the UK, or before the full required amount in an equivalent	15

Row	Money and investment	Points
	category was invested in the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man.	

Table 9B: Applications for indefinite leave to remain from applicants who initially applied to enter the category before 6 November 2014 as referred to in paragraph 57(b)

Row	Assets and investment	Points
1	The applicant: (a) (i) has money of his own under his control in the UK amounting to not less than £10 million; or (ii) (1) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £20 million; and (2) has money under his control and disposable in the UK amounting to not less than £10 million which has been loaned to him by a UK regulated financial institution, or (b) (i) has money of his own under his control in the UK amounting to not less than £5 million; or (ii) (1) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £10 million; and (2) has money under his control and disposable in the UK amounting to not less than £5 million which has been loaned to him by a UK regulated financial institution; or (c) (i) has money of his own under his control in the UK amounting to not less than £1 million; or (ii) (1) owns personal assets which, taking into account any liabilities	20

Row	Assets and investment	Points
	to which they are subject, have a value of not less than £2 million; and (2) has money under his control and disposable in the UK amounting to not less than £1 million which has been loaned to him by a UK regulated financial institution.	
2	The applicant has invested not less than 75% of the specified invested amount of his capital in the UK by way of UK Government bonds, share capital or loan capital in active and trading UK registered companies, subject to the restrictions set out in paragraph 65 below, and has invested the remaining balance of the specified invested amount in the UK by the purchase of assets or by maintaining the money on deposit in a UK regulated financial institution. The specified invested amount is: (a) £10,000,000 if the applicant scores points from row 1(a) above, (b) £5,000,000 if the applicant scores points from row 1(b) above, or (c) £1,000,000 if the applicant scores points from row 1(c) above.	20
3	The applicant has spent the specified continuous period lawfully in the UK, with absences from the UK of no more than 180 days in any 12 calendar months during that period. The specified continuous period must have been spent with leave as a Tier 1 (Investor) Migrant. The specified continuous period is: (a) 2 years if the applicant scores points from row 1(a) above, (b) 3 years if the applicant scores points from row 1(b) above, or (c) 5 years if the applicant scores points from row 1(c) above.	20
4	The investment referred to above was made no earlier than 12 months before the date of the application which led to the first grant of leave as a Tier 1 (Investor) Migrant. The level of investment has been at least maintained throughout the time spent with leave as a Tier 1 (Investor) Migrant in the UK in the relevant	15

Row	Assets and investment	Points
	specified continuous period referred to in row 3, other than in the first 3 months of that period. In relation to time spent with leave as a Tier 1 (Investor) Migrant in the UK, the applicant has provided specified documents to show that this requirement has been met. When calculating the specified continuous period, the first day of that period will be taken to be the later of: (a) the date the applicant first entered the UK as a Tier 1 (Investor) Migrant (or the date entry clearance was granted as a Tier 1 (Investor) Migrant), or the date the applicant first entered the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man with leave in a category equivalent to Tier 1 (Investor) if this is earlier, or (b) the date 3 months before the full specified amount was invested in the UK, or before the full required amount in an equivalent category was invested in the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man.	

UK bank account: notes

59. DELETED.

Money and assets: notes

60. Money is disposable in the UK if all of the money is held in a UK based financial institution or if the money is freely transferable to the UK and convertible to sterling. Funds in a foreign currency will be converted to pounds sterling (£) using the exchange rate specified in FIN 1.1, FIN 1.2. or FIN 1.3.

61. "Money of his own", "personal assets" and 'his capital' include money or assets belonging to the applicant's spouse, civil partner or unmarried or same-sex partner, provided that:

(a) the applicant's spouse, civil partner or unmarried or same-sex partner meets the requirements of paragraphs 319C(c) and (d) of these rules, and the specified documents in paragraph 61-SD are provided, and

(b) specified documents in paragraph 61-SD are provided to show that the money or assets are under the applicant's control and that he is free to invest them.

61A. In Tables 8A to 9B, "money of his own under his control" and "money under his control" exclude money that a loan has been secured against, where another party would have a claim on the money if loan repayments were not met, except where:

(i) the applicant made an application before 13 December 2012 which led to a grant of entry clearance or leave to remain as a Tier 1 (Investor) migrant,
(ii) the applicant has not been granted entry clearance, leave to enter or leave to remain in any other category since the grant referred to in (i),
(iii) the money is under the applicant's control, except for the fact that the loan referred to in paragraph (b) in Table 8B or row 1 of Table 9B has been secured against it, and
(iv) the date of application is before 6 April 2020.

61-SD. The specified documents in paragraph 61, as evidence of the relationship and to show that the money or assets are under the applicant's control and that he is free to invest them, are as follows:

(a) The applicant must provide:

(i) The certificate of marriage or civil partnership, to confirm the relationship, which includes the name of the applicant and the husband, wife or civil partner, or

(ii) At least three of the following types of specified documents to demonstrate a relationship similar in nature to marriage or civil partnership, including unmarried and same-sex relationships, covering a full two-year period immediately before the date of the application:

(1) a bank statement or letter from a bank confirming a joint bank account held in both names,

(2) an official document such as a mortgage agreement showing a joint mortgage,

(3) official documents such as deeds of ownership or a mortgage agreement showing a joint investment, such as in property or business,

(4) a joint rent (tenancy) agreement,

(5) any other official correspondence linking both partners to the same address, such as example bills for council tax or utilities,

(6) a life insurance policy naming the other partner as beneficiary,

(7) birth certificates of any children of the relationship, showing both partners as parents, or

(8) any other evidence that adequately demonstrates the couple's long-term commitment to one another.

(b) The applicant must provide a declaration from the applicant's husband, wife, civil partner, or unmarried or same-sex partner that he will permit all joint or personal money used to claim points for the application to be under the control of the applicant

in the UK, known as a gift of beneficial ownership of the money while retaining the legal title, which clearly shows:

(1) the names of husband, wife, civil partner, or unmarried or same-sex partner and the applicant,

(2) the date of the declaration,

(3) the signatures of the husband, wife, civil partner, or unmarried or same-sex partner and applicant,

(4) the amount of money available, and

(5) a statement that the husband, wife, civil partner, or unmarried or same-sex partner agrees that the applicant has sole control over the money.

(c) The applicant must provide a letter, from a legal adviser who is permitted to practise in the country where the declaration was made, confirming that the declaration is valid and which clearly shows:

(1) the name of the legal adviser confirming that the declaration is valid,

(2) the registration or authority of the legal adviser to practise legally in the country in which the document was drawn up,

(3) the date of the confirmation of the declaration,

(4) the names of the applicant and husband, wife, civil partner, or unmarried or same-sex partner, and

(5) that the declaration is signed and valid according to the laws of the country in which it was made.

62. A regulated financial institution is one which is regulated by the appropriate regulatory body for the country in which the financial institution operates.

63. DELETED.

Source of money: notes

64. DELETED.

64-SD. The specified document requirements in paragraph 64B-SD(a)(ii) are as follows:

(a) The applicant must provide:

(i) A portfolio report produced by a UK regulated financial institution, or a breakdown of investments in a letter produced by a UK regulated financial institution, on the official letter-headed paper of the institution, issued by an authorised official of that institution. The portfolio report or letter must cover a consecutive 2-year period of time, ending no more than one calendar month before the date of application. The portfolio report or letter must confirm all the following:

(1) the amount of the money held in the investments,
(2) the beneficial owner of the funds,
(3) the date of the investment period covered,
(4) that the institution is a UK regulated financial institution, with the details of the registration shown on the documentation, and
(5) that the money can be transferred into the UK should the application be successful, if it is held abroad, or that the money has already been invested in the UK in the form of share capital or loan capital in active and trading UK registered companies, and the dates of these investments;

(ii) If the applicant manages his own investments, or has a portfolio manager who does not operate in the UK and is not therefore regulated by the Financial Conduct Authority (FCA) (and the Prudential Regulation Authority (PRA) where applicable), he must provide one or more of the documents from the list below, as relevant to their type of investments, covering a consecutive 2-year period of time, ending no earlier than one calendar month before the date of application:

(1) certified copies of bond documents showing the value of the bonds, the date of purchase and the owner;

(2) share documents showing the value of the shares, the date of purchase and the owner,

(3) the latest audited annual accounts of the organisation in which the investment has been made, clearly showing the amount of money held in the investments, the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and the date of investment, or, if no accounts have been produced, a certificate from an accountant showing the amount of money held in the investments, and

(4) trust fund documents from a legal adviser showing the amount of money in the fund, the date that the money is available and the beneficial owner, and including the name and contact details of the legal adviser and at least one of the trustees;

(iii) Personal bank statements on the official bank stationery from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, showing the account number and the amount of money available in the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), covering a consecutive 2-year period of time, ending no earlier than one calendar month before the date of application. The most recent statement must be no more than one calendar month old at the date of application. Electronic bank statements must be accompanied by a supporting letter from the bank on the institution's official headed paper, issued by an authorising official of that institution, confirming the content and that the document is genuine;

(iv) If the applicant cannot provide bank statements, a letter from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located. The letter must be on the institution's official headed paper, issued by an authorised official of that institution, and dated no more than one calendar month before the date of application. The letter must confirm:

(1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and that the money is available in their name(s),

(2) the account number,
(3) that the bank is regulated by the official regulatory body for the country in which the institution operates and the funds are located,
(4) the dates of the period covered, including both the day the letter was produced and three full consecutive months immediately before the date of the letter, and
(5) the balance of the account to cover the required amount of money as a minimum credit balance on the date of the letter and throughout the three full consecutive months before the date of the letter;

(b) If the funds are not held in the UK, the applicant must also provide a letter from a bank or financial institution that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, on the institution's official headed paper, issued by an authorised official of that institution, which confirms:

(1) the name of the beneficial owner, which should be the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),

(2) the account number,
(3) the date of the letter,
(4) the amount of money to be transferred,
(5) that the money can be transferred to the UK if the application is successful, and
(6) that the institution will confirm the content of the letter to the Home Office on request.

If the applicant is providing the letter in (a)(iv) above, this information may be contained in the same letter.

(c) If specified documents are provided from accountants, the accountant must have a valid licence to practise or practising certificate and must:

(i) if based in the UK, be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants, or

(ii) if not based in the UK, be a member of an equivalent, appropriate supervisory or regulatory body in the country in which they operate.

64A-SD. For the purposes of paragraph 64B-SD(b), the applicant must provide all the specified documents from the following list, with contact details that enable verification:

(a) Documents in the form of:

(i) Money given to the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) within the 2 years immediately before the application must be shown in an irrevocable memorandum of gift, which clearly shows:

(1) the name and signature of the person receiving the gift,
(2) the name and signature of the person giving the gift,
(3) the date of the memorandum,

(4) the relationship between the person giving the gift and the person receiving it,
(5) the amount of money being given,
(6) a statement that the legal ownership of the gift is transferred and that the document is the memorandum of transfer,
(7) a clear description of the gift, and
(8) a statement that the gift is irrevocable;

(ii) If a memorandum of gift in (i) is provided, it must be accompanied by a confirmation letter from a legal adviser permitted to practise in the country where the gift was made, which clearly shows:

(1) the name of the legal adviser who is confirming the details,
(2) the registration or authority of the legal adviser to practise legally in the country in which the gift was made,
(3) the date of the confirmation of the memorandum,
(4) the names of the person giving the gift and the person receiving it,

(5) the relationship between the person giving the gift and the person receiving it,
(6) the amount of money given,

(7) the date that the money was transferred to the applicant, or to the husband, wife, civil partner, or unmarried partner or same-sex partner of the applicant,

(8) that the memorandum is signed and valid,

(9) that the gift is irrevocable, and

(10) that the memorandum is binding according to the laws of the country in which it was made;

(iii) Deeds of sale of assets such as business or property, if the applicant has generated these funds within the 2 years immediately before the date of application, which meet the relevant legal requirements of the country of sale and clearly show:

(1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),

(2) the amount of money raised, and

(3) the date of the sale;

(iv) If a deed of sale in (iii) is provided, it must be accompanied by a confirmation letter from a legal adviser permitted to practise in the country where the sale was made, which clearly shows:

(1) the name of the legal adviser confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the sale was made,

(3) the date of the sale,

(4) the date of production of the letter confirming the sale,

(5) the details of what was sold and the amount of money received from the sale,

(6) the name of the person receiving the money from the sale,

(7) the date that the money was transferred, and

(8) that the sale was valid according to the laws of the country in which it was made;

(v) If the funds are currently held in the applicant's business (or the business of the applicant and/or the applicant's husband, wife, civil partner, or unmarried or same-sex partner), the applicant must provide business accounts, which:

(1) are profit and loss accounts (or income and expenditure accounts if the organisation is not trading for profit),

(2) are prepared and signed off in accordance with statutory requirements, and

(3) clearly show the amount of money available for investment;

(vi) If business accounts in (v) are provided, they must be accompanied by a letter from a legal adviser who is permitted to practise in the country where business was operating, confirming that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) can lawfully extract the money from the business, which clearly shows:

(1) the name of the legal adviser who is confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the business is operating,

(3) the date on which the details are confirmed, and

(4) that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) can lawfully extract the money from the business in question;

(vii) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same sex partner) has been the beneficiary of a will within the 2 years before making the application, and has received money as a result, the applicant must provide a notarised copy of the will. If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received possessions or assets, rather than money, then the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) may not use estimates of the value of the items as evidence of funds for investment. The notarised copy of the will must clearly show:

(1) the date of the will,

(2) the beneficiary of the will (this should be the applicant or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),

(3) the amount of money that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has inherited, and

(4) the names of any executors, plus any codicils (additions) to the will that affect the amount of money that was received;

(viii) If a notarised copy of a will in (vii) is provided, it must be accompanied by a confirmation letter from a legal adviser who is permitted to practise in the country where will was made, confirming the validity of the will, which clearly shows:

(1) the name of the legal adviser confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the will was made,

(3) the date of the document produced by the legal adviser confirming the will,

(4) the date that the applicant received the money as a result of the settlement of the will,

(5) the names of the person making the will and the beneficiary,

(6) the relationship between the person making the will and the beneficiary,

(7) confirmation of the amount of money received by the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner).

(8) that the will is signed and valid, and

(9) that the will is valid according to the laws of the country in which it was made;

(ix) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has obtained money as a result of a divorce settlement within the 2 years immediately before the date of application, the applicant must provide a notarised copy of a financial agreement following a divorce. If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received possessions or assets, rather than money, estimates of the value of the items will not be accepted as evidence of money for investment.

(x) If a divorce settlement in (ix) is provided, it must be accompanied by a confirmation letter from a legal adviser who is permitted to practise in the country where the divorce took place, which clearly shows:

(1) the name of the legal adviser confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the divorce took place,

(3) the date of the document produced by the legal adviser confirming the divorce settlement,

(4) the date that the applicant received the money as a result of the settlement,

(5) the names of the persons who are divorced,

(6) confirmation of the amount of money received by the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner,

(7) that the divorce settlement is complete and valid, and

(8) that the divorce settlement is valid according to the laws of the country in which it was made;

(xi) If the applicant is relying on a financial award or winnings as a source of funds, he must provide a letter from the organisation issuing the financial award or winnings, which clearly shows:

(1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),

(2) the date of the award,

(3) the amount of money won,

(4) the winnings are genuine, and

(5) the contact details for the organisation issuing the award or winnings;

(xii) If a letter showing a financial award or winnings in (xi) is provided, it must be accompanied by a confirmation letter from a legal adviser who is permitted to practise in the country where the award was made, which clearly shows:

(1) the name of the legal adviser confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the award was made,

(3) the date of the letter of confirmation,

(4) the date of the award,

(5) the name of the recipient of the award,

(6) the amount of the winnings,

(7) the source of the winnings, and

(8) the date that the money was transferred to the applicant, or husband, wife, civil partner, or unmarried or same-sex partner;

(xiii) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received money from a source not listed above, the applicant must provide relevant documentation as evidence of the source of the money, together with independent supporting evidence, which both clearly confirm:

(1) the amount of money received,

(2) the date that the money was received,

(3) the source of the money, and

(4) that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) was the legal recipient of the money.

Source of additional money (Table 9A and Table 9B): notes

64B-SD. In the case of an application where Table 9A, row 1 (a) or (b), or Table 9B, row 1 (a)(i) or (b)(i) applies, points will only be awarded if the applicant:

(a) (i) has had the additional money (or the additional assets in respect of an application to which either row 1 (a)(i) or (b)(i) of Table 9B applies) that he was not awarded points for in their previous grant for a consecutive 2-year period of time (or a consecutive 90-day period of time if their initial leave as a Tier 1 (Investor) Migrant was granted under the rules in place before 29 March 2019 and the date of application is before 6 April 2025), ending on the date(s) this additional capital was invested (as set out in row 1 of Table 9A or row 2 of Table 9B), and

(ii) provides the specified documents in paragraph 64-SD (or the additional assets in respect of an application to which either row 1 (a)(i) or (b)(i) of Table 9B applies), with the following differences:

(1) References to "date of application" in paragraph 64-SD are taken to read "date of investment";

(2) The evidence in paragraph 64-SD(a)(i)(5) may also include evidence that the money has already been invested in the UK in the form of UK Government bonds, if the applicant's initial leave as a Tier 1 (Investor) Migrant was granted under the Rules in place before 29 March 2019 and the date of application is before 6 April 2025; or

(b) provides the additional specified documents in paragraph 64A-SD of the source of the additional money (with the difference that references to "date of application" in that paragraph are taken to read "date of investment").

64C-SD. In the case of an application where Table 9B, row 1 (a)(ii) or (b)(ii) applies, points will only be awarded if the applicant provides a letter of confirmation from each UK regulated financial institution the applicant has taken out a loan with to obtain the additional funds that he was not awarded points for in his previous grant of leave. The letter must have been issued by an authorised official, on the official letter-headed paper of the institution(s), and confirm:

(i) the amount of money that the institution(s) has loaned to the applicant,

(ii) the date(s) the loan(s) was taken out by the applicant, which must be no later than the date(s) this additional capital was invested (as set out in Table 9B, row 2),

(iii) that the institution is a UK regulated financial institution for the purpose of granting loans,

(iv) that the applicant has personal assets with a net value of at least £2 million, £10 million or £20 million (as appropriate), and

(v) that the institution(s) will confirm the content of the letter to the Home Office on request.

Qualifying investments (Table 8A to Table 9B): notes

65. Investment excludes investment by the applicant by way of:

(a) an offshore company or trust, or investments that are held in offshore custody except that investments held in offshore custody will not be excluded where:

(i) the applicant made an application before 13 December 2012 which led to a grant of entry clearance or leave to remain as a Tier 1 (Investor) migrant,

(ii) the applicant has not since been granted entry clearance, leave to enter or leave to remain in any other category, and

(iii) the date of application is before 6 April 2020.

(b) Open-ended investment companies, investment trust companies, investment syndicate companies or pooled investment vehicles, except that investment via pooled investment vehicles is permitted if such vehicles receive funding from a UK or devolved government department or one if its agencies, and the applicant provides a letter from a financial institution regulated by the Financial Conduct Authority to confirm this,

(c) Companies mainly engaged in property investment, property management or property development (meaning in this context any investment or development of property to increase the value of the property with a view to earning a return either through rent or a future sale or both, or management of property for the purposes of renting it out or resale. The principle is that business income must be generated from the supply of goods and/or services and not derived from the increased value of property or any income generated through property, such as rent.),

(d) Deposits with a bank, building society or other enterprise whose normal course of business includes the acceptance of deposits,

(e) ISAs, premium bonds and saving certificates issued by National Savings and Investment (NS&I), for an applicant who has, or last had leave as a Tier 1 (Investor) Migrant,

(f) Leveraged investment funds, except where the leverage in question is the security against the loan referred to in paragraph (b) in Table 8B or row 1 of Table 9B (as appropriate), and paragraph 61A(i)-(iii) apply, or

(g) UK government bonds, if:

(i) the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place from 29 March 2019, or

(ii) the investments were held in UK Government bonds on or after 6 April 2023 and the date of application is on or after:

(1) 6 April 2023, if the application is for entry clearance or leave to remain;

(2) 6 April 2025, if the application is for indefinite leave to remain.

65AA. If an applicant invests in an entity which acts as an intermediary vehicle to invest or otherwise channel the funds elsewhere (including to another intermediary vehicle):

(a) Their investment will be considered to be where the funds are finally invested, not in the intermediary vehicle(s) (except in the case of a government-funded pooled investment vehicle permitted under paragraph 65(b) above, where the investment will be considered to be in that vehicle);

(b) The investment in the final destination must itself be a qualifying investment, as set out in these Rules;

(c) Any intermediary vehicle(s) involved must not fall within the exclusions in paragraph 65(a), (b) or (f) above;

(d) Any intermediary vehicle(s) involved must be based in the UK and regulated by the Financial Conduct Authority, if:

(i) the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place from 29 March 2019, or

(ii) the date of application is on or after:

(1) 6 April 2023, if the application is for entry clearance or leave to remain;

(2) 6 April 2025, if the application is for indefinite leave to remain;

(e) The applicant must provide the specified evidence in paragraph 65-SD in relation to the transfer of their funds to and between any intermediary vehicle(s), and from the intermediary vehicle to the final investment destination. This applies regardless of how long any chain of intermediary vehicles is.

65A. (a) "Active and trading UK registered companies" must meet the definition set out in (b) if:

(i) the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place from 29 March 2019, or

(ii) the date of application is on or after:

(1) 6 April 2023, if the application is for entry clearance or leave to remain;

(2) 6 April 2025, if the application is for indefinite leave to remain.

(b) In the applications set out in (a), "active and trading UK registered companies" means companies which:

(i) are registered with Companies House in the UK;

(ii) are registered with HM Revenue and Customs for corporation tax and PAYE;

(iii) have accounts and a UK business bank account, both showing regular trading of its own goods or services;

(iv) have at least two UK-based employees who are not its directors.

(c) "Active and trading UK registered companies" must meet the definition set out in (d) if:

(i) the applicant's initial grant of leave as a Tier 1 (Investor) Migrant was granted under the Rules in place before 29 March 2019, and

(ii) the date of application is before:

(1) 6 April 2023, if the application is for entry clearance or leave to remain;

(2) 6 April 2025, if the application is for indefinite leave to remain.

(d) In the applications set out in (c), "active and trading UK registered companies" means companies which:

(i) have a registered office or head office in the UK;

(ii) have a UK bank account showing current business transactions; and

(iii) are subject to UK taxation.

65B. No points will be awarded where the specified documents show that the funds are held in a financial institution which is not permitted under Appendix Finance.

65C. (a) In the case of an application where Table 8A or Table 9A applies, points for maintaining the level of investment for the specified continuous period of leave will only be awarded:

(i) if the applicant has purchased a portfolio of qualifying investments for a price of at least £2 million (or £5 million or £10 million, as appropriate); and

(ii) where any part of the qualifying investments in the portfolio is sold (whether at a gain or at a loss) during the specified continuous period of leave, their gross proceeds are re-invested in qualifying investments before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner.

(b) In the case of an application where Table 8B or Table 9B applies, points for maintaining the level of investment for the relevant period of leave will only be awarded if:

(i) the applicant has maintained a portfolio of qualifying investments with a market value of at least £750,000 (or £3,750,000 or £7,500,000 as appropriate);

(ii) any fall in the market value of the portfolio below the amount in (i) is corrected before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner, by the purchase of further qualifying investments with a market value equal to the amount of any such fall; and

(iii) the applicant has maintained a total level of investment (including the qualifying investments at (i) and (ii) above) of £1,000,000.

(c) In the case of an application where one of Tables 8A, 8B, 9A or 9B applies:

(i) The applicant may withdraw interest accrued and dividends declared after the date on which the applicant purchased the qualifying investments in the portfolio;

(ii) Fees, for example those charged by institutions for managing the portfolio, and transaction costs and tax incurred through buying and selling investments cannot be paid for from the investment funds for which the applicant scores points; and

(iii) If the applicant has invested more than the required level in qualifying investments, the fees, transaction costs and tax referred to in (ii) above may be paid from the surplus investment, providing the surplus investment was made at the same time or before the fees, transaction costs and tax were incurred (for example, if the applicant scores points for investing £2 million in qualifying investments, but has actually invested £2.1 million in qualifying investments, up to £100,000 in fees, transaction costs and tax may be paid for from the investment funds. The applicant must have invested £2.1 million at or by the time he pays these costs; he cannot pay out of a £2 million investment and invest a further £100,000 at a later date to compensate).

65-SD. The following specified documents must be provided as evidence of investment:

(a) The applicant must provide a series of investment portfolio reports, certified as correct by a UK regulated financial institution, which must:

(i) cover the required period, beginning no later than the end of the 3 month timescale specified in the relevant table;

(ii) continue to the last reporting date of the most recent reporting period directly before the date of the application;

(iii) include the price the applicant paid for the investments, which must total at least the amount for which points are being claimed throughout the required period;

(iv) certify that the total investment was maintained as required by paragraph 65C as applicable;

(v) show the dates that the investments were made;

(vi) show the destination of the investments;

(vii) for investments made as loan funds to companies, be accompanied by audited accounts or unaudited accounts with an accounts compilation report for the investments made, giving the full details of the applicant's investment. The accountant must have a valid licence to practise or practising certificate and must be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants;

(viii) include the name and contact details of the financial institution that has certified the portfolio as correct and, except for National Savings and Investment (NS&I) portfolio reports, confirmation that this institution is regulated by the Financial Conduct Authority (FCA) (and the Prudential Regulation Authority (PRA) where applicable);

(ix) confirm that the investments were made in the applicant's name and/or that of his spouse, civil partner, unmarried or same-sex partner and not in the name of an offshore company or trust even if this is wholly owned by the applicant;

(x) include the date that the portfolio was certified by the financial institution;

(xi) state that the institution will confirm the content of the reports to the Home Office on request; and

(xii) confirmation that the portfolio is unencumbered and has no loans secured against it; and

(xiii) confirmation that none of the investments being relied on are prohibited by paragraph 65(a) to (f).

(b) DELETED

(c) Where the applicant is applying under Table 8B or Table 9B and has invested at least 75% of the specified investment amount but less than 100%, he must provide one or more of the following specified documents as evidence of the balance of the funds required to bring his total investment in the UK up to the specified investment amount:

(i) Documents confirming the purchase of assets in the UK, showing the assets purchased, the value of these assets and the dates of purchase. When using property, only the unmortgaged portion of the applicant's own main home, excluding any share owned by any other person in the case of a tenancy in common, will count towards the balance of funds. The valuation of the portion of the property that the applicant may rely on, must be provided in a report issued by a surveyor (who is a member of the Royal Institution of Chartered Surveyors), which is dated not earlier than six months prior to the date of application. The property must be:

(1) wholly owned by the applicant or

(2) co-owned by the applicant and their spouse, civil partner, or partner, or

(3) co-owned by the applicant with one or more persons as tenants in common

(ii) If the applicant maintained money on deposit in the UK, a statement or statements of account on the official stationery of the institution that holds the funds. These statements must be in the name of the applicant (or applicant and/or the husband, wife, civil partner, or unmarried or same-sex partner of the applicant) and confirm the dates and amount of money held. The applicant must ensure that the institution will confirm the content of the statement to the Home Office on request;

(iii) A letter from the financial institution that holds the cash on deposit, on the institution's official headed paper, issued by an authorised official of that institution, which confirms the dates and amount of money held and that the institution will confirm the content of the letter to the Home Office on request.

(d) If the applicant wishes the start of the 3 month timescale specified in Table 8A, Table 8B, Table 9A or Table 9B to be taken as the date he entered the UK, he must provide evidence which proves this date, such as a stamp in the applicant's passport, or an aircraft boarding card.

(e) Evidence of the investment having been maintained, from the date that the funds were invested for the full period of remaining leave, will be determined using the portfolio reports provided in (a).

Attributes for Tier 1 (Graduate Entrepreneur) Migrants

66. The attributes for this category have been deleted as the category is now closed and has been replaced by the Start-up category in Appendix W.

67 – 72. DELETED.

Attributes for Tier 2 (Intra-Company Transfer) Migrants

73. DELETED.

73A. DELETED.

73B. DELETED.

Table 11

DELETED.

Notes

Certificate of Sponsorship

74. DELETED.

74A. DELETED.

74B. DELETED.

74C. DELETED.

74C-SD DELETED.

74D. DELETED.

74E. DELETED.

74F. DELETED.

74G. DELETED.

74H. DELETED.

74I. DELETED.

Appropriate salary

75. DELETED.

75A. DELETED.

Table 11AA
DELETED.

75B. DELETED

75C. DELETED

75D. DELETED.

75E. DELETED.

Attributes for Tier 2 (General) Migrants

76. DELETED.

76A. DELETED.

76B. DELETED.

Table 11A

DELETED.

Notes

Certificate of Sponsorship

77. DELETED.

77A. DELETED.

77B. DELETED.

77C. DELETED.

77D. DELETED.

77E. DELETED.

77F. DELETED.

77G. DELETED.

77H. DELETED.

77I. DELETED.

77J. DELETED.

77K. DELETED.

Job offer passes Resident Labour Market Test

78. DELETED.

Table 11B: Advertising methods and duration which satisfy the Resident Labour Market Test

DELETED.

Table 11C: Advertising media which satisfy the Resident Labour Market Test

DELETED.

Resident Labour Market Test exemption applies

Shortage occupation

78A. DELETED.

Post-Study Work

78B. DELETED.

Other exemptions

78C. DELETED.

Continuing to work in the same occupation for the same Sponsor

78D. DELETED.

Appropriate salary

79. DELETED.

79A. DELETED.

Table 11CA
DELETED.

79B. DELETED.

79C. DELETED.

79D. DELETED.

Tier 2 (General) limit

Overview

80. DELETED.

80A. DELETED.

80B. DELETED.

80C. DELETED.

80D. DELETED.

80E. DELETED.

Table 11D

Applications for Certificates of Sponsorship under the Tier 2 (General) limit

DELETED.

Notes

81. DELETED.

81A. DELETED.

81B. DELETED.

81C. DELETED.

81D. DELETED.

81E. DELETED

81F. DELETED.

81G. DELETED

81H. DELETED

81I. DELETED.

Monthly allocations

82. The Tier 2 (General) limit will be divided into monthly allocations.

82A. DELETED.

Table 11E

Provisional monthly allocations under the Tier 2 (General) limit

DELETED.

82B. DELETED.

82C. DELETED.

82D. DELETED.

83. DELETED.

83A. DELETED.

83B. DELETED.

83C. DELETED.

83D. DELETED.

83E. DELETED.

84. DELETED.

84A. DELETED.

Attributes for Tier 2 (Ministers of Religion) Migrants

85. DELETED.

86. DELETED.

87. DELETED.

Table 12

DELETED.

Notes

88. DELETED.

89. DELETED.

90. DELETED.

90A. DELETED.

91. DELETED.

92. DELETED.

92A. DELETED.

Attributes for Tier 2 (Sportsperson) Migrants

93. DELETED.

94. DELETED.

95. DELETED.

Notes

96. DELETED.

97. DELETED.

98. DELETED.

98A. DELETED.

99. DELETED.

100. DELETED.

Attributes for Tier 5 (Youth Mobility Scheme) Temporary Migrants

101. DELETED.

102. DELETED.

103. DELETED.

Table 14
DELETED.

Notes

104. DELETED.

Attributes for Tier 5 (Temporary Worker) Migrants

105. DELETED.

106. DELETED.

107. DELETED.

Table 15

DELETED.

Notes

108. DELETED.

109. DELETED.

109A. DELETED.

110. DELETED.

111. DELETED.

111-SD DELETED.

112. DELETED.

Attributes for Tier 4 (General) Students

113. DELETED.

114. DELETED.

115. DELETED.

Notes

115A. DELETED.

115B – 115I DELETED.

116. DELETED.

117. DELETED.

118. DELETED.

119. DELETED.

120. DELETED.

Specified documents

120-SD. DELETED.

120A. DELETED.

Attributes for Tier 4 (Child) Students

121. DELETED.

122. DELETED.

123. DELETED.

123A. DELETED.

Notes

124. DELETED.

125. DELETED.

125A. DELETED.

Specified documents

125-SD. DELETED.

126. DELETED.

Back to top

Immigration Rules

Appendix Administrative Review

Administrative review is the review of an eligible decision, the purpose of which is to decide whether the decision was wrong due to a case working error.

This appendix sets out which decisions are eligible for administrative review, and the requirements to be met where a person applies for administrative review of an eligible decision.

Eligibility requirements for administrative review

Specified route requirements for administrative review in relation to applications for entry clearance or permission to stay

AR 1.1. The decisions eligible for administrative review are those under the following routes ("specified route"):

- Appendix ECAA: Extension of Stay
- Appendix Student
- Appendix Short-term Student (English Language)
- Appendix Child Student
- Appendix Parent of a Child Student
- Appendix Graduate
- Appendix Skilled Worker
- Appendix Global Business Mobility Routes
- Appendix T2 Minister of Religion
- Appendix Representative of an Overseas Business
- Appendix UK Ancestry
- Appendix Global Talent
- Appendix High Potential Individual
- Appendix Scale-up
- Appendix Start-up
- Appendix Innovator
- Appendix International Sportsperson
- Appendix Overseas Domestic Worker
- Appendix Domestic Workers in a Private Household
- Appendix Domestic Worker who is a Victim of Modern Slavery
- Appendix Temporary Work – Seasonal Worker
- Appendix Temporary Work – Creative Worker
- Appendix Temporary Work – Religious Worker
- Appendix Temporary Work – Charity Worker
- Appendix Temporary Work – International Agreement
- Appendix Temporary Work – Government Authorised Exchange
- Appendix Youth Mobility Scheme
- Appendix Hong Kong British National (Overseas)
- Appendix Bereaved Partner
- Appendix Victim of Domestic Abuse
- Appendix Returning Resident

- Appendix Statelessness
- Tier 1 Migrants under Part 6A of the Points Based System
- Appendix HM Armed Forces, except where the applicant is a partner or child under Appendix HM Armed Forces and the Armed Forces sponsor is a British citizen, or has 4 years reckonable service
- Appendix International Armed Forces and International Civilian Employees

AR 1.2. Where a person made a valid application on a specified route eligible for administrative review before 4 April 2024, the requirements of Appendix AR: administrative review in force on 3 April 2024 will apply, apart from applications under Appendix Armed forces where the requirements in force on 10 April 2024 will apply.

Validity requirements for administrative review

AR 2.1. An application for administrative review must relate to one of the following decisions ("the eligible decision"):

(a) a decision to refuse an application for entry clearance; or
(b) a decision to refuse an application for permission to enter; or
(c) a decision to refuse an application for permission to stay; or
(d) a decision to cancel permission to enter or remain made on the person's arrival in the UK, where the result of the cancellation is the person has no permission, and where the reason for the cancellation is:
    (i) there has been a change of circumstances since permission was granted which means that permission should be cancelled; or
    (ii) permission was obtained as a result of false representations by the person or by their failure to disclose material facts; or
(e) the period of grant or conditions attached to the person's grant of permission.

AR 2.2. An application for administrative review must relate to a decision on a specified route (see AR 1.1.).

AR 2.3. An application for administrative review must not relate to an eligible decision taken under Appendix EU, Appendix EU (Family Permit), Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland, unless the decision was made before 5 October 2023 to:

(a) cancel leave to enter or remain which is in force under paragraph A3.2(b) of Annex 3 to Appendix EU or paragraph A3.4(b) of Annex 3 to Appendix EU (Family Permit); or
(b) cancel permission to enter or stay which is in force under paragraph HV11.1 (c) of Appendix S2 Healthcare Visitor; or
(c) cancel permission to enter which is in force under paragraph SPS 9.1(c) of Appendix Service Providers from Switzerland.

AR 2.4. A person applying for administrative review must apply online on the Administrative Review form on the gov.uk website.

AR 2.5. An application for administrative review must meet all the following requirements:

(a) any fee must have been paid; and
(b) the application must have been made within the relevant time period set out in AR 2.6, unless AR 2.14. applies.

AR 2.6. The time limit for making an application for administrative review is

(a) where the eligible decision is a refusal of an application for permission to stay or a decision to cancel permission to enter or stay in the UK, and on the date of the decision the person was detained under the Immigration Acts, 7 calendar days from the date they receive notice of the eligible decision; and
(b) where the eligible decision is a refusal of an application for entry clearance, 28 calendar days from the date the person receives the notice of the eligible decision; and
(c) where the eligible decision is a refusal of an application for permission to stay, and the person is not detained, 14 calendar days from the date in which the person receives notice of the eligible decision; and
(d) where the eligible decision is a decision to cancel permission to enter or stay in the UK, and the person is not detained, 14 calendar days from the date on which the person received notice of the eligible decision; and
(e) where the administrative review relates to the period of grant or conditions of grant, 14 calendar days after the person receives notice of the grant of permission specifying the length and conditions of their permission.

AR 2.7. An application for administrative review is made on the date on which it is submitted online.

AR 2.8. There must not previously have been an application for administrative review in relation to the eligible decision, unless on a previous application for administrative review the eligible decision was maintained for different or additional reasons, in which case an application for administrative review can be made in relation to the maintained decision.

AR 2.9. Where the eligible decision is a refusal of an application for entry clearance, a person can only apply for administrative review if they are outside the UK.

AR 2.10. Where the eligible decision is made in the Control Zone, a person cannot apply for administrative review until they have left, or been removed from, the Control Zone.

AR 2.11. A person may only include an eligible decision for a partner, dependent child or other family member in their application for administrative review where that family member:
(a) was a dependent in the application which resulted in the eligible decision; or
(b) was previously granted permission to enter or stay as a dependent of the applicant for administrative review and that permission is being cancelled at the same time the applicant’s permission is being cancelled.

AR 2.12. An application for administrative review of an eligible decision under Appendix AR may not be made if the applicant has previously signed an administrative review waiver form in respect of the eligible decision.

AR 2.13. An application for administrative review which does not meet all the validity requirements for administrative review must be rejected as invalid and not considered, unless AR 2.14. applies.

AR 2.14. The application for administrative review may be accepted outside the relevant time limit in AR 2.6. if the decision maker is satisfied that it would be unjust not to waive the time limit and that the application was made as soon as reasonably practicable.

Consideration of application for administrative review

AR 3.1. The decision maker conducting the administrative review ("the reviewer") will decide whether the eligible decision is incorrect because:

(a) the decision maker of the eligible decision failed to apply, or incorrectly applied, the relevant Immigration Rules; or

(b) the decision maker of the eligible decision failed to apply, or incorrectly applied, published guidance.

AR 3.2. The reviewer will consider whether the applicant for administrative review is entitled to entry clearance or permission on the basis of the original application and will not consider whether the applicant is entitled to entry clearance or permission on any other basis.

AR 3.3. Where evidence which was not before the original decision maker is submitted with the application for administrative review, the reviewer will only consider that evidence where the eligible decision was:

(a) a decision under Part 9 of these rules to refuse an application on the grounds of false representations or deception; or

(b) a decision under Part 9 of these rules, to cancel entry clearance, permission to enter or permission to stay on the grounds of false representations or deception; or;

(c) a decision to refuse an application for entry clearance under Part 9 of these rules on the grounds of a previous breach of immigration laws; or

(d) a decision not to request specified documents under paragraph 245AA of these rules; or

(e) a failure to follow the evidential flexibility policy published on gov.uk.

AR 3.4. Where evidence would be admissible under AR 3.3, the reviewer may contact the applicant to request further information and specify a reasonable timeframe for receipt of that information.

AR 3.5. Where the requested information is not provided within the timeframe specified, the reviewer may consider the administrative review on the available information.

Effect of an administrative review

AR 4.1. Where an administrative review is pending in relation to a decision made while the person was in the UK the applicant for administrative review will not be removed from the UK.

AR 4.2. Subject to AR 4.3, an administrative review is pending where:

(a) the relevant time limit for applying for an administrative review has not passed; or

(b) an application for administrative review has been made and has not been rejected as invalid, decided or withdrawn.

AR 4.3. An administrative review will be treated as withdrawn:

(a) where the applicant has waived their right to apply for administrative review by signing an administrative review waiver form; or

(b) the applicant leaves the UK; or

(c) the applicant requests the return of their passport because they want to travel outside the UK.

AR 4.4. Where a person has a pending administrative review and they make a new application for entry clearance or permission to enter or stay, the administrative review is treated as withdrawn the day before the new application was made.

AR 4.5. Where an applicant signs an administrative review waiver from and notifies the Home Office that they wish to withdraw their administrative review, the administrative review will be treated as withdrawn on the date the notification is received.

Decision on an administrative review

AR 5.1. The outcome of an administrative review will be one of the following:

(a) the administrative review succeeds, and the eligible decision is withdrawn (and will be reconsidered); or

(b) the administrative review does not succeed, and the eligible decision remains in force for all of the reasons given in that decision; or

(c) the administrative review does not succeed, and the eligible decision remains in force, but one or more of the reasons given for that decision are withdrawn; or

(d) the administrative review does not succeed, and the eligible decision remains in force, but with different or additional reasons to those given for that decision.

Service of notices

AR 6.1. A decision on an administrative review is to be served in accordance with Appendix SN of these Rules.

Back to top

Immigration Rules

Appendix AR(EU)

Eligible decisions

AR(EU)A1. An application for administrative review of an eligible decision made under Appendix EU, Appendix EU (Family Permit), Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland may only be made in accordance with this Appendix. Appendix AR does not apply to such applications.

AR(EU)1.1. An applicant may only apply for an administrative review where an eligible decision has been made. An eligible decision is a decision to:

(a) Refuse an application under paragraph EU6 of Appendix EU because the applicant does not meet the eligibility requirements for indefinite leave to enter or remain under paragraph EU11, EU11A or EU12 or for limited leave to enter or remain under paragraph EU14 or EU14A; or

(b) Grant limited leave to enter or remain under paragraph EU3 of Appendix EU and not indefinite leave to enter or remain under paragraph EU2; or

(c) Grant limited leave to enter or remain under paragraph EU3A of Appendix EU and not indefinite leave to enter or remain under paragraph EU2A; or

(d) Cancel leave granted under Appendix EU on the grounds that the person ceases to meet the requirements of that Appendix for that leave; or

(e) Cancel leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under Appendix EU (Family Permit) where since the entry clearance was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their leave to enter ought to be cancelled; or

(f) Refuse an application under paragraph HV9.1 of Appendix S2 Healthcare Visitor because the applicant does not meet the eligibility requirements for permission to enter or remain as an S2 Healthcare Visitor; or

(g) Cancel permission to enter to a person who holds entry clearance under Appendix S2 Healthcare Visitor, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the eligibility requirements for permission to enter; or

(h) Refuse permission to enter to a non-visa national seeking to come to the UK as an S2 Healthcare Visitor for 6 months or less, because they do not meet the eligibility requirements of Appendix S2 Healthcare Visitor; or

(i) Refuse an application for entry clearance under paragraph SPS7.1 of Appendix Service Providers from Switzerland because the applicant does not meet the eligibility requirements of that Appendix; or

(j) Cancel permission to enter or remain on arrival in the UK to a person who holds an entry clearance under Appendix Service Providers from Switzerland, where permission was cancelled under paragraph SPS9.1(c) or (e) of Appendix Service Providers from Switzerland.

AR(EU)1.1A. DELETED.

AR(EU)1.2. An applicant may not apply for an administrative review where a decision has been made to:

(a) Refuse an application under paragraph EU6 of Appendix EU on suitability grounds as set out in paragraph EU15 or EU16; or

(aa) Refuse an application under paragraph EU6 of Appendix EU both:

(i) on suitability grounds as set out in paragraph EU15 or EU16; and

(ii) because the applicant does not meet the eligibility requirements for indefinite leave to enter or remain under paragraph EU11, EU11A or EU12 or for limited leave to enter or remain under paragraph EU14 or EU14A; or

(b) Refuse an application under paragraph HV9.1 of Appendix S2 Healthcare Visitor where the suitability requirements are not met; or (c) Refuse permission to enter to a person who holds entry clearance under Appendix S2 Healthcare Visitor, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the suitability requirements for permission to enter; or

(d) Refuse an application for entry clearance under paragraph SPS 7.1 of Appendix Service Providers from Switzerland because the applicant does not meet the suitability requirements of that Appendix; or

(e) Refuse permission to enter to a person who holds an entry clearance under Appendix Service Providers from Switzerland, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the suitability requirements for permission to enter unless permission has been cancelled on arrival in the UK under paragraph SPS9.1(c) of that Appendix.

AR(EU)1.3. An applicant may not apply for an administrative review where their application has been rejected as invalid under paragraph EU10(1) of Appendix EU, paragraph HV1.7. of Appendix S2 Healthcare Visitor or paragraph SPS 1.4. of Appendix Service Providers from Switzerland.

AR(EU)1.4. An applicant may not apply for an administrative review of an eligible decision, as defined in paragraph AR(EU)1.1., where that decision was made on or after 5 October 2023, unless it is a decision as defined in paragraph AR(EU)1.1.(i) or (j).

Validity requirements

AR(EU)1.5. An applicant may not apply for an administrative review of an eligible decision, as defined in AR(EU)1.1.(j), made in the Control Zone, until the applicant has left, or been removed from, the Control Zone.

AR(EU)1.6. A person applying for administrative review (EU) must apply online on the Administrative Review form on the gov.uk website.

AR(EU)1.7. An application for administrative review (EU) must meet all the following requirements:

(a) any fee must have been paid; and

(b) documents specified as mandatory on the online application form must be submitted in the specified manner no more than 7 calendar days after the day on which the online application form is submitted; and

(c) the application must have been made within the relevant time period set out in AR(EU)1.8., unless AR(EU)1.11. applies.

AR(EU)1.8. The time limit for making an application for administrative review (EU) is:

(a) where the applicant is in the UK and not detained, no more than 28 calendar days after receipt by the applicant of the notice of the eligible decision.

(b) where the applicant is in detention in the UK under the Immigration Acts, no more than 7 calendar days after receipt by the applicant of the notice of the eligible decision.

(c) where the applicant is overseas, no more than 28 calendar days after receipt by the applicant of notice of the eligible decision.

AR(EU)1.9. An application for administrative review (EU) is made on the date which it is submitted.

AR(EU)1.10. An application for administrative review (EU) which does not meet all the validity requirements for administrative review must be rejected as invalid and not considered, unless AR(EU)1.11. applies.

AR(EU)1.11. An application for administrative review (EU) of an eligible decision as defined in AR(EU)1.1.(i) or (j) may be accepted out of time if the Secretary of State is satisfied that it would be unjust not to waive the time limit and that the application was made as soon as reasonably practicable.

AR(EU)1.12. Where a person has a pending administrative review under this appendix, it may be withdrawn by the applicant. A request to withdraw an application must be made in writing to the Home Office at the address provided for that purpose on the visa and immigration pages of the gov.uk website and in accordance with the guidance provided at Administrative Review on the gov.uk website. The application will be treated as withdrawn on the date when the request is received.

AR(EU)1.13. An application for administrative review under this appendix will be withdrawn if a valid application is made under Appendix EU, Appendix EU (Family Permit), Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland.

AR(EU)1.14. Where an application for administrative review of an eligible decision as defined in AR(EU)1.1. was made before 4 April 2024, the requirements of Appendix AR (EU) in force on 3 April 2024 will be applied.

Consideration

AR(EU)2.1. The person considering the administrative review on behalf of the Secretary of State (“the reviewer”) will decide whether the decision is incorrect because:

(a) The decision maker failed to apply, or incorrectly applied, the relevant Immigration Rules;

(b) The decision maker failed to apply, or incorrectly applied, the published guidance in relation to the application; or

(c) Information or evidence that was not before the decision maker has been provided to the reviewer which shows that the applicant qualifies for:

(i) a grant, or a different grant, of leave under Appendix EU; or

(ii) permission to enter or stay in the UK under Appendix S2 Healthcare Visitor; or

(iii) entry clearance or permission to enter under Appendix Service Providers from Switzerland.

AR(EU)2.2. Where the reviewer considers that the decision is incorrect in accordance with paragraph AR(EU)2.1., the decision will be withdrawn and a new decision made. Otherwise, the decision will be maintained.

AR(EU)2.3. The reviewer will consider any information and evidence submitted with the application for administrative review, including information and evidence that was not before the original decision-maker.

AR(EU)2.4. The reviewer may contact the applicant or their representative to request further information or evidence, to be provided within a reasonable timeframe specified in the request.

AR(EU)2.5. The reviewer will notify the applicant of the outcome of the administrative review by notice under Appendix SN.

Applications for administrative review

AR(EU)3.1. DELETED.

AR(EU)3.2. An application for administrative review under this Appendix is decided when:

(a) It is rejected as invalid because it does not meet the requirements of AR(EU)1.5. to AR(EU)1.9. of these Rules;

(b) It is withdrawn in accordance with AR(EU)1.12. or AR(EU)1.13. of these Rules; or

(c) The notice of outcome is served in accordance with Appendix SN.

Effect of a pending administrative review on liability for removal

AR(EU)4.1. Where an administrative review under this Appendix is pending the Home Office will not seek to remove the applicant from the United Kingdom.

AR(EU)4.2. For the purposes of paragraph AR(EU)4.1., an administrative review is pending where:

(a) An application for administrative review can be made in accordance with these Rules, ignoring any possibility of an administrative review out-of-time under AR(EU)1.11.;
(b) A further application for administrative review can be made in respect of an eligible decision under AR(EU)1.1.(i) or (j) where the decision is withdrawn, and a new decision made, in accordance with AR(EU)2.2.; or
(c) An application for administrative review has been made and has not yet been decided.

AR(EU)4.3. However, an administrative review is not pending where the applicant has waived their right to apply for an administrative review of an eligible decision by signing an administrative review waiver form.

Back to top

Immigration Rules

Appendix HM Armed Forces

This route is for members of His Majesty's (HM) Armed Forces discharging from service ('service leavers') who wish to come to or stay in the UK. Applications can be made up to 18 weeks prior to discharge.

Reference to a member of HM Armed Forces or a service leaver includes an applicant who was a member of HM Armed Forces but was discharged within the period of 2 years before the date of the application.

A partner or dependent child of a current member of HM Armed forces or of a service leaver can also apply on this route.

An application can be made from in the UK or overseas.

The HM Armed Forces route is a route to settlement.

Those serving in the Reserve Forces cannot apply on this route.

Requirements for an HM Armed Forces service leaver

Validity requirements for an application as an HM Armed Forces service leaver

AF 1.1. If applying from outside the UK, the applicant must apply online on the gov.uk website on the specified form "VAF AF".

AF 1.2. If applying from in the UK, the applicant must apply online on the gov.uk website on the specified form "SET(AF)".

AF 1.3. An application must meet all the following requirements:

(a) any required fee must have been paid; and
(b) the applicant must have provided biometrics, when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AF 1.4. The applicant must be aged 18 or over on the date of application.

AF 1.5. An applicant applying for permission to stay must be in the UK on the date of application.

AF 1.6. An application which does not meet all the validity requirements for an HM Armed Forces service leaver may be rejected as invalid and not considered.

Suitability requirements for an HM Armed Forces service leaver

AF 2.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

AF 2.2. If the applicant is in the UK on the date of application, they must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for HM Armed Forces

AF 3.1. For the purpose of this Appendix, “HM Armed Forces” means Regular service personnel in the Royal Navy, the Royal Marines, the Army (including the Brigade of Gurkhas) and the Royal Air Force, and does not include the Reserve forces.

Entry requirements for an HM Armed Forces service leaver

AF 4.1. An applicant seeking to come to the UK must apply for and obtain entry clearance as a HM Armed Forces service leaver before they arrive in the UK.

AF 4.2. An applicant must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Military Service requirements for an HM Armed Forces service leaver

AF 5.1. The applicant must have:

(a) completed at least 4 years’ reckonable service in HM Armed Forces; or

(b) met the medical discharge requirement in AF 6.1. or AF 6.2.

AF 5.2. “Reckonable service” means service which counts towards an applicant's pension, and it starts from the first day of paid service in HM Armed Forces, if over 18 on that date, or from their 18th birthday, but does not include time when the applicant is:

(a) absent without leave (AWOL); or

(b) detained in military detention; or

(c) detained and serving a sentence in one of His Majesty’s Prisons (HMP), Young Offenders Institutions (YOI) or Youth Justice Board establishments (YJB); or

(d) on a career break; or

(e) on special unpaid leave, or

(f) on a career intermission; or

(g) on secondment; or

(h) on additional maternity leave or adoption leave over 40 weeks; or

(i) on additional shared parental leave over 40 weeks; or

(j) on unpaid parental leave.

AF 5.3. On the date of application:

(a) the applicant must be within 18 weeks of their discharge date; or

(b) the applicant must have been discharged from HM Armed Forces for less than 2 years; or

(c) in the case of an applicant who was medically discharged more than 2 years before the date of application, new information regarding their medical prognosis is being considered by the decision maker; or

(d) the applicant must have last been granted entry clearance or permission to stay as an HM Armed Forces service leaver.

Medical discharge requirement for a HM Armed Forces service leaver

AF 6.1. The medical discharge requirement for settlement as an HM Armed Forces service leaver is met if the applicant has been medically discharged from HM Armed Forces and either:

(a) the cause of the medical discharge was attributable to deployment on operations; or

(b) the cause of medical discharge was attributable to service and it is appropriate to grant settlement following consideration of:

(i) the seriousness of the illness or injury; and

(ii) the need for further medical treatment in relation to the illness or injury and the availability of such medical treatment in the applicant's country of origin; and

(iii) the prognosis for recovery, including whether the injury or illness will affect the applicant's ability to support themselves in their country of origin; and

(iv) the length of reckonable service in HM Armed Forces at the time of the applicant's medical discharge.

AF 6.2. The medical discharge requirement for permission to stay as an HM Armed Forces service leaver is met if AF 6.1. does not apply, but the applicant has been medically discharged from service in HM Armed Forces, and:

(a) the cause of the medical discharge was attributable to service in HM Armed Forces; and

(b) before they can return to their country of origin it is appropriate to grant permission to stay to facilitate:

(i) further medical treatment; or

(ii) a period of recovery before they can travel.

Decision on an application as an HM Armed Forces service leaver

AF 7.1. If the decision maker is satisfied that the validity, suitability and eligibility requirements for settlement as an HM Armed Forces service leaver are met, the applicant will be granted settlement.

AF 7.2. If the decision maker is satisfied that the validity, suitability, and eligibility requirements for permission to stay, but not settlement, as an Armed Forces service leaver, are met, the applicant will be granted permission to stay.

AF 7.3. If the decision maker is not satisfied that the applicant meets the suitability and eligibility requirements for settlement or permission to stay the application will be refused.

AF 7.4. If the application is refused the applicant can apply for an Administrative Review under Appendix Administrative Review.

Period and conditions of grant for HM Armed Forces service leaver

AF 8.1. Where the decision is to grant permission to stay, the applicant will be granted permission to stay for a period not exceeding 30 months and will be subject to such conditions as to work, study and access to public funds as the decision maker considers appropriate.

Partner or dependent child ("child") of a member of HM Armed Forces or an HM Armed Forces service leaver

Validity requirements for a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver

AF 9.1. If applying from outside the UK for entry clearance as a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver, the applicant must apply online on the gov.uk website on the specified form “VAF AF”.

AF 9.2. If applying from in the UK for permission to stay as a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver, the applicant must apply on the gov.uk website on the specified form: “Further leave to remain – Armed Forces”.

AF 9.3. An application as a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver must meet all the following requirements:

(a) any required fee must have been paid; and

(b) the applicant must have provided biometrics when required; and

(c) the applicant must have provided a passport or other document that satisfactorily establishes their identity and nationality.

AF 9.4. An applicant applying for permission to stay must be in the UK on the date of application.

AF 9.5. An application which does not meet all the validity requirements for a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver

AF 10.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

AF 10.2. If the applicant is in the UK on the date of application, they must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver.

Entry requirements for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 11.1. If applying from outside the UK, the applicant must apply for and obtain entry clearance as a partner or child of a member of HM Armed Forces or of an HM Armed Forces service leaver before they arrive in the UK.

AF 11.2. An applicant must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 12.1. The applicant must be the partner of a person (P) where:

(a) P is a member of HM Armed Forces who is exempt from immigration control; or

(b) P is, at the same time applying for (and is being granted) permission to stay or settlement as a HM Armed Forces service leaver; or

(c) P has permission under this Appendix; or

(d) P is settled or is a British citizen and P had permission (or exemption from control) as a member of HM Armed Forces before they were granted settlement or citizenship.

AF 12.2. The requirements of Appendix Relationship with Partner must be met.

Relationship requirements for a fiancé(e) or proposed civil partner of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 13.1. If the application is for entry clearance and the applicant is a fiancé(e) or proposed civil partner:

(a) the applicant and their fiancé(e) or proposed civil partner must be aged 18 or over on the date of application; and

(b) the applicant and their fiancé(e) or proposed civil partner must have met in person; and

(c) the relationship between the applicant and their fiancé(e) or proposed civil partner must be genuine; and

(d) the applicant and their fiancé(e) or proposed civil partner must not be so closely related that they would be prohibited from marrying, or entering into a civil partnership with, each other as defined in the Marriage Acts 1949 to 1986, the Marriage (Scotland) Act 1977 and 1986, the Marriage (Northern Ireland) Order 2003, the Civil Partnership Act 2004 and the Marriage and Civil Partnership (Scotland) Act 2014; and

(e) neither the applicant nor their fiancé(e) or proposed civil partner can be married to, or in a civil partnership with, another person at the date of application; and

(f) the applicant must be seeking entry clearance to enable their marriage or civil partnership to take place in the UK within 6 months of the date of entry to the UK.

AF 13.2. If the application is for permission to stay as a fiancé(e) or proposed civil partner:

(a) the applicant must have been granted entry clearance as a fiancé(e) or proposed civil partner; and

(b) the marriage or civil partnership must not have taken place; and

(c) the decision maker must be satisfied there is a good reason for the delay; and

(d) the decision maker must be satisfied the marriage or civil partnership will take place in the UK within 6 months of the date of application for permission to stay.

Requirements as a child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 14.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age requirement; and

(b) independent life requirement; and

(c) care requirement; and

(d) relationship requirement: entry clearance and permission to stay.

English language requirement for entry clearance or permission to stay as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 15.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

AF 15.2. The applicant must show they meet the English language requirement, or are exempt, as set out in Appendix English Language.

Financial requirements for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver applying for entry clearance or permission to stay on or after 11 April 2024

AF 16.1. Unless AF 17.1 applies, the applicant must provide specified (where "specified" means as specified in Appendix FM-SE to these Rules) evidence from sources listed in AF 16.3. that:

(a) where the applicant is a partner, or where the applicant is a dependent child whose parent is also applying for or has entry clearance or permission as a partner of a member of HM Armed Forces or an HM Armed Forces service leaver, the applicant meets the financial requirement in AF 16.2; or
(b) where the HM Armed Forces member or HM Armed Forces service leaver, in relation to whom the applicant is applying as a partner or dependent child, is receiving any of the benefits or funds listed in AF 16.4, the applicant's partner, or in the case of an applicant child, the child's parents can adequately maintain themselves, the applicant and any other children in the UK, without recourse to public funds; or
(c) where the applicant is a child of a member of HM Armed Forces, or an HM Armed Forces service leaver parent, who has sole parental responsibility for them, the parent can adequately maintain themselves, the applicant and any other children in the UK without recourse to public funds.

AF 16.2. The financial requirement is:

(a) a gross annual income of at least £23,496, alone or in combination with
(b) savings of:
(i) £16,000; and
(ii) additional savings of an amount equivalent to the difference between the gross annual income at AF 16.2. (a), from the sources listed in AF 16.3. (a) to (d), and the total amount required under AF.16.2 (a), multiplied by the length in years of the period of temporary permission to stay for which the applicant has applied (or by the part-year equivalent if the applicant has applied for less than 12 months) from the sources listed in AF 16.3.

AF 16.3. When determining whether the financial requirement in AF 16.2. is met only the following sources will be taken into account:

(a) income of the member of HM Armed Forces or HM Armed Forces service leaver from employment or self-employment, which, in respect of a person returning to the UK with the applicant, can include employment or self-employment overseas and in the UK; or
(b) (where the applicant is a dependent child) income of the applicant's parent who is also applying for or has entry clearance or permission as a dependent partner of a member of HM Armed Forces or an HM Armed Forces service leaver from specified

employment or self-employment if they are in the UK unless they are working illegally; or
(c) specified pension income of the applicant and their partner; or
(d) any specified maternity allowance or bereavement benefit received by the partner in the UK or any specified payment relating to service in HM Armed Forces received by the applicant or their partner; or
(e) Specified income from the sources at sub-paragraphs (b) and (d) of a dependent child aged 18 or over, of a member of HM Armed Forces or an HM Armed Forces service leaver; or
(f) specified savings of the member of HM Armed Forces or the HM Armed Forces service leaver, their partner or dependent child aged 18 or over.

AF 16.4. For the purpose of AF 16.1. (b), or AF 17.3. (b), the member of HM Armed Forces, or the HM Armed Forces service leaver, must be in receipt of one of the following:
(a) disability living allowance; or
(b) severe disablement allowance; or
(c) industrial injury disablement benefit; or
(d) attendance allowance; or
(e) carer's allowance; or
(f) personal independence payment; or
(g) adult disability payment (Scotland); or
(h) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or
(i) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or Police Injury Pension:
(j) Police Injury Pension; or
(k) Child Disability Payment; or
(l) Adult Disability Payment.

AF 16.5. The applicant must show they meet the financial requirement as specified in Appendix FM-SE.

Pre-11 April 2024 Transitional financial requirements

AF 17.1. An applicant need not meet the requirements in AF 16.1 and instead must provide specified (where "specified" means as specified in Appendix FM-SE to these Rules) evidence from the sources listed in AF 17.5 that they meet the transitional financial requirement at AF 17.3 if:
(a) (in the case of dependant partner applications) they have permission as a dependant partner (including as a fiancé(e) or proposed civil partner) of a member of HM Armed Forces or HM Armed Services leaver at the date of application, if they made an application for entry clearance or permission as such a partner, before 11 April 2024, which was successful;
(b) Where the applicant is a dependent child, the parent of the applicant has applied, or is applying for, entry clearance or permission as a dependant partner of a member of HM Armed Forces or and HM Armed Forces service leaver and they meet the requirements of (a) above;
(c) the application for entry clearance, permission to enter or permission to stay, as a dependant partner or child has been made before 11 April 2024.

AF 17.2. Where the applicant is a partner, AF 17.1(a) only applies if the applicant is applying for permission to stay with the same partner as when they were last granted permission (and

if applying for permission with a new partner, the applicant must meet the financial requirement at AF 16.2).

AF 17.3. The applicant must provide specified (where “specified” means as specified in Appendix FM-SE to these Rules) evidence from sources listed in AF 17.5. that:

(a) the financial requirement in AF 17.4. is met: or

(b) where the member of HM Armed Forces or HM Armed Forces service leaver in relation to whom the applicant is applying as a dependant is receiving any of the benefits or funds listed in AF 16.4., the applicant partner, or in the case of an applicant child, either or both of the child’s parents can adequately maintain themselves, the applicant and any children in the UK, without recourse to public funds; or

(c) where the applicant is a child of a member of HM Armed Forces, or an HM Armed Forces service leaver parent, who has sole parental responsibility for them, the parent can adequately maintain themselves, the applicant and any other children in the UK without recourse to public funds.

AF 17.4. The financial requirement is:

(a) a gross annual income of at least:

(i) £18,600; and

(ii) an additional £3,800 for the first child; and

(iii)an additional £2,400 for each additional child; alone or in combination with

(b) savings of

(i) £16,000; and

(ii) additional savings or an amount equivalent to the difference between the gross annual income from the sources listed in AF 17.3.(a) to (d) and the total amount required under paragraph AF 17.2 multiplied by the length in years of the period of limited leave for which the applicant has applied (or by the part-year equivalent if the applicant has applied for less than 12 months’ limited leave) - between the gross annual income from the sources listed in paragraph.

AF 17.5. When determining whether the financial requirement in AF 17.3. or AF 17.4. is met only the following sources will be taken into account:

(a) income of the member of HM Armed Forces or HM Armed Forces service leaver from specified employment or self-employment, which, in respect of a person returning to the UK with the applicant, can include specified employment or self-employment overseas and in the UK; or

(b) the dependant partner applicant’s (or, where the applicant is a dependent child, income of the applicant’s parent who is also applying for or has entry clearance or permission as a dependent partner of a member of HM Armed Forces or an HM Armed Forces service leaver) income from specified employment or self-employment if they are in the UK unless they are working illegally;

(c) specified pension income of the applicant and partner; or

(d) any specified maternity allowance or bereavement benefit received by the partner in the UK or any specified payment relating to service in HM Armed Forces received by the applicant or partner; or

(e) income from the sources at AF 17.6.(b) and (d) of a dependent child of the applicant or the applicant’s parent who is aged 18 or over; and

(f) specified savings of the applicant and their partner; or of the applicant’s parent and that parent’s partner; or of a dependent child of the applicant or the applicant’s parent who is aged 18 or over.

AF 17.6. In AF 17.4. “child” means a dependent child of the applicant or the applicant’s partner who is:

(a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route; and

(b) applying for entry clearance or leave to remain as a dependant of the applicant or the applicant’s partner, or is in the UK with leave as their dependant; and

(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under EU3 or EU3A of Appendix EU to these Rules; and

(d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (European Economic Area) Regulations 2016.

AF 17.7. Where the financial requirement at AF 16.4. exceeds £23,496 due to the number of children in the family, the applicant will only need to provide evidence of a gross annual income of £23,496.

Accommodation requirement for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 18.1. The applicant’s accommodation in the UK must not be overcrowded or contravene public health regulations.

Eligibility requirement for entry clearance or permission to stay as a partner or child of a member of HM Armed Forces or an Armed Forces service leaver relying on Article 8 of the European Convention on Human Rights.

AF 19.1. Where the applicant does not meet all the suitability requirements or eligibility requirements for a partner or child of a member of HM Armed Forces or an Armed Forces service leaver, the decision maker must be satisfied that refusal of the application would breach Article 8 of the Human Rights Convention because it would result in unjustifiably harsh consequences for the applicant or their family.

AF 19.2. Where AF 19.1. applies, and the applicant falls for refusal under paragraph 9.2.1., 9.2.3., 9.4.1.,9.5.1., of Part 9 General Grounds for Refusal, the application as a partner or child of a member of HM Armed Forces or an Armed Forces Service leaver, will be refused.

Decision on an application as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 20.1. If the decision maker is satisfied that the validity, suitability and eligibility requirements are met, or the applicant meets AF 19.1. (unless AF 19.2. applies), the application will be granted, otherwise the application will be refused.

Period and conditions of grant for entry clearance or permission to stay for partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 21.1. Entry clearance or permission to stay as a partner will be granted for whichever is shorter of:

(a) 5 years; or

(b) the remaining duration of the applicant’s partner’s enlistment; or

(c) the remaining duration of the applicant’s partner’s extant permission; or

(d) 6 months if the applicant is being granted entry clearance or permission to stay as a fiancé(e) or proposed civil partner.

AF 21.2. Entry clearance or permission to stay as a dependent child will be granted to end on the same date as whichever of their parents' permission ends first, unless one parent is a British citizen or a person who has a right to enter or stay in the UK without restriction and is, or will be, ordinarily resident in the UK, in such case, the applicant will be granted permission to stay which ends on the same date as the parent who is granted as the partner of a member of HM Armed Forces or an HM Armed Forces service leaver.

AF 21.3. The grant will be subject to the following conditions:

(a) no access to public funds; and

(b) work permitted (including self-employment and voluntary work) (unless granted as a fiancé(e) or proposed civil partner where no work is permitted); and

(c) study permitted, subject to the ATAS condition in Appendix ATAS (unless granted as a fiancé(e) or proposed civil partner where no study is permitted).

Settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces Service leaver

Validity requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 22.1. If applying from outside the UK, a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver must apply online on the gov.uk website on the specified form: "VAF: AF".

AF 22.2. If applying from in the UK, a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver must apply for settlement on the gov.uk website on the specified form: "SET: Armed Forces".

AF 22.3. An application for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document that satisfactorily establishes their identity and nationality.

AF 22.4. An application which does not meet all the validity requirements for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver may be rejected as invalid and not considered.

Suitability requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 23.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

AF 23.2. If the applicant is in the UK on the date of application, they must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

Entry requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 24.1. If applying from outside the UK as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver the applicant must apply for and obtain entry clearance for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver before they arrive in the UK.

AF 24.2. If Appendix Tuberculosis applies, the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for settlement as a partner of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 25.1. The applicant must be the partner of a person (P) where one of the following apply:

(a) P is a member of HM Armed Forces exempt from immigration control with at least 5 years' reckonable service; or

(b) P has been granted or, is at the same time applying for (and is being granted) settlement as a HM Armed Forces service leaver; or

(c) P has leave to enter or remain under this Appendix or Part 7 paragraphs 276E-QA of these Rules or under the concession which existed outside these Rules whereby the Secretary of State exercised discretion to grant leave to enter or remain to a member of HM Forces who has been medically discharged; or

(d) P is settled or is a British citizen and P had permission (or exemption) as a member of HM Armed Forces before they were granted settlement or citizenship.

AF 25.2. The requirements of Appendix Relationship with Partner must be met.

Relationship requirements for settlement as a child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 26.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age requirement; and

(b) independent life requirement; and

(c) care requirement; and

(d) relationship requirement: settlement.

Qualifying period for settlement as partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 27.1. The applicant must have completed a continuous period of 60 months with permission under this Appendix as the partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver (excluding any period of entry clearance or permission to stay as a fiancé(e) or proposed civil partner).

AF 27.2. If the applicant does not meet AF 27.1, the qualifying period of 60 months can be met by including periods of time spent with continuous residence on any other route to settlement, if the applicant:

(a) did not enter the UK illegally; and

(b) has permission as a partner of a member of HM Armed Forces or an HM Armed Forces service leaver for at least one year immediately before the date of application.

Continuous residence requirement for settlement as partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 28.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence for the qualifying period.

English language requirement for settlement for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 29.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

AF 29.2. The applicant must show they meet the English language requirement, or are exempt, as set out in Appendix English Language.

Knowledge of life in the UK requirements for settlement as partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 30.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOLL UK.

Financial requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 31.1. Unless AF 32.1. applies, the applicant must provide specified (where “specified” means as specified in Appendix FM-SE to these Rules) evidence from sources listed in AF 31.3. that:

(a) where the applicant is a partner, or where the applicant is a dependent child whose parent is also applying for or has entry clearance or permission as a partner of a member of HM Armed Forces or an HM Armed Forces service leaver, the applicant meets the financial requirement in AF 31.2.; or

(b) where the HM Armed Forces member or HM Armed Forces service leaver in relation to whom the applicant is applying as a partner or dependent child is receiving any of the benefits or funds listed in AF 31.4., the applicant’s partner, or in the case of an applicant child, the child’s parents, can adequately maintain themselves, the applicant and any other children in the UK, without recourse to public funds; or

(c) where the applicant is a child of a member of HM Armed Forces, or an HM Armed Forces service leaver, parent who has sole parental responsibility for them, the parent can adequately maintain themselves, the applicant and any other children in the UK without recourse to public funds.

AF 31.2. The financial requirement is:

(a) a gross annual income of at least £23,496, alone or in combination with

(b) savings of

(i) £16,000; and
(ii) additional savings of an amount equivalent to the amount which is the difference between the gross annual income at AF 31.2 (a), from the sources listed in AF 31.3. (a) to (d), and the total amount required under AF 31.2 (a); or

(c) the requirements in AF 31.4. being met.

AF 31.3. When determining whether the financial requirement in AF 31.2 is met only the following sources will be taken into account:

(a) income of the member of HM Armed Forces or HM Armed Forces service leaver in the UK with permission to work , which, in respect of a person returning to the UK with the applicant, can include employment or selfemployment overseas and in the UK; or
(b) the dependant partner applicant's (or, where the applicant is a dependent child, income of the applicant's parent who is also applying for or has entry clearance or permission as a dependent partner of a member of HM Armed Forces or an HM Armed Forces service leaver) income from specified employment or self-employment if they are in the UK unless they are working illegally; or
(c) pension income of the applicant and their partner; or
(d) any maternity allowance or bereavement benefit received by the partner in the UK or any specified payment relating to service in HM Armed Forces received by the applicant or their partner; or
(e) income from the sources at sub-paragraphs (b) and (d) of a dependent child aged 18 or over, of a member of HM Armed Forces or an HM Armed Forces service leaver; or
(f) savings of the applicant and partner, or child where the child is over 18 at the date of application.

AF 31.4. For the purpose of AF 31.2. (c), or AF 32.3 (c), the member of HM Armed Forces, or the HM Armed Forces service leaver, must be in receipt of one of the following:

(a) disability living allowance; or
(b) severe disablement allowance; or
(c) industrial injury disablement benefit; or
(d) attendance allowance; or
(e) carer's allowance; or
(f) personal independence payment; or
(g) adult disability payment (Scotland); or
(h) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or
(i) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or Police Injury Pension:
(j) Police Injury Pension; or
(k) Child Disability Payment; or
(l) Adult Disability Payment.

AF 31.5. The applicant must show they meet the financial requirement as specified in Appendix FM-SE.

Transitional financial requirements for a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 32.1. An applicant need not meet the requirements in AF 31.1. and instead must provide specified evidence from the sources listed in AF 31.3 that they meet the transitional financial requirement at AF 32.3. if:

(a) (in the case of dependant partner applications) they have permission as a dependant partner (including as a fiancé(e) or proposed civil partner) of a member of HM Armed Forces or HM Armed Services leaver at the date of application if they made an application for entry clearance or permission as such a partner before 11 April 2024, which was successful (and that application did not rely on Article 8 of the European Convention on Human Rights following consideration of AF 19.1); or
(b) Where the applicant is a dependent child, the parent of the applicant has applied, or is applying for, entry clearance or permission as a dependant partner of a member of HM Armed Forces or an HM Armed Forces service leaver and meets the requirements of (a) above; or
(c) the application for settlement has been made before 11 April 2024.

AF 32.2. Where the applicant is a partner, AF 32.1(a) only applies if the applicant is applying for settlement with the same partner as when they were last granted permission (and if applying for settlement with a new partner, the applicant must meet the financial requirement at AF 31.2.).

AF 32.3. The financial requirement is:
(a) a gross annual income of at least:
(i) £18,600;
(ii) an additional £3,800 for the first child; and
(iii)an additional £2,400 for each additional child; alone or in combination with:
(b) specified savings of:
(i) £16,000; and
(ii) additional savings or an amount equivalent to the amount which is the difference between the gross annual income from the sources listed in AF 30.3.(a) to (d) and the total amount required under AF 31.3(a).; or
(c) £23,496, where the requirements of AF 32.4. are met.

AF 32.4. Where the financial requirement at AF 32.3.(a) exceeds £23,496 due to the number of children in the family, the applicant will only need to provide evidence of a gross annual income of £23,496.

AF 32.5. In AF 32.3. “child” means a dependent child of the applicant or the applicant’s partner who is:
(a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route; and
(b) applying for entry clearance or leave to remain as a dependant of the applicant or the applicant’s partner, or is in the UK with leave as their dependant; and
(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under EU3 or EU3A of Appendix EU to these Rules; and
(d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (European Economic Area) Regulations 2016.

Decision on an application for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver

AF 33.1. If the decision maker is satisfied that all the suitability and eligibility requirements for settlement as a partner or child of a member of HM Armed Forces or an HM Armed Forces service leaver are met, the applicant will be granted entry clearance for settlement (where the applicant is outside the UK) or settlement.

AF 33.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet the requirements for permission to stay as a partner or child of a member of HM Armed Forces or HM Armed Forces service leaver under this Appendix, the application will be varied by the Secretary of State to an application for permission to stay as a partner or child of a member of HM Armed Forces or HM Armed Forces Service leaver. Where this happens no additional application fee for entry clearance or permission to stay will be required and the settlement application fee will not be refunded.

AF 33.3. Where AF 33.2. applies, and the outcome of the consideration is to grant permission to stay as a partner, it will be for whichever is shorter of:

(a) 5 years; or

(b) the remaining duration of the applicant's partners enlistment; or

(c) the remaining duration of the applicant's partners extant permission or

(d) 6 months if the applicant is being granted entry clearance, permission to enter or stay as a fiancé(e) or proposed civil partner.

AF 33.4. Where AF 33.2. applies, permission to stay as a child will be granted to end on the same day as whichever of their parents' permission ends first unless the other parent is a British citizen who has a right to enter or stay in the UK without restriction and is, or will be, ordinarily resident in the UK, in which case the applicant will be granted permission which ends on the same date as the parent who is granted as the partner of a member of HM Armed Forces or HM Armed Forces service leaver.

AF 33.5. The grant under AF 33.2. will be subject to the following conditions:

(a) no access to public funds; and

(b) work permitted (including self-employment and voluntary work) (unless granted as a fiancé(e) or proposed civil partner in which case work is permitted); and

(c) study permitted, subject to the ATAS condition in Appendix ATAS (unless granted as a fiancé or proposed civil partner in which case no study is allowed).

AF 33.6. If the decision maker is not satisfied that the applicant meets the requirements for settlement or permission to stay, the application for settlement will be refused.

Back to top

Immigration Rules

Appendix International Armed Forces and International Civilian Employees

This route is for members of International Armed Forces and for International Civilian Employees of either a North Atlantic Treaty Organisation (NATO) force or the Australian Department of Defence.

A partner or child of a member of an International Armed Force or International Civilian Employees of either a North Atlantic Treaty Organisation (NATO) or the Australian Department of Defence can also apply on this route.

This route is also for a partner or child of a member of an International Armed Force who is exempt from immigration control:

- under the 1971 Immigration Act; or
- under the Visiting Forces Act 1952,

where the partner or child is listed as a dependant on the sponsor's military movement orders or equivalent civilian posting letter.

An application can be made from in the UK or overseas.

The International Armed Forces and International Civilian Employees route is not a route to settlement.

Those serving in International Reserve Forces or in a civilian capacity with a reserve force, cannot apply on this route.

Members of International Armed Forces and International Civilian Employees

Validity requirements for member of International Armed Forces and International Civilian Employees

AFI 1.1. A person applying for entry clearance or permission to stay as a member of International Armed Forces or an International Civilian Employee must apply on the gov.uk website on the specified forms as follows:

(a) for applicants outside the UK, form "Armed Forces" on the "Find and apply for other visas from outside the UK" form; or
(b) for applicants in the UK, form "Further leave to remain – Immigration Rules - Armed Forces".

AFI 1.2. An application must meet all the following requirements:

(a) any fee and the Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be aged 18 or over on the date of application.

AFI 1.4. An application which does not meet all the validity requirements for the International Armed Forces and International Civilian Employees route may be rejected as invalid and not considered.

Suitability requirements for members of International Armed Forces and International Civilian Employees

AFI 2.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

AFI 2.2. If the applicant is in the UK, they must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for members of International Armed Forces and International Civilian Employees

Entry requirements for members of International Armed Forces and International Civilian Employees

AFI 3.1. A person seeking to come to the UK must apply for and obtain entry clearance as a member of International Armed Forces or an International Civilian Employee before they arrive in the UK.

AFI 3.2. A person applying for entry clearance as a member of International Armed Forces or an International Civilian Employee must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Service requirements for members of International Armed Forces and International Civilian Employees

AFI 4.1. A member of an International Armed Force must show they:

(a) are a serving member of an International armed force; and

(b) have been invited by HM Armed Forces to undergo training in the UK provided by HM Armed Forces; or by the Ministry of Defence to study or become familiar with military equipment being supplied by a firm in the UK; and

(c) will leave the UK at the end of their period of training or familiarisation.

AFI 4.2. An International Civilian Employee must: show they

(a) are a civilian who is being employed to work in the UK by:

(i) a NATO force (which includes an employee of the American Red Cross working with US Forces in the UK); or

(ii) a company under contract to a NATO force; or

(iii) the Australian Department of Defence; and

(b) will leave the UK at the end of their period of employment.

Financial requirements for members of International Armed Forces and International Civilian Employees

AFI 5.1. The applicant must be able to adequately maintain themselves and any dependants in the UK without access to public funds.

AFI 5.2. The applicant must show they meet the financial requirement as specified in Appendix FM-SE.

Accommodation requirements for members of International Armed Forces and International Civilian Employees

AFI 6.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Decision on an application from members of International Armed Forces and International Civilian Employees.

AFI 7.1. If the decision maker is satisfied that the validity, suitability and relevant eligibility requirements for a member of International Armed Forces or International Civilian Employees are met, the application will be granted, otherwise, the application will be refused.

AFI 7.2. If the application is refused the person can apply for an Administrative Review under Appendix Administrative Review.

Period of grant for a member of International Armed Forces

AFI 8.1. Period of grant for a member of International Armed Forces is the shorter period of:

(a) 4 years; or
(b) the duration of the training, study or familiarisation.

AFI 8.2. An additional period of 3 months may be granted beyond the end of the training, study or familiarisation where the total period of permission granted does not exceed 4 years, if:

(a) permission to stay is required to enable the applicant to meet third country transit regulations which require passengers to have 3 months' extant leave in the UK; and
(b) travel to the third country forms part of the training, study or familiarisation.

Conditions of grant for a member of International Armed Forces

AFI 9.1. The grant for a member of International Armed Forces will be subject to the following conditions:

(a) no access to public funds; and
(b) no work, other than as a member of the International Armed Force; and
(c) study permitted, subject to the ATAS condition in Appendix ATAS.

Period of grant for an International Civilian Employee

AFI 10.1. Period of grant for an International Civilian Employee of a NATO force or the Australian Department of Defence is either:

(a) 6 months, where the duration of their period of employment in the UK does not exceed 6 months; or
(b) five years, where the duration of their period of employment in the UK exceeds 6 months.

AFI 10.2. Period of grant for an International Civilian Employee of a company under contract to a NATO force, is the shorter period of:

(a) 4 years; or

(b) the duration of the period of employment of the civilian employee.

Conditions of grant for an International Civilian Employee

AFI 11.1. The grant for a member of the International Civilian Employee will be subject to the following conditions:

(a) no access to public funds; and

(b) no work other than as an International Civilian Employee; and

(c) study permitted, subject to the ATAS condition in Appendix ATAS

Partner or child of a member of International Armed Forces and International Civilian Employees

Validity requirements for a partner or child of a member of International Armed Forces and International Civilian Employees

AFI 12.1. A person applying for entry clearance or permission to stay as a partner or child of a member of International Armed Forces or an International Civilian Employee must apply on the gov.uk website, on the specified forms as follows:

(a) for applicants outside the UK, form “Armed Forces” on the “Find and apply for other visas from outside the UK” form; or

(b) for applicants in the UK, form “Further leave to remain – Immigration Rules -Armed Forces.”

AFI 12.2. An application must meet all the following requirements:

(a) any fee and the Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

AFI 12.3. An applicant applying for permission to stay must be in the UK on the date of application.

AFI 12.4. An application which does not meet all the validity requirements as a partner or child of a member of a member of the International Armed Forces or an International Civilian Employee may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a member of International Armed Forces and International Civilian Employees

AFI 13.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

AFI 13.2. If the applicant is in the UK, they must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a partner or child of member of an International Armed Force and International Civilian Employees

Entry requirements for a partner or child of a member of International Armed Forces and International Civilian Employees

AFI 14.1. A person seeking to come to the UK must apply for and obtain entry clearance as a partner or child of a member of International Armed Forces and International Civilian Employee before they arrive in the UK.

AFI 14.2. A person applying for entry clearance as a partner or child of a member of International Amed Forces or an International Civilian Employee must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of a member of an International Armed Force, International Civilian Employees or members of an International Armed Force exempt from control.

AFI 15.1. The applicant must:

(a) be the partner of a member of an International Armed Force, or an International Civilian Employee who meets the service requirements of AFI 4.1. or AFI 4.2, who has permission or is at the same time applying for (and is being granted) permission under this Appendix; or

(b) be the partner of a member of an International Armed Force exempt from control where the applicant is listed as a partner on the International Armed Forces member's military movement orders or equivalent civilian posting letter.

AFI 15.2. The requirements of Appendix Relationship with Partner must be met.

Relationship requirements for a child of a member of International Armed Forces, International Civilian Employees or members of an International Armed Force exempt from control.

AFI 16.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age requirement; and
(b) independent life requirement; and
(c) care requirement; and
(d) relationship requirement: entry clearance and permission to stay.

Financial requirements for a partner or child of members of International Armed Forces, International Civilian Employees or members of an International Armed Force exempt from immigration control.

AFI 17.1 The applicant must show that the member of International Armed Forces or International Civilian Employee is able to adequately maintain themselves and their partner and any child in the UK without access to public funds.

AFI 17.2. The applicant' must show they meet the financial requirement as specified in Appendix FM-SE.

Accommodation requirements for partner or child of members of International Armed Forces and International Civilian Employees

AFI 18.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Decision on an application from a partner or child of member of International Armed Forces or International Civilian Employees

AFI 19.1. If the decision maker is satisfied that the validity, suitability and relevant eligibility requirements for a partner or child of International Armed Forces or Page 45 of 289 International Civilian Employees are met, the application will be granted, otherwise the application will be refused.

AFI 19.2. If the application is refused the person can apply for an Administrative Review under Appendix Administrative Review.

Period of a grant for a partner or child of a member of International Armed Forces

AFI 20.1. Period of grant for a partner of a member of International Armed Forces is the shorter period of:

(a) 4 years; or

(b) the duration of the member of International Armed Forces period of posting.

AFI 20.2 A child will be granted entry clearance or permission to stay which ends on the same date as whichever of their parents' permission ends first.

Conditions of a grant for a partner or child of a member of International Armed Forces

AFI 21.2. The grant for a partner or child of a member of International Armed Forces will be subject to all the following conditions:

(a) no access to public funds; and

(b) no work if permission is being granted for less than 6 months; and

(c) work permitted if period of grant is for 6 months or more: and

(d) study is permitted, subject to the ATAS conditions in Appendix ATAS.

Period of grant for a partner or child of an International Civilian Employee

AFI 22.1. Period of grant for a partner of a civilian employee of a NATO force or the Australian Department of Defence are:

(a) 6 months, where the duration of the civilian employee of a NATO force or the Australian Department of Defence's period of employment in the UK is less than 6 months; or

(b) 5 years, where the duration of the civilian employee of a NATO force or the Australian Department of Defence's period of employment in the UK is for 6 months or more; or

(c) where the grant is as a partner of a Civilian Employee under contract to a NATO force, the shorter period of 4 years or the duration of the period of the civilian employee's employment.

AFI 22.2. A child will be granted entry clearance or permission to stay which ends on the same date as whichever of their parents' permission ends first.

Conditions of grant for a partner or child of an International Civilian Employee

AFI 23.1. The grant for a partner or child of an International Civilian Employee will be subject to the following conditions:

(a) no access to public funds; and
(b) no work if granted is for less than 6 months; and
(c) work permitted if grant is for 6 months or more; and
(d) study is permitted; subject to the ATAS conditions in Appendix ATAS.

Back to top

Immigration Rules

Appendix B

English Language

Appendix B - English language

1. An applicant applying as a Tier 1 Migrant must have 10 points for English language, unless applying for entry clearance or leave to remain:

(i) as a Tier 1 (Exceptional Talent) Migrant,
(ii) as a Tier 1 (Investor) Migrant,
(iii) DELETED.

(iv) DELETED.

2. The levels of English language required are shown in Table 1.

3. Available points for English language are shown in Table 2.

4. Notes to accompany the tables are shown below each table.

Table 1
Level of English language required to score points

Tier 1

Row	Category	Applications	Level of English language required
B	Tier 1 (Entrepreneur)	Entry clearance and leave to remain	A knowledge of English equivalent to level B1 or above of the Council of Europe's Common European Framework for Language Learning

5. DELETED.

Table 2
Points available for English language

Factor	Points
National of a majority English speaking country	10
Degree taught in English	10
Passed an English language test	10
Met requirement in a previous grant of leave	10
Transitional arrangements	10

Notes

National of a majority English speaking country

6. 10 points will only be awarded for being a national of a majority English speaking country if the applicant has the relevant level of English language shown in Table 1 and:

(i) is a national of one of the following countries:

Antigua and Barbuda
Australia
The Bahamas
Barbados
Belize
The British Overseas Territories
Canada
Dominica
Grenada
Guyana
Jamaica

Malta
New Zealand
St Kitts and Nevis
St Lucia
St Vincent and the Grenadines
Trinidad and Tobago
USA

and

(ii) provides his valid passport or travel document to show that this requirement is met. If the applicant is unable to do so, the UK Border Agency may exceptionally consider this requirement to have been met where the applicant provides full reasons in the passport section of the application form, and either:

(1) a current national identity document, or

(2) a letter from his home government or embassy, on the letter-headed paper of the government or embassy, which has been issued by an authorised official of that institution and confirms the applicant's full name, date of birth and nationality.

Degree taught in English

7. 10 points will be awarded for a degree taught in English if the applicant has the relevant level of English language shown in Table 1 and:

(i) has obtained an academic qualification (not a professional or vocational qualification) which either:

(1) is a UK Bachelor’s degree, Master’s degree or PhD

(2) is a qualification awarded by an educational establishment outside the UK, which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to the appropriate level of the Council of Europe's Common European Framework for Language learning or above

or:

(3) is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and is from an educational establishment in one of the following countries:

Antigua and Barbuda
Australia
The Bahamas
Barbados

Belize
The British Overseas Territories
Dominica
Grenada
Guyana
Ireland
Jamaica
Malta
New Zealand
St Kitts and Nevis
St Lucia
St Vincent and The Grenadines
Trinidad and Tobago
the USA,

and

(ii) provides the following specified documents to show he has the qualification:

(1) the certificate of the award, or

(2) if the applicant is awaiting graduation having successfully completed the qualification, or no longer has the certificate and the awarding institution is unable to provide a replacement, an academic transcript (or letter in the case of a PhD qualification) from the awarding institution on its official headed paper, which clearly shows:

(a) the applicant's name,

(b) the name of the awarding institution,

(c) the title of the award,

(d) confirmation that the qualification has been or will be awarded, and

(e) the date that the certificate will be issued (if the applicant has not yet graduated) or confirmation that the institution is unable to reissue the certificate or award, and

(iii) provides documentation produced by Ecctis which confirms the assessment in (i)(2) or (3), if applicable.

8. DELETED.

9. DELETED.

Passed an English language test

10. Ten points will only be awarded for passing an English language test if the applicant has passed a Secure English Language Test, at a Secure English Language Test centre, which

has been approved by the Secretary of State and has provided their unique reference number for the test, which allows their score to be verified using the provider's online verification system. Details of the approved tests and Secure English Language Test centres are published on the UK Visas and Immigration pages in Gov.uk.

Where two or more components (reading, writing, speaking and listening) of an English language test are examined and awarded together, for example a combined exam and certificate for reading and writing skills, the specified evidence submitted by the applicant must show that they achieved the required scores in all the relevant components during a single sitting of that examination, unless exempted from sitting a component on the basis of their disability

10A. The qualification obtained must meet or exceed the relevant level shown in Table 1 in:

(i) speaking and listening, if the relevant level is A1 of the Council of Europe's Common European Framework for Language Learning, or

(ii) all four components (reading, writing, speaking and listening), in all other cases, unless the applicant was exempted from sitting a component on the basis of his disability,

Met requirement in a previous grant of leave

11. Subject to paragraph 15 below, 10 points will be awarded for meeting the requirement in a previous grant of leave if the applicant:

(i) has ever been granted leave as a Tier 1 (General) Migrant, a Tier 1 (Entrepreneur) Migrant or Business person, or a Tier 1 (Post-Study Work) Migrant, or

(ii) has ever been granted leave as a Highly Skilled Migrant under the Rules in place on or after 5 December 2006.

12. Subject to paragraph 15 below, 10 points will be awarded for meeting the requirement in a previous grant of leave if the applicant has ever been granted leave:

(a) as a Minister of Religion (not as a Tier 2 (Minister of Religion) Migrant) under the Rules in place on or after 19 April 2007,

(b) as a Tier 2 (Minister of Religion) Migrant, provided that when he was granted that leave he obtained points for English language for being a national of a majority English speaking country, a degree taught in English, or passing an English language test, or

(c) as a Student, and the Confirmation of Acceptance for Studies used to support that application was assigned on or after 21 April 2011 for a course of at least degree level study.

13. Subject to paragraph 15 below, 10 points will be awarded for meeting the requirement in a previous grant of leave if the applicant has ever been granted leave:

(a) as a Tier 1 (Graduate Entrepreneur) Migrant,

(b) as a Tier 2 (General) Migrant under the Rules in place on or after 6 April 2011, or

(c) as a Student, and the Confirmation of Acceptance for Studies used to support that application was assigned on or after 21 April 2011,

provided that when he was granted that leave he obtained points for having a knowledge of English equivalent to level B1 of the Council of Europe's Common European Framework for Language Learning or above.

14. DELETED.

15. No points will be awarded for meeting the requirement in a previous grant of leave if false representations were made or false documents or information were submitted (whether or not to the applicant's knowledge) in relation to the requirement in the application for that previous grant of leave.

Transitional arrangements

16. DELETED.

17. DELETED.

18. DELETED.

Back to top

Immigration Rules

Appendix C

Maintenance (funds) Tier 1 (Entrepreneur)

1A. In all cases where an applicant is required to obtain points under Appendix C, the applicant must meet the requirements listed below:

(a) The funds specified in the relevant part of Appendix C must be available to the applicant on the date of the application (as defined in Part 1 of these Rules),

(b) If the applicant is applying as a Tier 1 (Entrepreneur) Migrant, the applicant must have had the funds referred to in (a) above for a consecutive 90-day period of time;

(c) DELETED.

(ca) DELETED.

(d) If the funds were obtained when the applicant was in the UK, the funds must have been obtained while the applicant had valid leave and was not acting in breach of any conditions attached to that leave;

(e) Where the funds are in one or more foreign currencies, the applicant must have the specified level of funds when converted to pound sterling (£) using the exchange rate specified in FIN 1.1, FIN 1.2 or FIN 1.3;

(f) Where the applicant is applying as a Tier 1 (Entrepreneur) Migrant, the funds must have been under their own control on the date of the application and for the period specified in (b) above; and

(g) Where the application is made at the same time as applications by the partner or child of the applicant (such that the applicant is a Relevant Points Based System Migrant for the purposes of paragraph 319AA), each applicant must have the total requisite funds specified in the relevant parts of appendices C and E. If each applicant does not individually meet the requirements of appendices C and / or E, as appropriate, all the applications (the application by the Relevant Points Based System Migrant and applications as the partner or child of that relevant Points Based system Migrant) will be refused.

(h) the end date of the 90-day period referred to in (b) above will be taken as the date of the closing balance on the most recent of the specified documents (where specified documents from two or more accounts are submitted, this will be the end date for the account that most favours the applicant), and must be no earlier than 31 days before the date of application.

(i) No points will be awarded unless the funds comply with Appendix Finance.

(j) Maintenance must be in the form of cash funds. Other accounts or financial instruments such as shares, bonds, credit cards, pension funds etc, regardless of notice period are not acceptable.

(k) If the applicant wishes to rely on a joint account as evidence of available funds, the applicant (or for children under 18 years of age, the applicant's parent or legal guardian who is legally present in the United Kingdom) must be named on the account as one of the account holders.

(l) Overdraft facilities will not be considered towards funds that are available or under an applicant's own control.

1B. In all cases where Appendix C or Appendix E states that an applicant is required to provide specified documents, the specified documents are:

(a) (i). A personal bank or building society statement which must cover a consecutive 90-day period of time.

(ii) The most recent statement must be dated no earlier than 31 days before the date of the application;

(iii) The statements must clearly show:

(1) the name of:
_i. the applicant,
_ii the applicant's parent(s) or legal guardian's name,
_iii. the name of the Tier 1 (Entrepreneur) Migrant if the applicant is applying as a Partner of a Tier 1 (Entrepreneur) Migrant.

_iv. DELETED

(2) the account number,
(3) the date of each statement,
(4) the financial institution's name,
(5) the financial institution's logo,
(6) any transactions during the specified period, and
(7) that the funds in the account have been at the required level throughout the specified period;

(iv) The statements must be either:

(1) printed on the bank's or building society's letterhead,

(2) electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on company headed paper, confirming the statement provided is authentic, or

(3) electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,

(v) The statements must not be mini-statements from automatic teller machines (ATMs);

or

(b) (i) The building society passbook must cover a consecutive 90-day period of time.

(ii) The period covered by the building society pass book must end no earlier than 31 days before the date of the application;

(iii) The building society pass book must clearly show:

(1) the name of:

_i. the applicant,

_ii the applicant's parent(s) or legal guardian's name,

_iii. the name of the Tier 1 (Entrepreneur) Migrant if the applicant is applying as a Partner of a Tier 1 (Entrepreneur) Migrant.

_iv. DELETED

(2) the account number,

(3) the building society's name and logo,

(4) any transactions during the specified period, and

(5) that there have been enough funds in the applicant's account throughout the specified period;

or

(c) A letter from the applicant's bank or building society, or a letter from a financial institution regulated for the purpose of personal savings accounts by the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA) or, for overseas accounts, the official regulatory body for the country in which the institution operates and the funds are located, which satisfies the following requirements:

(i) The letter must confirm the level of funds and that they have been held for a consecutive 90-day period of time.

(ii) The period covered by the letter must end no earlier than 31 days before the date of the application;

(iii) The letter must be dated no earlier than 31 days before the date of the application;

(iv) The letter must be on the financial institution's letterhead or official stationery;

(v) The letter must clearly show:

(1) the name of:

_i. the applicant,

_ii the applicant's parent(s) or legal guardian's name, if the applicant is applying as a Child of a Tier 1 (Entrepreneur) Migrant, or

_iii. the name of the Tier 1 (Entrepreneur) Migrant, if the applicant is applying as a Partner of a Tier 1 (Entrepreneur) Migrant.

_iv. DELETED

(2) the account number,

(3) the date of the letter,

(4) the financial institution's name and logo,

(5) the funds held in the applicant's account, and

(6) confirmation that there have been enough funds in the applicant's account throughout the specified period;

or

(d) DELETED.

Tier 1 Migrants

1. An applicant applying for entry clearance or leave to remain as a Tier 1 Migrant must score 10 points for funds.

2. 10 points will only be awarded if an applicant:

(a) applying for entry clearance, has the level of funds shown in the table below and provides the specified documents in paragraph 1B above, or

Category	Level of funds	Points
Tier 1 (Entrepreneur)	£3,310	10

(b) applying for leave to remain, has the level of funds shown in the table below and provides the specified documents in paragraph 1B above, or

Level of funds	Points
£945	10

(c) DELETED.

3. Where the applicant is applying as a Tier 1 (Entrepreneur) Migrant, they cannot use the same funds to score points for attributes under Appendix A and to score points for maintenance funds for themselves or their dependants under this Appendix or Appendix E.

Back to top

Immigration Rules

Appendix E

Appendix E applies only to applications as a dependent partner or dependent child of a Tier 1 (Entrepreneur) Migrant.

A sufficient level of funds must be available to an applicant applying as the Partner or Child of a Tier 1 (Entrepreneur) Migrant. A sufficient level of funds will only be available if the requirements below are met.

(aa) Paragraphs 1A and 1B of Appendix C also apply to this Appendix.

(ab) The applicant cannot use the same funds to score points for maintenance funds from this Appendix as the Tier 1 (Entrepreneur) Migrant used to score points for attributes under Appendix A.

(a) Where the application is connected to a Tier 1 (Entrepreneur) Migrant who is outside the UK or who has been in the UK for a period of less than 12 months, there must be £1,890 in funds.

(b) DELETED.

(ba) (i) DELETED.

(c) Where the applicant is applying as the Partner of a Tier 1 (Entrepreneur) Migrant the relevant amount of funds must be available to either the applicant or the Tier 1 (Entrepreneur) Migrant.

(d) Where the applicant is applying as the Child of a Tier 1 (Entrepreneur) Migrant, the relevant amount of funds must be available to the applicant, the Tier 1 (Entrepreneur) Migrant, or the applicant's other parent who is Lawfully present in the UK or being granted entry clearance, or leave to enter or remain, at the same time.

(e) Where the Tier 1 (Entrepreneur) Migrant is applying for entry clearance or leave to remain at the same time as the applicant, the amount of funds available to the applicant must be in addition to the level of funds required separately of the Tier 1 (Entrepreneur) Migrant.

(f) In all cases, the funds in question must be available to:

> (i) the applicant, or
>
> (ii) where they are applying as the partner of a Tier 1 (Entrepreneur) Migrant, either to them or to that Tier 1 (Entrepreneur) Migrant, or
>
> (iii) where they are applying as the child of a Tier 1 (Entrepreneur) Migrant, either to them, to the Tier 1 (Entrepreneur) Migrant or to the child's other parent who is lawfully present in the UK or being granted entry clearance, or leave to enter or remain, at the same time;

(g) The funds in question must have been available to the person referred to in (f) above on the date of application and for a consecutive 90-day period of time.

(h) If the funds in question were obtained when the person referred to in (f) above was in the UK, the funds must have been obtained while that person had valid leave and was not acting in breach of any conditions attached to that leave; and

(i) DELETED.

(ia) Sufficient funds will not be treated as available to the partner or child unless the specified documents, as set out in paragraph 1B of Appendix C, show that the funds are held in a financial institution to which Appendix Finance applies.

(ib) DELETED.

(ic) DELETED.

(j) In all cases the applicant must provide the specified documents as set out in paragraph 1B of Appendix C.

(k) DELETED

(l) DELETED

(m) DELETED

(n) DELETED.

(o) DELETED

(p) DELETED

(q) DELETED

Back to top

Immigration Rules

Appendix ECAA: Extension of Stay

This route is for ECAA workers, business persons and their family members who are in the UK and already hold permission in that capacity and are seeking an extension of their permission.

It also covers children of ECAA workers and business persons who can apply for entry clearance to come to the UK as a dependent child.

A person with permission on the ECAA route can apply for settlement under Appendix ECAA Settlement.

Validity requirements for an ECAA Worker or ECAA business person on the ECAA Extension of Stay route

ECAA 1.1. A person applying for permission to stay on the ECAA route must apply online on the gov.uk website on the specified form “Turkish Businessperson or Worker”.

ECAA 1.2. An application for permission to stay as an ECAA worker or ECAA business person must meet all the following requirements:

(a) the applicant must be a Turkish national; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality: and

(d) the applicant must be in the UK.

ECAA 1.3. An application which does not meet all the validity requirements for the ECAA Extension of Stay route may be rejected as invalid and not considered.

Suitability requirements for the ECAA Extension of Stay route

ECAA 2.1. The suitability requirement for the ECAA Extension of Stay route will be met unless:

(a) the applicant is an ECAA worker, and in respect of conduct before 11pm on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80; or

(b) the applicant is a Turkish business person, and in respect of conduct before 11pm on 31 December 2020, the application is refused on grounds that it is undesirable to

grant it in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC510; or

(c) in respect of conduct after 11pm on 31 December 2020, the applicant falls for refusal as provided for in Section 1 of Part 9 of these rules or ECAA 2.2.

ECAA 2.2. If applying for permission to stay and in respect of conduct after 11pm on 31 December 2020, the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for the ECAA Extension of Stay route

ECAA worker requirement for the ECAA route

ECAA 3.1. To meet the ECAA worker requirement the applicant must:

(a) have permission as an ECAA worker; and

(b) have been lawfully employed in the UK for at least 3 years with the same employer; or

(c) have been lawfully employed in the UK for at least 4 years, including at least 3 years with the same employer and the remaining time in the same occupation.

ECAA 3.2. The applicant must show that they will continue to be employed in the UK throughout the period of permission requested.

ECAA 3.3. The requirements in ECAA 3.1.and ECAA 3.2. must be proved by evidence that the applicant:

(a) holds a valid employment contract with the employer; and

(b) continues to receive payment for services as part of that contract.

ECAA 3.4. For the purposes of ECAA 3.1. the following absences will be treated as periods during which the applicant was lawfully employed:

(a) annual holidays; and

(b) statutory maternity leave, paternity leave or shared parental leave; and

(c) statutory adoption leave; and

(d) sick leave (up to 6 weeks in any 12 months, or longer if there are compelling circumstances); and

(e) absence due to an accident at work; and

(f) periods of involuntary unemployment (provided that the applicant registered with the relevant employment authorities and made a reasonable effort to re-join the workforce); and

(g) jury service; and

(h) attending court as a witness.

ECAA Business person requirement for the ECAA route

ECAA 4.1. To meet the ECAA business person requirement, the applicant must meet all the following requirements:

(a) the applicant must have permission as an ECAA business person; and

(b) the applicant must have established, or intend to establish, take over or become a partner or director of, one or more genuine businesses in the UK; and

(c) the business or businesses must be viable; and

(d) the applicant must genuinely intend to operate, or have genuinely operated, one or more businesses in the UK.

ECAA 4.2. The applicant must:

(a) provide evidence that they have invested, or will invest, sufficient funds or assets in the business or businesses in proportion to their interest in the business or businesses; and

(b) demonstrate that those funds or assets are, and continue to be, their own; and

(c) demonstrate they can meet their share of the liabilities which the business or businesses may incur; and

(d) demonstrate that their part in the business or businesses does not amount to disguised employment; and

(e) demonstrate that their share of the profits of the business is enough to support themselves and any dependants; and

(f) if they are joining an existing business, provide:

(i) a written statement of the terms and conditions on which they are joining the business; and

(ii) accounts for the existing business for the 12 months before the date of application; and

(iii) evidence that there is a genuine need for their services and investment.

ECAA 4.3. In assessing whether the requirements in ECAA 4.1. and ECAA 4.2. are met, the factors that will be considered include the following:

(a) the viability and credibility of the source of the money being used to set up or invest in the business or businesses; and

(b) evidence of a credible time frame (lasting no more than 11 months) of when money that has not yet been invested in the business or businesses will be invested; and

(c) the credibility of the financial accounts of the business or businesses; and

(d) the credibility of the applicant's proposed business activity in the UK; and

(e) if the nature of the business requires mandatory accreditation, registration or insurance, whether the accreditation, registration or insurance have been obtained.

Decision on the ECAA Extension of Stay route

ECAA 5.1. If the decision maker is satisfied that the suitability requirements are met, and either the eligibility requirements for either an ECAA worker or an ECAA business person are met, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant on the ECAA Extension of Stay route

ECAA 6.1. If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(a), and 3.1.(b) but does not meet the requirement in ECAA 3.1.(c), they will be granted permission to stay for up to 12 months.

ECAA 6.2. If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(c), they will be granted permission to stay for up to 36 months.

ECAA 6.3. If the applicant meets the ECAA business person requirement, they will be granted permission to stay for up to 36 months.

ECAA 6.4. The grant will be subject to all the following conditions:

(a) if the applicant meets the ECAA worker requirement and has been lawfully employed in the UK for less than 4 years, work is allowed only for the applicant's current employer, or in the same occupation with a different employer; and

(b) if the applicant meets the ECAA business person requirement, work is allowed only for the business or businesses the applicant has established, joined or taken over (but not as an apprentice); and

(c) no access to public funds (subject to any bi-lateral agreements); and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS

(e) DELETED

ECAA 6.5. If the application is refused the person can apply for an administrative review under Appendix AR.

Dependants on the ECAA Extension of Stay route

Validity requirements for dependent partner and dependent child on the ECAA Extension of Stay route

ECAA 7.1. A child applying for entry clearance or permission to stay, and a partner applying for permission to stay (a partner must already be in the UK and cannot apply for entry clearance), as a dependant on the ECAA Extension of Stay route must apply online on the gov.uk website on the following specified forms:

Location of partner or child	Specified form
Outside the UK, for a child applying for entry clearance	"Join or accompany a family" on the "Find and apply for other visas from outside the UK" form
Inside the UK, for a partner or child applying for permission to stay	If applying at the same time as the ECAA worker, on the form "Turkish Businessperson or Worker" If applying separately, - Dependant partner of a Turkish Businessperson or Worker (ECAA 3 - Dependant Partner), - Dependant child of a Turkish Businessperson or Worker (ECAA 3 - Dependant Child)

ECAA 7.2. An application for entry clearance or permission to stay by a dependant on the ECAA route must meet all the following requirements:

(a) the applicant must have provided any required biometrics; and

(b) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(c) where the applicant is applying for permission to stay as a dependent partner they must be in the UK and have permission to stay as a dependent partner on the ECAA route.

ECAA 7.3. An application which does not met all the validity requirements for a partner or child on the ECAA Extension of Stay route may be rejected as invalid and not considered.

Suitability requirements for dependent partner and dependent child on the ECAA Extension of Stay route

ECAA 8.1. The suitability requirements for entry clearance for a dependent child will be met unless the applicant falls for refusal under Part 9: grounds or refusal.

ECAA 8.2. The suitability requirement for permission to stay as a dependent partner or dependent child on the ECAA Extension of Stay route will be met unless:

(a) the applicant is the dependant of a Turkish Worker, and in respect of conduct committed before 11pm on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80; or

(b) the applicant is the dependent of a Turkish business person, and in respect of conduct committed before 11pm on 31 December 2020, the application is refused on grounds that it is undesirable to grant the application in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC 510; or

(c) in respect of conduct committed after 11pm on 31 December 2020, the applicant falls for refusal as provided for under Section 1 of Part 9 of these rules or ECAA 8.3. applies.

ECAA 8.3. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that, where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or child on the ECAA Extension of Stay route

Entry requirement for a dependent child on the ECAA Extension of Stay route

ECAA 9.1. A person seeking to come to the UK as a dependent child must apply for and obtain entry clearance as a dependent child on the ECAA Extension of Stay route before they arrive in the UK.

ECAA 9.2. A person applying for entry clearance as a partner or child on the ECAA Extension of Stay route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner on the ECAA Extension of Stay route ECAA

10.1. The applicant must be the partner of a person (P) and P must have permission as an ECAA worker or ECAA business person on the ECAA route.

ECAA 10.2. If the applicant and the ECAA Worker or ECAA business person partner are unmarried partners, all of the following requirements must be met:

(a) they must both be aged 18 or over on the date of application; and

(b) any previous relationship of the applicant or their ECAA Worker or ECAA business person partner with another person must have permanently broken down; and

(c) the applicant and their ECAA Worker or ECAA business person partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

ECAA 10.3. The relationship between the applicant and their ECAA worker or ECAA business person partner must be genuine and subsisting.

ECAA 10.4. The applicant and their ECAA worker or ECAA business person partner must intend to live together throughout the applicant’s stay in the UK.

Relationship requirement for a dependent child on the ECAA Extension of Stay route

ECAA 11.1. The applicant must be the child of a person (P) who has permission as an ECAA Worker or ECAA business person on the ECAA route, or a person who is the partner of P.

ECAA 11.2. The applicant's parents must each be either applying for permission, or be present in the UK with permission (other than as a visitor) on the ECAA route unless:

(a) the parent with permission on the ECAA route is the sole surviving parent; or

(b) the parent with permission on the ECAA route has sole responsibility for the applicant's upbringing; or

(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant entry clearance or permission to stay, to live with the parent who has permission on the ECAA route.

Age requirement for a dependent child on the ECAA Extension of Stay route

ECAA 12.1. The applicant must be under the age of 21 at the date of application, unless they were last granted permission as the dependent child of their parent on the ECAA route.

ECAA 12.2. The applicant must not be leading an independent life.

Care requirement for a dependent child on the ECAA Extension of Stay route

ECAA 13.1. If the applicant is under the age of 18 at the date of application there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

Financial requirement for a dependent partner or dependent child on the ECAA Extension of Stay route

ECAA 14.1. There must be adequate accommodation provided by the ECAA worker or ECAA business person for the applicant.

ECAA 14.2. Where the applicant is the dependent of an ECAA business person, the profits of the business or businesses must be sufficient to maintain the applicant and any other dependents in the UK.

Decision for a dependent partner or dependent child on the ECAA route

ECAA 15.1. If the applicant meets the suitability requirements and meets the eligibility requirements for either a dependent partner or dependent child on the ECAA Extension of Stay route, the application will be granted; otherwise the application will be refused.

Period and conditions of grant for a dependent partner or dependent child on the ECAA Extension of Stay route

ECAA 16.1. The grant will be for a period which ends on the same day as the permission of the ECAA worker or ECAA business person on the ECAA route.

ECAA 16.2. The grant will be subject to all the following conditions:

(a) no access to public funds (subject to any bi-lateral agreement); and

(b) work is permitted; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

ECAA 16.3. If the application is refused, the person can apply for an Administrative Review under Appendix AR

Back to top

Immigration Rules

Appendix ECAA Settlement

ECAA nationals and settlement

PART ECAA 1. DEFINITIONS

ECAA 1.1. DELETED.

ECAA 1.1. Unless the contrary intention is expressed in this Appendix, the definitions in paragraph 6 of the Immigration Rules shall apply to this Appendix.

PART ECAA 2. CONTINUOUS PERIODS LAWFULLY IN THE UK

ECAA 2.1. References to a “continuous period” “lawfully in the UK” for the purposes of this Appendix mean residence in the UK for an unbroken period with valid leave, and for these purposes a period shall be considered unbroken where:

(a) the applicant has not been absent from the UK for more than 180 days during any 12 month period in the continuous period, except that any absence from the UK for the purpose of:
(i) assisting with a national crisis; or
(ii) assisting with an international humanitarian or environmental crisis overseas; or
(iii) as a result of travel restrictions or serious illness,
shall not count towards the 180 days, if the applicant provides evidence that this was the reason of the absence(s);

(b) the applicant has existing limited leave to enter or remain upon their departure and return except that:

(i) where that leave expired no more than 28 days prior to a further application for entry clearance which was made before 6 July 2018 and subsequently granted, that period and any period pending the applicant’s re-entry into the United Kingdom shall be disregarded; and

(ii) where, on or after 6 July 2018, the applicant makes a further application for entry clearance during the currency of continuing limited leave which is subsequently granted, the period spent outside the UK with continuing leave and any period pending the applicant’s re-entry into the United Kingdom shall be disregarded; and

(c) the applicant has any current period of overstaying disregarded where paragraph 39E of the Immigration Rules applies; and

(d) DELETED.

ECAA 2.2. Except for periods where the applicant had leave as:

(a) an ECAA business person;

(b) a Tier 1 Migrant other than a Tier 1 (Post Study Work) Migrant or a Tier 1 (Graduate Entrepreneur) Migrant; or

(c) a Tier 1 (Entrepreneur) Migrant;

any absences from the UK during the relevant qualifying period must have been for a purpose that is consistent with the applicant's basis of stay here, including paid annual leave, or for serious or compelling reasons.

ECAA 2.3. The continuous period will be considered as ending on whichever of the following dates is most beneficial to the applicant:

(a) the date of application;

(b) the date of decision; or

(c) any date up to 28 days after the date of application

ECAA 2.4. References to a continuous period spent with valid leave in the UK include time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man, where that leave was granted for an equivalent purpose to one of the categories stated in the relevant paragraph, provided that the most recent period prior to the date of application was spent in the UK with valid leave in the relevant category.

PART ECAA 3. REQUIREMENTS FOR ECAA WORKERS APPLYING FOR INDEFINITE LEAVE TO REMAIN

ECAA 3.1. The requirements for indefinite leave to remain to be granted to an ECAA worker are that the applicant must:

(a) be an ECAA worker; and

(b) have resided lawfully in the UK for a continuous period of 5 years, of which the most recent period of leave must have been as an ECAA worker, in any combination of the following categories:

(i) an ECAA worker;

(ii) as a Tier 2 (General Migrant);

(iii) as a Tier 2 (Minister of religion) Migrant;

(iv) as a Tier 2 (Sportsperson) Migrant; or

(v) as a work permit holder; and

(c) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(d) have been able to support any family members with them without recourse to public funds to which they are not entitled; and

(e) not fall for refusal under Part 9: grounds

Indefinite leave to remain as an ECAA worker

ECAA 3.2. Indefinite leave to remain will be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph ECAA 3.1 are met.

Refusal of indefinite leave to remain as an ECAA worker

ECAA 3.3. Indefinite leave to remain for ECAA workers is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph ECAA 3.1 are met.

PART ECAA 4. REQUIREMENTS FOR ECAA BUSINESS PERSONS APPLYING FOR INDEFINITE LEAVE TO REMAIN

ECAA 4.1. The applicant must:

(a) be an ECAA business person; and

(b) have resided lawfully in the UK for a continuous period of five years, of which the most recent period of leave must have been as an ECAA business person, in any combination of the following categories:

(i) the ECAA business person; or

(ii) the Tier 1 (Entrepreneur) Migrant category; and

(c) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL; and

(d) not fall for refusal under Part 9: grounds for refusal; and

(e) be relying on a business which meet (s) the requirements under paragraph ECAA 4.2.

ECAA 4.2. The Secretary of State must be satisfied on the balance of probabilities that:

(a) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as an ECAA business person; and

(b) the business or businesses upon which they are relying on for any of the qualifying period is/are viable; and

(c) the applicant genuinely intends to continue operating one or more businesses in the UK.

ECAA 4.3. In making the assessment in ECAA 4.2, the Secretary of State may take into account the following factors:

(a) the evidence the applicant has submitted;

(b) the viability and credibility of the source of the money used to set up or invest in the business or businesses;

(c) the credibility of the financial accounts of the business or businesses;

(d) the credibility of the applicant's business activity in the UK, including when they had leave as an ECAA business person;

(e) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and

(f) any other relevant information.

ECAA 4.4. The Secretary of State may request additional information and evidence to support the assessment in paragraph ECAA 4.3, and may refuse the application if the information or evidence requested is not received by the Secretary of State at the address specified in the request within 28 calendar days of the date of the request.

Indefinite leave to remain as an ECAA business person

ECAA 4.5. Indefinite leave to remain will be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph ECAA 4.1 are met.

Refusal of indefinite leave to remain as an ECAA business person

ECAA 4.6. Indefinite leave to remain for ECAA business persons is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph ECAA 4.1. are met.

PART ECAA 5. REQUIREMENTS FOR CHILDREN OF ECAA WORKERS OR ECAA BUSINESS PERSONS APPLYING FOR INDEFINITE LEAVE TO REMAIN

ECAA 5.1. The Secretary of State must be satisfied that:

(a) the applicant is the child of a parent who has, or is at the same time being granted, indefinite leave to remain as:

(i) an ECAA worker or ECAA business person; or

(ii) the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person; and

(b) the applicant must have, or have last been granted, leave as the child of or have been born in the United Kingdom to, the ECAA Worker or Business Person, or the partner of an ECAA Worker or Business Person who is being granted indefinite leave to remain.

(c) the applicant must not be married or in a civil partnership, must not have formed an independent family unit, and must not be leading an independent life, and if they are over the age of 21 on the date the application is made, they must provide the specified documents and information in paragraph 319H-SD (except that references to the Relevant Points Based System Migrant are read to mean the ECAA worker or ECAA business person) to show that this requirement is met.

(d) Both of an applicant's parents must either be lawfully settled in the UK, or being granted indefinite leave to remain at the same time as the applicant, unless:

(i) the ECAA worker or business person is the applicant's sole surviving parent; or

(ii) the ECAA worker or business person parent has and has had sole responsibility for the applicant's upbringing; or

(iii) there are serious and compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made for the applicant's care; or

(iv) the parent is, at the same time, being granted indefinite leave to remain as an ECAA worker or business person, the other parent is lawfully present in the UK or being granted leave at the same time as the applicant; and

(e) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL, unless they are under the age of 18 at the date on which the application is made; and

(f) if the applicant is a child of an ECAA worker or business person the applicant must provide a full birth certificate, with translations where necessary showing the names of both parents; and

(g) all arrangements for the child's care and accommodation in the UK must comply with relevant UK legislation and regulations; and

(h) the applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of the Immigration Rules applies, any current period of overstaying will be disregarded; and

(i) the applicant must not fall for refusal under Part 9: grounds for refusal.

Indefinite leave to remain as the child of an ECAA worker of ECAA business person

ECAA 5.2. Indefinite leave to remain will be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph ECAA 5.1 are met.

Refusal of indefinite leave to remain as the child of an ECAA worker or ECAA business person

ECAA 5.3. Indefinite leave to remain as the child of an ECAA worker or ECAA business person is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph ECAA 5.1. are met.

PART ECAA 6. REQUIREMENTS FOR PARTNERS OF ECAA WORKERS OR ECAA BUSINESS PERSONS APPLYING FOR INDEFINITE LEAVE TO REMAIN

ECAA 6.1. The applicant must:

(a) be the spouse, civil partner or unmarried partner of a person [P] who:

(i) has indefinite leave to remain as an ECAA worker or business person; or

(ii) is, at the same time being granted indefinite leave to remain as an ECAA worker or business person; or

(iii) has become a British Citizen where prior to that they held indefinite leave to remain as an ECAA worker or business person; and

(b) have, or have last been granted, leave as the spouse, civil partner or unmarried partner of the ECAA worker or business person; and

(c) be in a marriage or civil partnership, or unmarried partnership with [P] which must be genuine and subsisting at the time the application is made; and

(d) must intend to live permanently with [P] as their spouse or civil partner or unmarried partner; and

(e) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KOLL; and

(f) have been living together with [P] in the UK in a marriage or civil partnership, or in an unmarried partnership, for at least the applicable specified period in line with paragraphs ECAA 6.2 and ECAA 6.3; and

(g) not fall for refusal under Part 9: grounds for refusal.

ECAA 6.2. The specified period for spouses, civil partners or unmarried partners of ECAA workers or business persons is a continuous period of 5 years. The 5 year period may consist of a combination of leave as either:

(a) the spouse, civil partner or unmarried partner of an ECAA worker or business person; or

(b) the spouse, civil partner or unmarried partner of an ECAA worker or business person during a period when the sponsor had leave under another category of these Rules.

ECAA 6.3. During the specified period the applicant must:

(a) have been in a relationship with the same ECAA worker or business person for the entire period; and

(b) have spent the most recent part of the 5 year period with leave as the spouse, civil partner or unmarried partner of that ECAA worker or business person; and

(c) have spent the remainder of the 5 year period, where applicable, with leave as the spouse or civil partner or unmarried partner of that person at a time when that person had leave under another category of the rules; and

(d) not have been absent from the UK for more than 180 days during any 12 month period, subject to the exceptions at ECAA 2.

Indefinite leave to remain as the partner of an ECAA worker

ECAA 6.4. Indefinite leave to remain may be granted provided that the Secretary of State is satisfied that each of the requirements of paragraph ECAA 6.1 are met.

Refusal of indefinite leave to remain as the spouse, civil partner or unmarried partner of an ECAA worker

ECAA 6.5. Indefinite leave to remain for the family member of an ECAA worker is to be refused if the Secretary of State is not satisfied that each of the requirements of ECAA 6.1. are met.

PART ECAA 7. REQUIREMENTS FOR PARTNER OF ECAA WORKER OR ECAA BUSINESS PERSONS APPLYING FOR FURTHER LEAVE TO REMAIN

ECAA 7.1. The applicant must:

(a) be the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person who:

(i) has been granted indefinite leave to remain in line with the ECAA guidance in force prior to 16 March 2018; or

(ii) has been granted indefinite leave to remain under paragraph ECAA 3.2 or ECAA 4.5 of this Appendix; or

(iii) has British citizenship having previously been granted indefinite leave to remain under either provision specified in (i) or (ii) of this paragraph; and

(b) have last been granted leave to remain as a dependent of an ECAA worker or ECAA business person; or

(c) having last been granted leave to remain as a dependant of an ECAA business person, is currently in the United Kingdom without leave as, at the time of that leave expiring:

(i) they did not qualify for indefinite leave to remain in line with the ECAA guidance in force prior to 16 March 2018 due to not meeting the 2 years residency requirement; and

(ii) did not qualify for further limited leave to remain as the dependant of an ECAA business person due to that ECAA business person having acquired indefinite leave to remain; and

(d) be living together and in a subsisting relationship with the ECAA worker or business person to whom leave to remain was granted; and

(e) not fall for refusal under Part 9: grounds for refusal ; and

(f) their sponsor has adequate accommodation for the parties and can maintain any dependants without recourse to public funds; and

(g) DELETED

(h) must not be in the UK in breach of immigration laws except that:

(i) where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; or

(ii) where paragraph ECAA 7.1(c) applies, any current period of overstaying will be disregarded.

Granting further leave to remain as the partner of an ECAA worker or ECAA business person

ECAA 7.2. Leave to remain for up to 3 years will be granted provided that the Secretary of State is satisfied that each of the requirements of ECAA 7.1 are met.

Refusal of further leave to remain as an ECAA worker or ECAA business person

ECAA 7.3. Leave to remain for family members of an ECAA worker or ECAA business person is to be refused of the Secretary of State is not satisfied that each of the requirements of ECAA 7.1. are met.

Back to top

Immigration Rules

Appendix EU

EU, other EEA and Swiss citizens and family members

Appendix EU: EU, other EEA and Swiss citizens and family members

Purpose

EU1. This Appendix sets out the basis on which an **EEA citizen** and their family members, and the family members of a **qualifying British citizen**, will, if they apply under it, be granted indefinite leave to enter or remain or limited leave to enter or remain.

Requirements and procedure

Requirements for indefinite leave to enter or remain other than as a joining family member of a relevant sponsor

EU2. The applicant will be granted indefinite leave to enter (where the application is made outside the UK) or indefinite leave to remain (where the application is made within the UK) where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor

EU2A. The applicant will be granted indefinite leave to enter (where the application is made outside the UK) or indefinite leave to remain (where the application is made within the UK) as a **joining family member of a relevant sponsor** where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for limited leave to enter or remain other than as a joining family member of a relevant sponsor

EU3. The applicant will be granted five years' limited leave to enter (where the application is made outside the UK) or five years' limited leave to remain (where the application is made within the UK) where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for limited leave to enter or remain as a joining family member of a relevant sponsor

EU3A. The applicant will be granted five years' limited leave to enter (where the application is made outside the UK) or five years' limited leave to remain (where the application is made within the UK) as a joining family member of a relevant sponsor where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14A; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Other provisions as to requirements and procedure

EU4. Where a person has been granted limited leave to enter or remain under this Appendix:

- They must continue to meet the eligibility requirements for that leave which they met at the **date of application** (except for any which related to their dependency as a **child**, **dependent parent** or **dependent relative**) or meet other eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14 (where they have been granted limited leave to enter or remain under paragraph EU3) or in accordance with paragraph EU14A (where they have been granted limited leave to enter or remain under paragraph EU3A);
- The Secretary of State may extend that limited leave, regardless of whether the person has made a valid application under this Appendix for such an extension; and
- They remain able to apply for indefinite leave to enter or remain under this Appendix and will be granted this where the requirements in paragraph EU2 (where they have been granted limited leave to enter or remain under paragraph EU3) or paragraph EU2A (where they have been granted limited leave to enter or remain under paragraph EU3A) are met.

EU5. A person granted indefinite leave to enter or remain under this Appendix may resume their residence in the UK where, having been absent from **the UK and Islands**, that leave has not lapsed under article 13 of the Immigration (Leave to Enter and Remain) Order 2000. Where that leave has lapsed under that provision, Appendix Returning Resident to these Rules applies if the person wants to return to and settle in the UK.

EU6. A valid application made under this Appendix which does not meet the requirements for indefinite leave to enter or remain or limited leave to enter or remain will be refused.

EU7. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.

(2) Where this Appendix requires that a document, card or other evidence is valid (or that it remained valid for the period of residence relied upon), or has not been cancelled or invalidated or has not ceased to be effective, it does not matter that the person concerned no longer has the right to enter or reside under the **EEA Regulations** (or under the equivalent provision in **the Islands**), on which basis the document, card or other evidence was issued, by virtue of the revocation of those Regulations (or equivalent provision in the Islands).

EU8. Annex 2 applies to the consideration by the Secretary of State of a valid application made under this Appendix.

Valid application

EU9. A valid application has been made under this Appendix where:

(a) It has been made using the **required application process**;

(b) The **required proof of identity and nationality** has been provided, where the application is made within the UK;

(c) The **required proof of entitlement to apply from outside the UK** has been provided, where the application is made outside the UK;

(d) The **required biometrics** have been provided;

(e) It has been made by the **required date**, where the date of application is on or after 9 August 2023; and

(f) The applicant, if they rely on being a joining family member of a relevant sponsor and where the date of application is on or after 9 August 2023, is not a **specified enforcement case**.

EU10. (1) An application made under this Appendix will be rejected as invalid where it does not meet the requirements in paragraph EU9.

(2) Paragraph 34BB of these Rules does not apply to applications made under this Appendix. Where a further valid application is made under this Appendix before a previous such application has been decided, the further application will be treated as an application to vary the previous application and only the latest application will be considered.

(3) Where a valid application is made under this Appendix before a previous valid application made under another part of or outside the Immigration Rules has been decided (or where a valid application is made under another part of or outside the Immigration Rules, or varied by

a further such application, before a previous valid application made under this Appendix has been decided), both applications will be considered.

(4) Where both applications considered in accordance with sub-paragraph (3) above fall to be granted, the Secretary of State will inform the applicant that they satisfy the relevant criteria in respect of both applications and ask them to confirm which application they want to be decided and which they want to be treated as withdrawn. If the applicant does not so confirm within 14 days, the latest application will be decided and the other treated as withdrawn.

Eligibility for indefinite leave to enter or remain

Persons eligible for indefinite leave to enter or remain as a relevant EEA citizen or their family member, or as a person with a derivative right to reside or with a Zambrano right to reside

EU11. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **relevant EEA citizen** or their family member (or as a **person with a derivative right to reside** or a **person with a Zambrano right to reside**) where the Secretary of State is satisfied, including (where applicable) by the **required evidence of family relationship**, that, at the date of application, one of conditions 1 to 7 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant: (i) is a relevant EEA citizen; or (ii) is (or, as the case may be, was) a **family member of a relevant EEA citizen**; or (iii) is (or, as the case may be, was) a **family member who has retained the right of residence** by virtue of a relationship with a relevant EEA citizen; and (b) The applicant has a **documented right of permanent residence**; and (c) Since they did, no **supervening event** has occurred in respect of the applicant
2.	(a) The applicant is: (i) a relevant EEA citizen; or (ii) a family member of a relevant EEA citizen; or (iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and (b) There is **valid evidence of their indefinite leave to enter or remain**
3.	(a) The applicant: (i) is a relevant EEA citizen; or (ii) is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen; or (iii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or (iv) is a person with a derivative right to reside; or (v) is a person with a Zambrano right to reside; or (vi) is a **person who had a derivative or Zambrano right to reside**; and (b) The applicant has completed a **continuous qualifying period** of five years in any (or any combination) of those categories; and

Condition	Is met where:
	(c) Since then no supervening event has occurred in respect of the applicant
4.	(a) The applicant is a relevant EEA citizen who is a **person who has ceased activity**; and (b) Since they did so, no supervening event has occurred
5.	(a) The applicant is (or, as the case may be, was) a family member of a relevant EEA citizen; and (b) The relevant EEA citizen is a person who has ceased activity; and (c)(i) Where the date of application by the family member is before 1 July 2021, the relevant EEA citizen: (aa) meets the requirements of sub-paragraph (b) of the applicable definition of relevant EEA citizen in Annex 1; or (bb) meets the requirements of sub-paragraph (d)(ii)(bb) of the applicable definition of relevant EEA citizen in Annex 1; or (cc) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or (dd) is a **relevant naturalised British citizen** (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or (ii) Where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1: (aa) sub-paragraph (a)(ii)(aa); or (bb) sub-paragraph (b)(ii)(aa); or (cc) sub-paragraph (c)(i); or (dd) sub-paragraph (d)(iii)(aa); or (ee) sub-paragraph (e)(i)(bb)(aaa), (e)(i)(bb)(ccc) or (e)(ii)(bb)(aaa); (d) Sub-paragraph (a) above was met at the point at which the relevant EEA citizen became a person who has ceased activity; and (e) The applicant was resident in the UK and Islands for a continuous qualifying period immediately before the relevant EEA citizen became a person who has ceased activity; and (f) Since the relevant EEA citizen became a person who has ceased activity, no supervening event has occurred in respect of the applicant
6.	(a) The applicant is a family member of a relevant EEA citizen; and (b) The relevant EEA citizen has died and was resident in the UK as a **worker** or **self-employed person** at the time of their death; and (c) The relevant EEA citizen was resident in the UK and Islands for a continuous qualifying period of at least two years immediately before dying, or the death was the result of an accident at work or an occupational disease; and (d) The applicant was resident in the UK with the relevant EEA citizen immediately before their death; and (e) Since the death of the relevant EEA citizen, no supervening event has occurred
7.	(a) The applicant is a family member of a relevant EEA citizen and is a child under the age of 21 years of a relevant EEA citizen (or of their **spouse** or **civil partner**), and either: (i) the marriage was contracted or the civil partnership was formed before the **specified date**; or (ii) the person who is now their spouse or civil partner was the **durable partner** of the relevant EEA citizen before the specified date (the

Condition	Is met where:
	definition of durable partner in Annex 1 being met before that date rather than at the date of application) and the partnership remained durable at the specified date; and (b)(i) Where the date of application by the family member is before 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner): (aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or (bb) meets the requirements of sub-paragraph (b)(ii) of the applicable definition of relevant EEA citizen in Annex 1 (where the relevant EEA citizen is an **Irish citizen**); or (cc) meets the requirements of sub-paragraph (d)(ii)(bb) of the applicable definition of relevant EEA citizen in Annex 1; or (dd) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or (ee) meets the requirements of sub-paragraph (f)(ii) of the applicable definition of relevant EEA citizen in Annex 1; or (ff) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or (ii) Where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner) meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1: (aa) sub-paragraph (a)(ii)(aa); or (bb) sub-paragraph (b)(ii)(aa) (where the relevant EEA citizen is an Irish citizen); or (cc) sub-paragraph (c)(i); or (dd) sub-paragraph (d)(iii)(aa); or (ee) sub-paragraph (e)(i)(bb)(aaa), (e)(i)(bb)(ccc) or (e)(ii)(bb)(aaa); or (ff) sub-paragraph (f)(ii)(aa)

Persons eligible for indefinite leave to enter or remain as a joining family member of a relevant sponsor

EU11A. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor where the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date, one of conditions 1 to 4 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant: (i) is (or, as the case may be, for the relevant period was) a joining family member of a relevant sponsor; or (ii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a **relevant sponsor**; and

Condition	Is met where:
	(b) The applicant has completed a continuous qualifying period of five years which began after the specified date, in either (or any combination) of those categories; and (c) Since then no supervening event has occurred in respect of the applicant
2.	(a) The applicant is (or, as the case may be, was) a joining family member of a relevant sponsor; and (b) The relevant sponsor is a person who has ceased activity; and (c)(i) Where the date of application is before 1 July 2021, the relevant sponsor: (aa) meets the requirements of sub-paragraph (a)(i)(aa) or (a)(ii)(bb) of the definition of relevant sponsor in Annex 1; or (bb) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or (cc) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or (ii) Where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1: (aa) sub-paragraph (b)(i)(aa); or (bb) sub-paragraph (b)(ii)(aa); or (cc) sub-paragraph (b)(iii)(aa); or (dd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb) or (b)(v)(bb)(aaa); or (ee) sub-paragraph (b)(vi)(aa); and (d) Sub-paragraph (a) above was met at the point at which the relevant sponsor became a person who has ceased activity; and (e) Immediately before the relevant sponsor became a person who has ceased activity, the applicant was resident in the UK and Islands for a continuous qualifying period which began after the specified date; and (f) Since the relevant sponsor became a person who has ceased activity, no supervening event has occurred in respect of the applicant
3.	(a) The applicant is a joining family member of a relevant sponsor; and (b) The relevant sponsor has died and was resident in the UK as a worker or self-employed person at the time of their death; and (c) The relevant sponsor was resident in the UK and Islands for a continuous qualifying period of at least two years immediately before dying, or the death was the result of an accident at work or an occupational disease; and (d) The applicant was resident in the UK with the relevant sponsor after the specified date and immediately before their death; and (e) Since the death of the relevant sponsor, no supervening event has occurred
4.	(a)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the relevant sponsor; and (ii)(aa) Where the date of application is before 1 July 2021, the relevant sponsor: (aaa) meets the requirements of sub-paragraph (a)(i)(aa) of the definition of relevant sponsor in Annex 1; or (bbb) meets the requirements of sub-paragraph (a)(ii)(bb) of the definition of relevant sponsor in Annex 1 (where the relevant sponsor is an Irish citizen); or

Condition	Is met where:
	(ccc) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or (ddd) meets the requirements of sub-paragraph (a)(v)(bb) of the definition of relevant sponsor in Annex 1; or (eee) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or (bb) Where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1: (aaa) sub-paragraph (b)(i)(aa); or (bbb) sub-paragraph (b)(ii)(aa); or (ccc) sub-paragraph (b)(iii)(aa); or (ddd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb) or (b)(v)(bb)(aaa); or (eee) sub-paragraph (b)(vi)(aa); or (b)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance with sub-paragraph (a) of the definition of family member of a relevant EEA citizen in Annex 1, substituting 'relevant sponsor' for each reference in that sub-paragraph to 'relevant EEA citizen'); and (ii) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix; or (c)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance, in respect of the spouse or civil partner, with the first sub-paragraph (a), together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii), of the definition of joining family member of a relevant sponsor in Annex 1); and (ii) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2A of this Appendix

<u>Persons eligible for indefinite leave to enter or remain as a family member of a qualifying British citizen</u>

EU12. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **family member of a qualifying British citizen**, or as a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen, where the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application, one of conditions 1 to 4 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant is (or, as the case may be, was): (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) The applicant has a documented right of permanent residence; and (c) No supervening event has occurred in respect of the applicant
2.	(a) The applicant is: (i) a family member of a qualifying British citizen; or

Condition	Is met where:
	(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) There is valid evidence of their indefinite leave to enter or remain
3.	(a) The applicant is (or, as the case may be, for the relevant period was): (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) The applicant has completed a continuous qualifying period in the UK of five years in either (or any combination) of those categories; and (c) The applicant was, for any period in which they were present in the UK as a family member of a qualifying British citizen relied upon under sub-paragraph (b), lawfully resident by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen was a qualified person under regulation 6 of the EEA Regulations); and (d) Since completing the continuous qualifying period of five years, no supervening event has occurred in respect of the applicant
4.	(a) The applicant is a child under the age of 21 years of the spouse or civil partner of the qualifying British citizen, and either: (i) the marriage was contracted or the civil partnership was formed before the **date and time of withdrawal**; or (ii) the person who is now their spouse or civil partner was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of durable partner in Annex 1 being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and (b) The applicant is in the UK lawfully by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen is a qualified person under regulation 6 of the EEA Regulations); and (c) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix

EU13. The reference to the applicant completing a continuous qualifying period of five years:

- In condition 3 in the table in paragraph EU12 can include a period (or combination of periods) during which the applicant was a relevant EEA citizen, a family member of a relevant EEA citizen, a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, a person with a derivative right to reside or a person with a Zambrano right to reside before becoming the family member of a qualifying British citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen); and

- In condition 3 in the table in paragraph EU11 can include a period during which the applicant was a family member of a qualifying British citizen or a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen before becoming (as the case may be) a relevant EEA citizen, a family member of a relevant EEA citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen), a person with a derivative right to reside or a person with a Zambrano right to reside.

Eligibility for limited leave to enter or remain

Persons eligible for limited leave to enter or remain as a relevant EEA citizen or their family member, as a person with a derivative right to reside or with a Zambrano right to reside or as a family member of a qualifying British citizen

EU14. The applicant meets the eligibility requirements for limited leave to enter or remain where the Secretary of State is satisfied, including (where applicable) by the required evidence of family relationship, that, at the date of application, condition 1 or 2 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant is: (i) a relevant EEA citizen; or (ii) a family member of a relevant EEA citizen; or (iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or (iv) a person with a derivative right to reside; or (v) a person with a Zambrano right to reside; and (b) The applicant is not eligible for indefinite leave to enter or remain under paragraph EU11 of this Appendix solely because they have completed a continuous qualifying period of less than five years; and (c) Where the applicant is a family member of a relevant EEA citizen, there has been no supervening event in respect of the relevant EEA citizen
2.	(a) The applicant is: (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) The applicant was, for any period in which they were present in the UK as a family member of a qualifying British citizen relied upon under sub-paragraph (c), lawfully resident by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen was a qualified person under regulation 6 of the EEA Regulations); and (c) The applicant is not eligible for indefinite leave to enter or remain under paragraph EU12 of this Appendix solely because they have completed a continuous qualifying period in the UK of less than five years

Persons eligible for limited leave to enter or remain as a joining family member of a relevant sponsor

EU14A. The applicant meets the eligibility requirements for limited leave to enter or remain as a joining family member of a relevant sponsor where the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date, the condition set out in the following table is met:

Condition	Is met where:
	(a) The applicant is: (i) a joining family member of a relevant sponsor; or

	(iii) a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor; and (b) The applicant is: (i) not eligible for indefinite leave to enter under paragraph EU11A of this Appendix, where the application is made outside the UK; or (ii) not eligible for indefinite leave to remain under paragraph EU11A of this Appendix, where the application is made within the UK, solely because they have completed a continuous qualifying period of less than five years which began after the specified date; and (c) Where the applicant is a joining family member of a relevant sponsor, there has been no supervening event in respect of the relevant sponsor

Suitability

EU15. (1) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision:

(a) The applicant is subject to a **deportation order** or to a decision to make a deportation order; or

(b) The applicant is subject to an **exclusion order** or **exclusion decision**.

(2) An application made under this Appendix will be refused on grounds of suitability where the Secretary of State deems the applicant's presence in the UK is not conducive to the public good because of conduct committed after the specified date.

(3) An application made under this Appendix will be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands deportation order**.

(4) An application made under this Appendix may be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands exclusion decision.**

EU16. An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the Secretary of State is satisfied that:

(a) It is proportionate to refuse the application where, in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the applicant indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or
(b) It is proportionate to refuse the application where the applicant is subject to a removal decision under the EEA Regulations on the grounds of their non-exercise or misuse of rights, and the date of application under this Appendix is before 1 July 2021; or
(c)(i) The applicant:
(aa) Has previously been refused admission to the UK in accordance with regulation 23(1) of the EEA Regulations; or

(bb) Has previously been refused admission to the UK in accordance with regulation 12(1)(a) of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020; or
(cc) Had indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix (or limited leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under Appendix EU (Family Permit) to these Rules) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.1., A3.1A., A3.1B. or A3.2.(a) of Annex 3 to this Appendix or under paragraph A3.3. or A3.4.(a) of Annex 3 to Appendix EU (Family Permit); and

(ii) The refusal of the application is justified either:
(aa) In respect of the applicant's conduct committed before the specified date, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "who has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph EU16(c) of Appendix EU to the Immigration Rules"), and it is proportionate to refuse the application; or
(bb) In respect of conduct committed after the specified date, where the Secretary of State deems the applicant's presence in the UK is not conducive to the public good; or

(d) It is proportionate to refuse the application where the applicant is a **relevant excluded person** because of their conduct committed before the specified date and the Secretary of State is satisfied that the decision to refuse the application is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "who has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph EU16(d) of Appendix EU to the Immigration Rules"); or
(e) The applicant is a relevant excluded person because of conduct committed after the specified date.

EU17. The references in paragraphs EU15 and EU16 to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or revoked.

EU18. Annex 3 applies in respect of the cancellation, curtailment and revocation of leave to enter or remain granted under this Appendix.

Annex 1 – Definitions

Term	Definition
adopted child	a child adopted in accordance with a **relevant adoption decision**
child	(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a

Term	Definition
	qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; or (b)(i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and (ii) (unless the applicant was previously granted limited leave to enter or remain under paragraph EU3 or EU3A of this Appendix as a child on the basis that sub-paragraph (a) above applied or under its equivalent in the Islands on that basis) dependent on (as the case may be): (aa) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or (bb) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or (cc) on the relevant sponsor (or on their spouse or civil partner) at the date of application 'dependent' means here that: (a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and (b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and (c) there is no need to determine the reasons for that dependence or for the recourse to that support in addition: (a) 'child' includes: (i) an **adopted child** of; or (ii) a child born through surrogacy (where recognised in UK law or Islands law) for; or (iii) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989) is in force appointing as their special guardian; or (iv) a child in respect of whom an order has been made under section 5 of the Children Act 1989 appointing as their guardian; or

Term	Definition
	(v) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 vesting parental responsibilities and parental rights in a person who is; or (vi) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995, or who is living with a person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or (vii) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995, or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or (viii) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or (ix) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian; or (x) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001 of Tynwald) has been made appointing as their special guardian; or (xi) a child in respect of whom an order has been made under section 6 or 7 of the Children and Young Persons Act 2001 of Tynwald appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) or their spouse or civil partner, but 'child' does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen or by a relevant sponsor) or their spouse or civil partner solely by virtue of a formal or informal fostering arrangement; and (b) 'direct descendant' also includes a grandchild or great-grandchild, other than for the purpose of meeting condition 7 in the table in paragraph EU11 of this Appendix, condition 4 in the table in paragraph EU11A or condition 4 in the table in paragraph EU12; and (c) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen'

Term	Definition
	in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for 'joining family member of a relevant sponsor' in this table
civil partner	(a) the person is, or (as the case may be) for the relevant period was, in a valid civil partnership (which exists or existed under or by virtue of the Civil Partnership Act 2004 or under any equivalent legislation in the Islands); or is, or (as the case may be) for the relevant period was, in a relationship registered overseas which is, or was, entitled to be treated as a civil partnership under that Act or under any equivalent legislation in the Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor); and (b) it is, or (as the case may be) for the relevant period was, not a **civil partnership of convenience**; and (c) neither party has, or (as the case may be) for the relevant period had, another civil partner, a spouse or a durable partner with (in any of those circumstances) **immigration status in the UK or the Islands** based on that person's relationship with that party
civil partnership of convenience durable partnership of convenience marriage of convenience	a civil partnership, durable partnership or marriage entered into as a means to circumvent: (a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the UK under the EEA Regulations; or (b) any other provision of UK immigration law or any requirement of the Immigration Rules; or (c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the UK under EU law; or (d) any criterion the party would have to meet in order to enjoy a right to enter or reside in the Islands under Islands law
continuous qualifying period	a period of residence in the UK and Islands (save in condition 3 in the table in paragraph EU12 of this Appendix; in condition 2 in the table in paragraph EU14 of this Appendix; in sub-paragraph (a)(ii) or (d)(iii)(aa) of the entry for 'family member who has retained the right of residence' in this table; in sub-paragraph (c) of the entry for 'person who has ceased activity' in this table; and in the entry for 'person with a derivative right to reside' and for 'person with a Zambrano right to reside' in this table, where (in each case) the period of residence must be in the UK and the reference in sub-paragraphs (b)(i) and (ii) below to the UK and Islands is to be read as a reference to the UK):

Term	Definition
	(a) which, unless the person is a joining family member of a relevant sponsor, is a **specified relevant person of Northern Ireland** (or is the dependent relative of such a person) or relies on sub-paragraph (b)(i)(cc), (b)(i)(dd) or (b)(i)(ee) below, began before the specified date; and (b) during which none of the following occurred: (i) absence(s) from the UK and Islands which exceeded a total of six months in any 12-month period, except for: (aa) a single period of absence which did not exceed 12 months and was for an important reason (such as pregnancy, childbirth, serious illness, study, vocational training or an overseas posting, or because of COVID-19); or (bb) a single period of absence which did not exceed 12 months and which, although the absence was not originally for an important reason, is to be treated as being for an important reason as it exceeded six months because of COVID-19; or (cc) (following a period of absence under sub-paragraph (b)(i)(aa) above because of COVID-19 or under sub-paragraph (b)(i)(bb) above) a second period of absence which did not exceed 12 months and was for an important reason (such as described in sub-paragraph (b)(i)(aa) above) which, save for caring for someone with a serious illness, was not because of COVID-19; where this is the case, the period of absence under this sub-paragraph exceeding six months will not count towards any period of residence in the UK and Islands on which the person relies; or (dd) (following a period of absence under sub-paragraph (b)(i)(aa) above which, save for caring for someone with a serious illness, was not because of COVID-19) either a second period of absence which did not exceed 12 months and was for an important reason, where that reason was because of COVID-19, or a period of absence under sub-paragraph (b)(i)(bb) above; where this is the case, the period of absence under this sub-paragraph exceeding six months will not count towards any period of residence in the UK and Islands on which the person relies; or (ee) a period of absence under sub-paragraph (b)(i)(aa), (b)(i)(bb), (b)(i)(cc) or

Term	Definition
	(b)(i)(dd) above which exceeded 12 months because COVID-19 meant that the person was prevented from, or advised against, returning earlier; where this is the case, the period of absence under this sub-paragraph exceeding 12 months will not count towards any period of residence in the UK and Islands on which the person relies; or (ff) any period of absence on compulsory military service; or (gg) any period of absence on a posting on Crown service or (as a spouse, civil partner, durable partner or child) any period of absence accompanying a person on a posting on Crown service; or (hh) any period spent working in the UK marine area (as defined in section 42 of the Marine and Coastal Access Act 2009); or (ii) any period of absence due directly to an order or decision to which sub-paragraph (b)(iii) below refers, where that order or decision has been set aside or revoked; or (ii) the person served or is serving a sentence of imprisonment of any length in the UK and Islands, unless the conviction which led to it has been overturned; or (iii) any of the following in respect of the person, unless it has been set aside or revoked: (aa) any decision or order to exclude or remove under regulation 23 or 32 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations of the Isle of Man); or (bb) a decision to which regulation 15(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 24(1) of the EEA Regulations (or the equivalent decision, subject to the equivalent qualification, under the Immigration (European Economic Area) Regulations of the Isle of Man); or (cc) an exclusion decision; or (dd) a deportation order, other than by virtue of the EEA Regulations; or (ee) an Islands deportation order; or (ff) an Islands exclusion decision; and (c) which continues at the date of application, unless: (i) the period is of at least five years' duration; or (ii) (aa) the person acquired the right of permanent residence in the UK under regulation 15 of the EEA

Term	Definition
	Regulations (or, where there are reasonable grounds for the person's failure to meet the deadline applicable to them in the entry for 'required date' in this table, would have acquired such a right had the EEA Regulations not been revoked), or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man; or (bb) the period relates to: (aaa) a relevant EEA citizen, where, in relation to that EEA citizen, the applicant relies: (i) for all or part of the period to which sub-paragraph (b) of condition 3 in the table in paragraph EU11 of this Appendix refers (or, as the case may be, for part of the period to which sub-paragraph (b) of condition 3 in the table in paragraph EU12 refers) on having been a family member of a relevant EEA citizen; or (ii) on being or having been a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, provided (in any case) the period relating to that relevant EEA citizen continued (unless sub-paragraph (c)(i), (c)(ii)(aa), (c)(iii) or (c)(iv) of this entry applied to that relevant EEA citizen instead) either, as the case may be, throughout the period the applicant relies on in (i) as having been a family member of a relevant EEA citizen or, as relied on in (ii), until the applicant became a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or (bbb) a relevant sponsor, where, in relation to that relevant sponsor, the applicant relies for all or part of the period to which sub-paragraph (b) of condition 1 in the table in paragraph EU11A of this Appendix refers on having been (or, as the case may be, relies for all or part of the period to which sub-paragraph (b)(ii) of the condition in the table in paragraph EU14A refers on being) a

Term	Definition
	family member who has retained the right of residence by virtue of a relationship with a relevant sponsor, provided (in either case) the period relating to that relevant sponsor continued (unless sub-paragraph (c)(i), (c)(ii)(aa), (c)(iii) or (c)(iv) of this entry applied to that relevant sponsor instead) until the applicant became a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor; or (iii) the person has valid indefinite leave to enter or remain granted under this Appendix (or under its equivalent in the Islands); or (iv) there is valid evidence of their indefinite leave to enter or remain; or (v) a relevant reference is concerned in addition, 'relevant reference' in sub-paragraph (c)(v) above means the reference to continuous qualifying period in: - condition 6 in the table in paragraph EU11 of this Appendix; - condition 3 in the table in paragraph EU11A of this Appendix; - sub-paragraph (d)(iii)(aa) of the entry for 'family member who has retained the right of residence' in this table (as that reference applies to, as the case may be, the relevant EEA citizen, the qualifying British citizen or the relevant sponsor); - where the date of application is on or after 1 July 2021, sub-paragraph (b)(i) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (b)(ii)(aa) of that entry applies; - where the date of application is on or after 1 July 2021, sub-paragraph (c) of the applicable entry for 'relevant EEA citizen' in this table (in so far as the reference in that sub-paragraph to sub-paragraph (a) of the entry for 'relevant naturalised British citizen' in this table is concerned), where sub-paragraph (c)(i) of the applicable entry for 'relevant EEA citizen' in this table applies; - where the date of application is on or after 1 July 2021, sub-paragraph (d)(ii) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (d)(iii)(aa) of that entry applies; - where the date of application is on or after 1 July 2021, sub-paragraph (e)(i)(aa) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (e)(i)(bb)(ccc) of that entry applies;

Term	Definition
	- where the date of application is on or after 1 July 2021, sub-paragraph (e)(ii)(aa) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (e)(ii)(bb)(aaa) of that entry applies; - where the date of application is on or after 1 July 2021, sub-paragraph (f)(i) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (f)(ii)(aa) of that entry applies; - sub-paragraph (b)(ii) of the entry for 'relevant sponsor' in this table, where sub-paragraph (b)(ii)(aa) of that entry applies; - sub-paragraph (b)(iii) of the entry for 'relevant sponsor' in this table (where the reference to sub-paragraph (a) of the entry for 'relevant naturalised British citizen' in this table is concerned), where sub-paragraph (b)(iii)(aa) of the entry for 'relevant sponsor' in this table applies; - sub-paragraph (b)(iv)(aa) of the entry for 'relevant sponsor' in this table, where sub-paragraph (b)(iv)(bb)(bbb) of that entry applies; - sub-paragraph (b)(v)(aa) of the entry for 'relevant sponsor' in this table, where sub-paragraph (b)(v)(bb)(aaa) of that entry applies; and - sub-paragraph (b)(vi) of the entry for 'relevant sponsor' in this table, where sub-paragraph (b)(vi)(aa) of that entry applies
Crown service	service as: (a) a member of HM Forces (as defined in the Armed Forces Act 2006); or (b) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government; or (c) a permanent member of the British Council
custody of a child	the child normally lives with the applicant or does so part of the time, and includes arrangements agreed informally and those which are subject to a court order for determining with whom the child is to live and when
date and time of withdrawal	2300 **GMT** on 31 January 2020
date of application	the date on which the application is submitted under the required application process, which means: (a) (in the case of the relevant on-line application form) the date on which that form is submitted on-line; or (b) (in the case of a paper application form): (i) the date of posting to the Home Office address specified on the form (where one is specified), as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or (ii) where the paper application form is sent by courier, or other postal services provider, the date

Term	Definition
	on which it is delivered to the Home Office address specified on the form (where one is specified); or (iii) where the paper application form is sent by e-mail, the date on which it is recorded by Home Office e-mail software as received at the Home Office e-mail address specified on the form (where one is specified)
dependent parent	(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and (b) (unless sub-paragraph (c) immediately below applies) dependent on (as the case may be): (i) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the relevant EEA citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or (ii) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; or (iii) on the relevant sponsor (or on their spouse or civil partner) at the date of application and (unless the relevant sponsor is under the age of 18 years) that dependency is assumed where the date of application is before 1 July 2021; and (c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where: (i) the applicant was previously granted limited leave to enter or remain under paragraph EU3 or EU3A of this Appendix as a dependent parent, and that leave has not lapsed or been cancelled, curtailed or invalidated; or (ii) the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted indefinite leave to enter or remain or limited leave to enter or remain under paragraph EU2, EU2A, EU3 or EU3A of this Appendix as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen

Term	Definition
	or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated 'dependent' means here that: (a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and (b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and (c) there is no need to determine the reasons for that dependence or for the recourse to that support in addition: (a) 'direct relative in the ascending line' includes: (i) a grandparent or great-grandparent; and (ii) an adoptive parent of an adopted child; and (b) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for 'joining family member of a relevant sponsor' in this table; and (c) in respect of the reference in sub-paragraph (c)(ii) above to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) 'spouse', 'civil partner' or 'durable partner' in this table applies, except that in the applicable entry 'applicant' is to be substituted for 'relevant EEA citizen' and sub-paragraph (b) of the entry for 'durable partner' in this table is to be disregarded
dependent relative	the person: (a)(i)(aa) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of their sponsoring person; and (bb) is, or (as the case may be) for the relevant period was, a dependant of the sponsoring person, a member of their household or in strict need of their personal care on serious health grounds; or

Term	Definition
	(ii) is a **person who is subject to a non-adoptive legal guardianship order** in favour (solely or jointly with another party) of their sponsoring person; or (iii) is a person under the age of 18 years (unless they were previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a dependent relative and were under 18 at the date of application for that leave) who: (aa) is the direct descendant of the durable partner of their sponsoring person; or (bb) has been adopted by the durable partner of their sponsoring person, in accordance with a relevant adoption decision; and (b) holds a **relevant document** as the dependent relative of their sponsoring person for the period of residence relied upon (unless, in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline to which that sub-paragraph refers); for the purposes of this provision, where the person applies for a relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the dependent relative of their sponsoring person before the specified date and their relevant document is issued on that basis after the specified date, (or where the person relies as their relevant document, as described in sub-paragraph (a)(iv) of that entry in this table, on an EU Settlement Scheme Family Permit granted to them under Appendix EU (Family Permit) to these Rules as a 'dependent relative of a specified relevant person of Northern Ireland', as defined in Annex 1 to that Appendix) they are deemed to have held the relevant document since immediately before the specified date in addition, 'sponsoring person' means: (a) (where sub-paragraphs (a)(i) and (b) above apply): (i) a relevant EEA citizen (in accordance with the applicable entry in this table); or (ii) the spouse or civil partner (as described in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table) of a relevant EEA citizen (in accordance with the applicable entry in this table); or (iii) a qualifying British citizen; or (iv) the spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table) of a qualifying British citizen; or

Term	Definition
	(b) (where the first sub-paragraph (a)(ii) in this entry and sub-paragraph (b) above apply or the first sub-paragraph (a)(iii) in this entry and sub-paragraph (b) above apply): (i) a relevant EEA citizen (in accordance with the applicable entry in this table); or (ii) a qualifying British citizen
deportation order	as the case may be: (a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 32(3) of the EEA Regulations; or (b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of: (i) conduct committed after the specified date; or (ii) conduct committed by the person before the specified date, where the Secretary of State has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who, but for the making of the deportation order, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a deportation decision"); or (c) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 15(1)(b) of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020 in addition, for the avoidance of doubt, (b) includes a deportation order made under the Immigration Act 1971 in accordance with section 32 of the UK Borders Act 2007
documented right of permanent residence	the Secretary of State is satisfied from the information available to them that: (a)(i) the person has been issued by the Secretary of State with a document certifying permanent residence or a permanent residence card (and that permanent residence card was issued or renewed within the last 10 years) under regulation 19 of the EEA Regulations, or with a residence permit or residence document under the Immigration (European Economic Area) Order 1994 endorsed to show permission to remain in the UK indefinitely; and (ii) this document or card is not invalid under regulation 19(4)(c); and (iii) this document or card has not been revoked, and its renewal has not been refused, under regulation 24

Term	Definition
	(except where the revocation or refusal occurred because the person had been absent from the UK for a period of more than two, and no more than five, consecutive years); and (iv) the person's right to reside has not been cancelled under regulation 25; or (b) the person has been given notice in writing under paragraphs 256 to 257A of the Immigration Rules of the Bailiwick of Guernsey showing that they may remain indefinitely, and this notice has not been revoked or otherwise ceased to be effective; or (c) the person has been issued by the relevant Minister with a document in accordance with paragraphs 255 to 258 of the Immigration Rules of the Bailiwick of Jersey in an appropriate form certifying permanent residence or a permanent residence card, and this document or card has not been revoked or otherwise ceased to be effective; or (d) the person has been issued with a letter certifying permanent residence, or their passport has been stamped to that effect, under the Immigration (European Economic Area) Regulations of the Isle of Man, and this evidence has not been revoked, invalidated or cancelled
durable partner	(a) the person is, or (as the case may be) for the relevant period was, in a durable relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor), with the couple having lived together in a relationship akin to a marriage or civil partnership for at least two years (unless there is other significant evidence of the durable relationship); and (b)(i) the person holds a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) for the period of residence relied upon; for the purposes of this provision, where the person applies for a relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the durable partner of the relevant EEA citizen or, as the case may be, of the qualifying British citizen before the specified date and their relevant document is issued on that basis after the specified date, they are deemed to have held the relevant document since immediately before the specified date; or (ii) where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen), or as the spouse or civil partner of a relevant sponsor (as described in sub-paragraph (a)(i)(bb) of the entry for 'joining family member of a relevant sponsor' in this table), and does not hold a document of the type to which sub-paragraph (b)(i) above applies, and where:

Term	Definition
	(aa) the date of application is after the specified date; and (bb) the person: (aaa) was not resident in the UK and Islands as the durable partner of a relevant EEA citizen (where that relevant EEA citizen is their relevant sponsor) on a basis which met the entry for 'family member of a relevant EEA citizen' in this table, or, as the case may be, as the durable partner of the qualifying British citizen, at (in either case) any time before the specified date, unless (in the former case): - the reason why they were not so resident is that they did not hold a relevant document as the durable partner of that relevant EEA citizen for that period; and - they otherwise had a lawful basis of stay in the UK and Islands for that period; or (bbb) was resident in the UK and Islands before the specified date, and one of the events referred to in sub-paragraph (b)(i) or (b)(ii) of the entry for 'continuous qualifying period' in this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date; or (ccc) was resident in the UK and Islands before the specified date, and the event referred to in sub-paragraph (a) of the entry for 'supervening event' in this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date, the Secretary of State is satisfied by evidence provided by the person that the partnership was formed and was durable before (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i)(bb) or (a)(iii) of that entry in this table) the date and time of withdrawal and otherwise before the specified date; and (c) it is, or (as the case may be) for the relevant period was, not a **durable partnership of convenience**; and (d) neither party has, or (as the case may be) for the relevant period had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person's relationship with that party in addition, to meet condition 6 in the table in paragraph EU11 of this Appendix (or condition 3 in the table in

Term	Definition
	paragraph EU11A), the above requirements are to be met with reference to the period immediately before the death of the relevant EEA citizen (or, as the case may be, of the relevant sponsor) rather than to the date of application
educational course	a general educational course, apprenticeship or vocational training course, as provided by regulation 10(7) of the EEA Regulations
EEA citizen	a person who is (and, throughout any continuous qualifying period relied upon, was): (a)(i) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (ii) not also a British citizen; or (b) a relevant naturalised British citizen; or (c)(i) a national of a country listed in sub-paragraph (a)(i) above; and (ii) (where the applicant meets the criteria in paragraph 9 of Schedule 6 to the EEA Regulations as the family member ("F") to whom that paragraph refers) a British citizen within the meaning of the person ("P") to whom that paragraph refers; or (d) a **relevant person of Northern Ireland**
EEA Regulations	(a) (where relevant to something done before 2300 GMT on 31 December 2020) the Immigration (European Economic Area) Regulations 2016 (as they had effect immediately before that date and time); or (b) (where relevant to something done after 2300 GMT on 31 December 2020 and before 1 July 2021) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continued to have effect, with specified modifications, by virtue of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020); or (c) (where relevant to something done on or after 1 July 2021) the Immigration (European Economic Area) Regulations 2016 (as they had effect immediately before they were revoked and, where the context requires it, on the basis that those Regulations had not been revoked)
evidence of birth	(a) (in the case of a child) the **full birth certificate**(s) or other document(s) which the Secretary of State is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British

Term	Definition
	citizen' in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for 'joining family member of a relevant sponsor' in this table; or (b) (in the case of a dependent parent) the full birth certificate(s) or other document(s) which the Secretary of State is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described in sub-paragraph (a) above
exclusion decision	a direction given by the Secretary of State that a person must be excluded from the UK: (a) in respect of conduct committed after the specified date; or (b) in respect of conduct committed by the person before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who, but for the making of the exclusion direction, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "an exclusion direction")
exclusion order	an order made under regulation 23(5) of the EEA Regulations
exempt person	a person who: (a) has a right to reside under the EEA Regulations, other than under regulation 16; or (b) has the right of abode under section 2 of the Immigration Act 1971; or (c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; or (d) has indefinite leave to enter or remain
family member of a qualifying British citizen	a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that: (a) they have (or, as the case may be, had) returned to the UK: (i) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and:

Term	Definition
	(aa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or (bb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of 'durable partner' in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; or (ii) (where sub-paragraph (a)(i)(bb) above does not apply) before 2300 GMT on 31 December 2020 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before 2300 GMT on 31 December 2020; or (iii) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and: (aa) the partnership was formed and was durable before the date and time of withdrawal; and (bb) the partnership remains durable at the date of application (or it did so for the relevant period or immediately before the death of the qualifying British citizen); or (iv) before 2300 GMT on 31 December 2020 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and: (aa) the partnership was formed and was durable after the date and time of withdrawal and before 2300 GMT on 31 December 2020; and (bb) the partnership remains durable at the date of application (or it did so for the relevant period or immediately before the death of the qualifying British citizen); or (v) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of a qualifying British citizen, and the family relationship existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that

Term	Definition
	entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or (vi) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or (vii) before 2300 GMT on 31 December 2020 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above), and the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or (viii) before 2300 GMT on 31 December 2020 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the dependent relative of a qualifying British citizen, or (as the case may be) of their spouse or civil partner as described in sub-paragraph (a)(i) or (a)(ii) above, and that family relationship and (in sub-paragraph (a)(i)(bb) of the entry for 'dependent relative' in this table) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the applicant returned to the UK with the qualifying British citizen or (where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline of 2300 GMT on 31 December 2020 for returning to the UK) before 2300 GMT on 31 December 2020, and (in either case) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence in the UK relied upon); and (b) they satisfied the conditions in regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the family member

Term	Definition
	("F") to whom those provisions refer) or, as the case may be, the conditions in regulation 9(1A)(b), (2), (3) and (4)(a) of the EEA Regulations (as the extended family member ("EFM") to whom those provisions refer), in either case doing so: (i) (save in the case of a child as described in sub-paragraph (a)(v), (a)(vi) or (a)(vii) above who was born after 2300 GMT on 31 December 2020, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) before 2300 GMT on 31 December 2020; and (ii) (save where the date of application is after 2300 GMT on 31 December 2020 and where those conditions concern matters relevant to the dependency referred to in sub-paragraph (b)(ii)(bb) of the entry for 'child' in this table or in sub-paragraph (b)(ii) of the entry for 'dependent parent' in this table) immediately before returning to the UK with (or following) the qualifying British citizen (who is to be treated as the British citizen ("BC") to whom those provisions refer); and (c) (where the applicant does not rely on having a documented right of permanent residence, on having completed a continuous qualifying period in the UK of five years, or on being a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen) the family relationship continues to exist at the date of application
family member of a relevant EEA citizen	a person who does not meet the definition of 'joining family member of a relevant sponsor' in this table, and who has satisfied the Secretary of State, including by the required evidence of family relationship, that they are (and for the relevant period have been), or (as the case may be) for the relevant period (or at the relevant time) they were: (a) the spouse or civil partner of a relevant EEA citizen, and: (i) the marriage was contracted or the civil partnership was formed before the specified date; or (ii) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of 'durable partner' in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; or (b) the durable partner of a relevant EEA citizen, and:

Term	Definition
	(i) the partnership was formed and was durable before the specified date; and (ii) the partnership remains durable at the date of application (or it did so for the relevant period or immediately before the death of the relevant EEA citizen); or (c) the child or dependent parent of a relevant EEA citizen, and the family relationship existed before the specified date; or (d) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen (as described in sub-paragraph (a) above), and the family relationship existed before the specified date; or (e) the dependent relative, before the specified date, of a relevant EEA citizen (or of their spouse or civil partner, as described in sub-paragraph (a) above) and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence relied upon) in addition, where the applicant does not rely on meeting condition 1, 3, or 6 of paragraph EU11 of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, the family relationship continues to exist at the date of application
family member who has retained the right of residence	a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that the requirements set out in one of sub-paragraphs (a) to (e) below are met and that since satisfying those requirements the required continuity of residence has been maintained: (a) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who: (i) was, as the case may be, the family member of a relevant EEA citizen (or of a qualifying British citizen), or the joining family member of a relevant sponsor, and that person died; and (ii) was resident, as the case may be, as the family member of a relevant EEA citizen (or of a qualifying British citizen), or as the joining family member of a relevant sponsor, for a continuous qualifying period in the UK of at least a year immediately before the death of that person; or (b) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who:

Term	Definition
	(i) is the child (including where they are a joining family member of a relevant sponsor) of: (aa) a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) who has died or of their spouse or civil partner immediately before their death; or (bb) a person who ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) on ceasing to reside in the UK or of their spouse or civil partner at that point; and (ii) was attending an **educational course** in the UK immediately before the relevant EEA citizen (or, as the case may be, the qualifying British citizen or the relevant sponsor) died or ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor), and continues to attend such a course; or (c) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who is the parent with **custody of a child** who meets the requirements of sub-paragraph (b) above and the child is not a joining family member of a relevant sponsor; or (d) the applicant ("A") is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who: (i) ceased to be, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, on the **termination of the marriage or civil partnership** of that relevant EEA citizen (or, as the case may be, of that qualifying British citizen or of that relevant sponsor); for the purposes of this provision, where, after the initiation of the proceedings for that termination, that relevant EEA citizen ceased to be a relevant EEA citizen (or, as the case may be, that qualifying British citizen ceased to be a qualifying British citizen, or that relevant sponsor ceased to be a relevant sponsor), they will be deemed to have remained a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) until that termination; and (ii) was resident in the UK at the date of the termination of the marriage or civil partnership; and (iii) one of the following applies: (aa) prior to the initiation of the proceedings for the termination of the marriage or the civil partnership, the marriage or civil partnership

Term	Definition
	had lasted for at least three years and the parties to the marriage or civil partnership had been resident for a continuous qualifying period in the UK of at least one year during its duration; or (bb) A has custody of a child of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor); or (cc) A has the right of access to a child of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor), where the child is under the age of 18 years and where a court has ordered that such access must take place in the UK; or (dd) the continued right of residence in the UK of A is warranted by particularly difficult circumstances, such as where A or another family member has been a victim of domestic violence or abuse whilst the marriage or civil partnership was subsisting; or (e) the applicant ("A") is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who: (i) provides evidence that a relevant family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) has broken down permanently as a result of domestic violence or abuse; and (ii) was resident in the UK when the relevant family relationship broke down permanently as a result of domestic violence or abuse, and the continued right of residence in the UK of A is warranted where A or another family member has been a victim of domestic violence or abuse before the relevant family relationship broke down permanently in addition: (a) 'relevant family relationship' in sub-paragraph (e) above means a family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) such that the applicant is, or (immediately before the relevant family relationship broke down permanently as a result of domestic violence or abuse) was, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor; and (b) where sub-paragraph (e) above applies, then, where, following the permanent breakdown of the relevant family

Term	Definition
	relationship as a result of domestic violence or abuse, the applicant remains, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, they will be deemed to have ceased to be such a family member for the purposes of this Appendix once the permanent breakdown occurred; and (c) 'required continuity of residence' means that, where the applicant has not completed a continuous qualifying period of five years (and does not have valid evidence of their indefinite leave to enter or remain, and has not acquired the right of permanent residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man), then, since the point at which (where they do so) they began to rely on being in the UK and Islands as a family member who has retained the right of residence and while they continued to do so, one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of 'continuous qualifying period' in this table has not occurred
frontier worker	a person who: (a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (b) is not a British citizen; and (c) satisfies the Secretary of State by relevant evidence of this that they fulfil the relevant conditions of being a frontier worker set out in the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, and that they have done so continuously since the specified date; and (d) has not been (and is not to be) refused admission to, or removed from, the UK by virtue of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, and is not subject to a relevant restriction decision as defined by regulation 2 of those Regulations
full birth certificate	a birth certificate recognised in the UK or the Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the UK or the Islands	indefinite or limited leave to enter or remain in the UK or the Islands under or outside the relevant Immigration Rules; exemption from immigration control; the entitlement

Term	Definition
	to reside in the UK or the right of permanent residence in the UK under regulations 13 to 15 of the EEA Regulations; or the entitlement to reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 “(as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man
Irish citizen	a person who is an Irish citizen as a matter of Irish law
Islands deportation order	a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made: (a) in respect of conduct committed after the specified date and has effect in relation to the person, by virtue of paragraph 3 of Schedule 4 to the Immigration Act 1971, as if it was a deportation order made under that Act; or (b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who, but for the making of the deportation order, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)
Islands exclusion decision	a direction given by the relevant Minister or other authority in the Islands that a person must be excluded from the Island concerned: (a) in respect of conduct committed by the person after the specified date; or (b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who, but for the making of the exclusion direction, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)
joining family member of a relevant sponsor	a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that they are (and for the relevant period have been), or

Term	Definition
	(as the case may be) for the relevant period (or at the relevant time) they were: (a) the spouse or civil partner of a relevant sponsor, and (i)(aa) the marriage was contracted or the civil partnership was formed before the specified date; or (bb) the applicant was the durable partner of the relevant sponsor before the specified date (the definition of 'durable partner' in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; and (ii)(aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or (bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or (cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor; or (b) the **specified spouse or civil partner of a Swiss citizen**; or (c) the durable partner of a relevant sponsor, and: (i) the partnership was formed and was durable before the specified date; and (ii)(aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the partnership remains durable at the date of application; or (bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the partnership remained durable for the relevant period; or (cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the partnership remained durable immediately before the death of the relevant sponsor; or (d) the child or dependent parent of a relevant sponsor, and the family relationship:

Term	Definition
	(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (ii) continues to exist at the date of application (or did so for the period of residence relied upon); or (e) the child or dependent parent of the spouse or civil partner of a relevant sponsor, as described in sub-paragraph (a) above, and all the family relationships: (i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (ii) continue to exist at the date of application (or did so for the period of residence relied upon) in addition, the person meets one of the following requirements: (a) (where sub-paragraph (c) or (d) below does not apply) they were not resident in the UK and Islands on a basis which met the definition of 'family member of a relevant EEA citizen' in this table (where that relevant EEA citizen is their relevant sponsor) at any time before the specified date; or (b) (where sub-paragraph (c) or (d) below does not apply) they were resident in the UK and Islands before the specified date, and: (i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of 'continuous qualifying period' in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or (ii) the event referred to in sub-paragraph (a) in the definition of 'supervening event' in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or (iii) they are the specified spouse or civil partner of a Swiss citizen, and they do not rely on any period of residence in the UK and Islands before the marriage was contracted or the civil partnership was formed; or (c) (where sub-paragraph (d) below does not apply) where the person is a child born after the specified date or

Term	Definition
	adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (with the references below to 'parents' in this sub-paragraph construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), one of the following requirements is met: (i) both of their parents are a relevant sponsor; or (ii) one of their parents is a relevant sponsor and the other is a British citizen who is not a relevant sponsor; or (iii) one of their parents is a relevant sponsor who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the UK, of the Islands or of a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognised in the UK, in the Islands or in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table, in particular as regards the best interests of the child, and without prejudice to the normal operation of such applicable rules of private international law); or (d) where the person is a child born after the specified date to (or adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for 'child' in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant sponsor
non-EEA citizen	a person who is not an EEA citizen and is not a British citizen
person exempt from immigration control	a person who: (a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (b) is not a British citizen; and (c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971

Term	Definition
person who has ceased activity	the person: (a) has terminated activity as a worker or self-employed person in the UK and either reached the age of entitlement to a state pension on terminating that activity or, in the case of a worker, ceased working to take early retirement; and immediately before that termination, was a worker or self-employed person in the UK for at least 12 months and resided in the UK and Islands for a continuous qualifying period of more than three years; or (b) stopped being a worker or self-employed person in the UK owing to permanent incapacity to work, having resided in the UK and Islands for a continuous qualifying period of more than the preceding two years or the incapacity having resulted from an accident at work or an occupational disease that entitles the person to a pension payable in full or in part by an institution in the UK; or (c) resided for a continuous qualifying period in the UK of at least three years as a worker or self-employed person, immediately before becoming a worker or self-employed person in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table, while retaining a place of residence in the UK to which they return, as a rule, at least once a week in addition, the conditions as to length of residence and of employment in sub-paragraphs (a) and (b) above do not apply where the Secretary of State is satisfied, including by the required evidence of family relationship, that the relevant EEA citizen (or, as the case may be, the relevant sponsor) is the spouse or civil partner of a British citizen (substituting 'British citizen' for 'relevant EEA citizen' in the entry for, as the case may be, 'spouse' or 'civil partner' in this table)
person who had a derivative or Zambrano right to reside	a person who, before the specified date, was a person with a derivative right to reside or a person with a Zambrano right to reside, immediately before they became (whether before or after the specified date): (a) a relevant EEA citizen; or (b) a family member of a relevant EEA citizen; or (c) a person with a derivative right to reside; or (d) a person with a Zambrano right to reside; or (e) a family member of a qualifying British citizen, and who has remained or (as the case may be) remained in any (or any combination) of those categories (including where they subsequently became a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen or with a qualifying British citizen) in addition, where a person relies on meeting this definition, the continuous qualifying period in which they

Term	Definition
	rely on doing so must have been continuing at 2300 GMT on 31 December 2020
person who is subject to a non-adoptive legal guardianship order	a person who has satisfied the Secretary of State that, before the specified date, they: (a) are under the age of 18 years; and (b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a relevant EEA citizen or, as the case may be, of a qualifying British citizen (who, in either case, is their 'sponsoring person' in accordance with the second sub-paragraph (b) in the entry for 'dependent relative' in this table) that: (i) is recognised under the national law of the state in which it was contracted; and (ii) places parental responsibility on a permanent basis on the relevant EEA citizen or, as the case may be, on the qualifying British citizen (in either case, solely or jointly with another party); and (c) have lived with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen) since their placement under the guardianship order; and (d) have created family life with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen); and (e) have a personal relationship with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen) that involves dependency on the relevant EEA citizen (or, as the case may be, on the qualifying British citizen) and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen)
person with a derivative right to reside	a person who has satisfied the Secretary of State by evidence provided that they are (and for the relevant period have been) or (as the case may be) for the relevant period they were: (a) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an **exempt person**; and (ii) they are the **primary carer** of an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table and, where they are also a British citizen, the EEA citizen falls within sub-paragraphs (c) and (d) of the entry for 'relevant naturalised British citizen' in this table); and (iii) the EEA citizen is under the age of 18 years and resides in the UK as a self-sufficient person; and (iv) the EEA citizen would in practice be unable to remain in the UK if the person in fact left the UK for an indefinite period; and

Term	Definition
	(v) they are not subject to a decision made under regulation 23(6)(b), 24(1), 25(1), 26(3) or 31(1) of the EEA Regulations, unless that decision has been set aside or otherwise no longer has effect; or (b) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an exempt person; and (ii) they are in education in the UK; and (iii) any of the person's parents ("PP") is an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table and, where they are also a British citizen, PP falls within sub-paragraphs (c) and (d) of the entry for 'relevant naturalised British citizen' in this table) who resides or has resided in the UK; and (iv) both the person and PP reside or have resided in the UK at the same time and during such a period of residence PP has been a worker or self-employed person in the UK; and (v) they are not subject to a decision made under regulation 23(6)(b), 24(1), 25(1), 26(3) or 31(1) of the EEA Regulations, unless that decision has been set aside or otherwise no longer has effect; or (c) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an exempt person; and (ii) they are the primary carer of a person who meets the requirements of sub-paragraph (b) above ("PPP"); and (iii) PPP would in practice be unable to continue to be educated in the UK if the person in fact left the UK for an indefinite period; and (iv) they are not subject to a decision made under regulation 23(6)(b), 24(1), 25(1), 26(3) or 31(1) of the EEA Regulations, unless that decision has been set aside or otherwise no longer has effect; or (d) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an exempt person; and (ii) they are under the age of 18 years (unless they were previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a derivative right to reside and were under 18 at the date of application for that leave); and (iii) their primary carer meets the requirements of sub-paragraph (a) or (c) above; and

Term	Definition
	(iv) the primary carer would in practice be prevented from residing in the UK if the person in fact left the UK for an indefinite period; and (v) they do not have leave to enter or remain in the UK, unless this: (aa) was granted under this Appendix; or (bb) is in effect by virtue of section 3C of the Immigration Act 1971; or (cc) is leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met sub-paragraph (a)(ii) of the definition of 'specified EEA family permit case' in Annex 1 to that Appendix; and (vi) they are not subject to a decision made under regulation 23(6)(b), 24(1), 25(1), 26(3) or 31(1) of the EEA Regulations, unless that decision has been set aside or otherwise no longer has effect in addition: (a) 'relevant period' means here the continuous qualifying period in which the person relies on meeting this definition; and (b) unless the applicant relies on being a person who had a derivative or Zambrano right to reside or a **relevant EEA family permit case**, the relevant period must have been continuing at 2300 GMT on 31 December 2020; and (c) where the role of primary carer is shared with another person in accordance with sub-paragraph (b)(ii) of the entry for 'primary carer' in this table, the reference to 'the person' in sub-paragraphs (a)(iv) and (c)(iii) above is to be read as 'both primary carers'; and (d) 'self-sufficient person' means a person with sufficient resources not to become a burden on the social assistance system of the UK, regardless of whether they hold comprehensive sickness insurance cover in the UK; and (e) 'education in the UK' excludes nursery education but does not exclude education received before the compulsory school age where that education is equivalent to the education received at or after the compulsory school age
person with a Zambrano right to reside	a person who has satisfied the Secretary of State by evidence provided that they are (and for the relevant period have been) or (as the case may be) for the relevant period they were:

Term	Definition
	(a) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an exempt person; and (ii) they are the primary carer of a British citizen who resides in the UK; and (iii) the British citizen would in practice be unable to reside in the UK, the European Economic Area or Switzerland if the person in fact left the UK for an indefinite period; and (iv) they do not have leave to enter or remain in the UK, unless this: (aa) was granted under this Appendix; or (bb) is in effect by virtue of section 3C of the Immigration Act 1971; or (cc) is leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met sub-paragraph (a)(ii) of the definition of 'specified EEA family permit case' in Annex 1 to that Appendix; and (v) they do not have leave to enter or remain in the UK, unless this: (aa) was granted under this Appendix; or (bb) is in effect by virtue of section 3C of the Immigration Act 1971; or (cc) is leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met sub-paragraph (a)(ii) of the definition of 'specified EEA family permit case' in Annex 1 to that Appendix; and (b) resident for a continuous qualifying period in the UK which began before the specified date and throughout which the following criteria are met: (i) they are not an exempt person; and (ii) they are under the age of 18 years (unless they were previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a Zambrano right to reside and were under 18 at the date of application for that leave); and (iii) their primary carer meets the requirements of sub-paragraph (a) above; and (iv) the primary carer would in practice be prevented from residing in the UK if the person in fact left the UK for an indefinite period; and

Term	Definition
	(v) they do not have leave to enter or remain in the UK, unless this was granted under this Appendix or in effect by virtue of section 3C of the Immigration Act 1971; and (vi) they are not subject to a decision made under regulation 23(6)(b), 24(1), 25(1), 26(3) or 31(1) of the EEA Regulations, unless that decision has been set aside or otherwise no longer has effect in addition: (a) 'relevant period' means here the continuous qualifying period in which the person relies on meeting this definition; and (b) unless the applicant relies on being a person who had a derivative or Zambrano right to reside or a relevant EEA family permit case, the relevant period must have been continuing at 2300 GMT on 31 December 2020; and (c) where the role of primary carer is shared with another person in accordance with sub-paragraph (b)(ii) of the entry for 'primary carer' in this table, the reference to 'the person' in sub-paragraph (a)(iii) above is to be read as 'both primary carers'
primary carer	a person who: (a) is a direct relative or legal guardian of another person ("AP"); and (b)(i) has primary responsibility for AP's care; or (ii) shares equally the responsibility for AP's care with one other person, unless that other person had acquired a derivative right to reside in the UK as a result of regulation 16 of the EEA Regulations, or relied on meeting this definition in being granted the indefinite leave to enter or remain or limited leave to enter or remain they hold under this Appendix, before the person assumed equal care responsibility in addition, a person is not to be regarded as having responsibility for AP's care on the sole basis of a financial contribution towards that care
qualifying British citizen	a British citizen who: (a) has (or, as the case may be, for the relevant period had) returned to the UK with (or ahead of) the applicant: (i) (where sub-paragraph (a)(ii) below does not apply) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline); or (ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(ii), (a)(iv), (a)(vii) or (a)(viii) of the entry for 'family member of a qualifying British citizen' in this table) before 2300 GMT on 31 December 2020 (or later

Term	Definition
	where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline); and (b) satisfied regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the British citizen ("BC") to whom those provisions refer): (i) (save where the applicant is a child as described in sub-paragraph (a)(v), (a)(vi) or (a)(vii) of the entry for 'family member of a qualifying British citizen' in this table who was born after 2300 GMT on 31 December 2020, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) before 2300 GMT on 31 December 2020; and (ii) immediately before returning to the UK with (or ahead of) the applicant (who is to be treated as the family member ("F") or, as the case may be, as the extended family member ("EFM"), to whom those provisions refer); and (c) was continuously resident in the UK in accordance with regulation 3 of the EEA Regulations throughout any period on which the applicant relies as being present in the UK by virtue of being a family member of a qualifying British citizen in addition: (i) for the avoidance of doubt, for the purposes of sub-paragraph (b) above, service as a member of HM Forces (as defined in the Armed Forces Act 2006) in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table may satisfy the conditions of being a "worker" for the purposes of the EEA Regulations; and (ii) for the purposes of sub-paragraph (i) immediately above, sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table will be treated as referring also to the Sovereign Base Areas on Cyprus
relevant adoption decision	an adoption decision taken: (a) by the competent administrative authority or court in the UK or the Islands; or (b) by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or the Islands; or (c) in a particular case in which that decision in another country has been recognised in the UK or the Islands as an adoption
relevant document	(a)(i)(aa) a family permit, registration certificate, residence card, document certifying permanent residence, permanent residence card or derivative residence card issued by the UK under the EEA Regulations on the basis

Term	Definition
	of an application made under the EEA Regulations before (in the case, where the applicant is not a dependent relative, of a family permit) 1 July 2021 and otherwise before the specified date (or, in any case, a letter from the Secretary of State, issued after 30 June 2021, confirming their qualification for such a document, had the route not closed after 30 June 2021); or (bb) (where the applicant is a family member of a relevant person of Northern Ireland and is a dependent relative or durable partner) other evidence which satisfies the Secretary of State of the same matters under this Appendix concerning the relationship and (where relevant) dependency as a document to which sub-paragraph (a)(i)(aa) above refers; for the purposes of this provision, where the Secretary of State is so satisfied, such evidence is deemed to be the equivalent of a document to which sub-paragraph (a)(i)(aa) above refers; or (ii) a document or other evidence equivalent to a document to which sub-paragraph (a)(i)(aa) above refers, and issued by the Islands under the relevant legislation there evidencing the entitlement to enter or reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man; or (iii) a biometric residence card issued by virtue of having been granted limited leave to enter or remain under this Appendix; or (iv) an entry clearance in the form of an EU Settlement Scheme Family Permit granted under or outside Appendix EU (Family Permit) to these Rules; and (b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and (c) (subject to sub-paragraphs (d) and (e) below) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon; and (d) for the purposes of the reference to 'relevant document' in the first sub-paragraph (b) of the entry for 'dependent relative' in this table, in sub-paragraph (b)(i) of the entry for 'durable partner' in this table and in sub-paragraphs (e); and (f) of the entry for 'required evidence of family relationship' in this table, the relevant document may have expired, where: (i) before it expired, the applicant applied for a further relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(iii) above) on the basis of the same family relationship as that on which that earlier relevant document was issued; and

Term	Definition
	(ii) the further relevant document to which sub-paragraph (d)(i) above refers was issued by the date of decision on the application under this Appendix (e) the relevant document may have expired, where: (i) it is a family permit (as described in sub-paragraph (a)(i)(aa) above) or an equivalent document or other evidence issued by the Islands (as described in sub-paragraph (a)(ii) above); and (ii) it expired after the specified date and before the required date; and (iii) the applicant arrived in the UK before 1 July 2021 and (unless they are a durable partner or dependent relative) after the specified date
relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is before 1 July 2021)	(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or (b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above: (i) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or (ii) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (c) where the applicant is a family member of a relevant naturalised British citizen, an EEA citizen in accordance with sub-paragraph (b) of that entry in this table; or (d) where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph, an EEA citizen: (i) in accordance with sub-paragraph (c) of that entry in this table; and (ii)(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or (bb) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but

Term	Definition
	for the fact that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this Page 28 of 183 table): (i) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or (ii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table): (aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or (bb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (iii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (f) where the applicant is their family member, a **person exempt from immigration control**: (i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or

Term	Definition
	(ii) who, having been resident in the UK and Islands as described in sub-paragraph (f)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (g) where the applicant is their family member, a **frontier worker**
relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)	(a)(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (ii) where the applicant is their family member, the EEA citizen, having been resident in the UK and Islands as described in sub-paragraph (a)(i) above, has been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or (b)(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (ii) where the applicant is their family member, the EEA citizen, having been resident in the UK and Islands as described in sub-paragraph (b)(i) above, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (c) where the applicant is a family member of a person who falls within sub-paragraphs (a), (c) and (d) of the entry for ‘relevant naturalised British citizen’ in this table, the person falling within those sub-paragraphs who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:

Term	Definition
	(i) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (ii) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (d) where the applicant is the family member ("F") to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph, an EEA citizen: (i) in accordance with sub-paragraph (c) of that entry in this table; and (ii) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (iii) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table): (i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table: (aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (bb) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i)(aa) above: (aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or (bbb) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the

Term	Definition
	Islands), which has not lapsed or been cancelled, curtailed or invalidated; or (ccc) if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table: (aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; and (bb) who, having been resident in the UK and Islands as described in sub-paragraph (e)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted: (aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bbb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (f) where the applicant is their family member, a person exempt from immigration control: (i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (ii) who, having been resident in the UK and Islands as described in sub-paragraph (f)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which

Term	Definition
	would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (g) where the applicant is their family member, a frontier worker in addition, notwithstanding what is said above, in relation to sub-paragraphs (a) to (f) above, it will suffice that the relevant EEA citizen is (or, as the case may be, for the relevant period was) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date where the applicant: (a)(i) is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen or a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and (ii) has completed a continuous qualifying period of five years under condition 3 in the table in paragraph EU11 of this Appendix; or (b)(i) is a family member of a relevant EEA citizen or a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and (ii) otherwise meets the eligibility requirements for limited leave to enter or remain under condition 1 in the table in paragraph EU14 of this Appendix; or (c) relies on meeting condition 1, 2 or 6 in the table in paragraph EU11 of this Appendix
relevant EEA family permit case	(a) family member of a relevant EEA citizen who is: (i) a dependent relative or a durable partner who (in either case) arrived in the UK after 2300 GMT on 31 December 2020 and by 30 June 2021 with a valid EEA family permit issued under the EEA Regulations on the basis of a valid application made under the EEA Regulations before 2300 GMT on 31 December 2020; or (ii) a dependent relative or (on the basis of a valid application made under the EEA Regulations before 2300 GMT on 31 December 2020) a durable partner who (in either case) arrived in the UK after 2300 GMT on 31 December 2020 with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis

Term	Definition
	they met the definition in Annex 1 to that Appendix of 'specified EEA family permit case'; or (b) a person with a derivative right to reside or a person with a Zambrano right to reside who (in either case) arrived in the UK after 2300 GMT on 31 December 2020 and by 30 June 2021 with a valid EEA family permit issued under the EEA Regulations on the basis of a valid application made under the EEA Regulations before 2300 GMT on 31 December 2020; or (c) a person with a derivative right to reside or a person with a Zambrano right to reside who (in either case) arrived in the UK after 2300 GMT on 31 December 2020 with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met the definition in Annex 1 to that Appendix of 'specified EEA family permit case'
relevant excluded person	a person: (a) in respect of whom the Secretary of State has made a decision under Article 1F of the Refugee Convention to exclude the person from the Refugee Convention or under paragraph 339D of these Rules to exclude them from humanitarian protection; or (b) in respect of whom the Secretary of State has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because there are reasonable grounds for regarding them as a danger to the security of the UK; or (c) who the Secretary of State considers to be a person in respect of whom sub-paragraph (a) or (b) above would apply except that: (i) the person has not made a protection claim; or (ii) the person made a protection claim which has already been finally determined without reference to Article 1F of the Refugee Convention or paragraph 339D of these Rules; or (d) in respect of whom the Secretary of State has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because, having been convicted by a final judgment of a particularly serious crime, they constitute a danger to the community of the UK
relevant naturalised British citizen	(a) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or (b) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that

Term	Definition
	they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; and in either case the person also: (c) comes within paragraph (b) of the definition of "EEA national" in regulation 2(1) of the EEA Regulations; and (d) meets the criteria contained in regulation 9A(2) or (3) as the dual national ("DN") to whom those provisions refer (save for the requirement in regulation 4(1)(c)(ii) and (d)(ii) of the EEA Regulations for comprehensive sickness insurance cover in the UK and regardless of whether, save in conditions 5 and 6 in the table in paragraph EU11 of this Appendix and in conditions 2 and 3 in the table in paragraph EU11A, they otherwise remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship)
relevant person of Northern Ireland	a person who: (a) is: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; and (b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
relevant sponsor	(a) where the date of application by a joining family member of a relevant sponsor is after the specified date and before 1 July 2021: (i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or

Term	Definition
	(ii) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table): (aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or (bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (iii) an EEA citizen in accordance with sub-paragraph (b) of that entry in this table (a relevant naturalised British citizen, in accordance with sub-paragraph (a) or (b), together with sub-paragraphs (c) and (d), of that entry in this table); or (iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table): (aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or (bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above (where they are a relevant person of Northern Ireland in accordance with subparagraph (a)(ii) of that entry in this table): (aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or (bbb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or

Term	Definition
	(cc) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (v) a person exempt from immigration control: (aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or (bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(v)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (vi) a frontier worker; or (b) where the date of application by a joining family member of a relevant sponsor is on or after 1 July 2021: (i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or (ii) an Irish citizen who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted:

Term	Definition
	(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (iii) a person who falls within sub-paragraphs (a), (c) and (d) of the entry for 'relevant naturalised British citizen' in this table, who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table: (aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and (bb) who, having been resident in the UK and Islands as described in sub-paragraph (b)(iv)(aa) above: (aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or (bbb) if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or

Term	Definition
	(ccc) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or (ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (v) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table: (aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; and (bb) who, having been resident in the UK and Islands as described in sub-paragraph (b)(v)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted: (aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bbb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (vi) a person exempt from immigration control who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date and if they had made a valid application under this Appendix before 1 July 2021, would have been granted: (aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which

Term	Definition
	would not have lapsed or been cancelled, revoked or invalidated before the date of application; or (bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or (vii) a frontier worker in addition: (a) save for the purposes of condition 3 in the table in paragraph EU11A of this Appendix and of sub-paragraphs (a) and (b) of the entry for 'family member who has retained the right of residence' in this table, the relevant sponsor has not died; and (b) notwithstanding what is said above, where the date of application by a joining family member of a relevant sponsor is on or after 1 July 2021, it will suffice that the relevant sponsor is or (as the case may be) was resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date where the applicant: (i) on the basis of events which occurred during the period to which sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) of the entry for 'required date' in this table refers, relies on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor, or has limited leave to enter or remain granted on that basis under paragraph EU3A of this Appendix; or (ii) relies on meeting condition 3 in the table in paragraph EU11A of this Appendix; or (iii)(aa) has limited leave to enter or remain granted under paragraph EU3A of this Appendix; and (bb) would have been eligible for indefinite leave to enter or remain under condition 1, 2 or 3 in the table in paragraph EU11A of this Appendix, had they made a further valid application under this Appendix (subsequently to that which led to the grant of leave to which sub-paragraph (b)(iii)(aa) immediately above refers) before the indefinite or limited leave to enter or remain granted under paragraph EU2 or (as the case may be) EU3 to their relevant sponsor lapsed or was cancelled, curtailed, revoked or invalidated (or would have done so or been so, where the first sub-paragraph (b)(ii) above or sub-paragraph (b)(iii), (b)(iv)(bb)(bbb), (b)(iv)(bb)(ddd), (b)(v) or (b)(vi) above applies); for the purposes of this provision, the reference to continuous qualifying period in this sub-paragraph (b) will be treated as a relevant

Term	Definition
	reference for the purposes of sub-paragraph (c)(v) of the entry for 'continuous qualifying period' in this table, where sub-paragraph (c)(i), (c)(ii), (c)(iii) or (c)(iv) of that entry does not apply
required application process	(a) (unless sub-paragraph (b) or (c) applies) the relevant on-line application form and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics; or (b) the required paper application form where this is mandated on gov.uk and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics; or (c) a paper application form where this has been issued individually to the applicant by the Secretary of State, via the relevant process for this set out on gov.uk, and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics in addition, where a paper application form is used under sub-paragraph (b) or (c) above, it must be sent by pre-paid post or courier to the Home Office address specified on the form (where one is specified), or by e-mail to the Home Office e-mail address specified on the form (where one is specified)
required biometrics	(a) a facial photograph of the applicant (within the meaning of "biometric information" in section 15 of the UK Borders Act 2007); and (b) (in the case of a non-EEA citizen without a **specified relevant document** making an application within the UK) the fingerprints of the applicant (also within that meaning of "biometric information"; unless, in accordance with guidance published by the Secretary of State and in force at the date of application, they are not required to provide these), in both cases provided in accordance with the required application process

Term	Definition
required date	(a) where the applicant does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix: (i) (where sub-paragraphs (a)(ii) to (a)(vii) below do not apply) the date of application is: (aa) before 1 July 2021; or (bb) (where the deadline in sub-paragraph (a)(i)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) on or after 1 July 2021; or (ii) (where the applicant relies on being a joining family member of a relevant sponsor and the applicant arrived in the UK on or after 1 April 2021, and where sub-paragraph (a)(iii), (a)(viii) or (a)(ix) below does not apply, or the applicant relies on being a child born in the UK on or after 1 April 2021 or adopted in the UK on or after that date in accordance with a relevant adoption decision, or on becoming on or after 1 April 2021 a child in the UK within the meaning of the entry for 'child' in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) the date of application is: (aa) within three months of the date on which they arrived in the UK (or, as the case may be, of the date on which they were born in the UK, adopted in the UK or became a child in the UK within the meaning of the entry for 'child' in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or (bb) (where the deadline in sub-paragraph (a)(ii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after that deadline; or (iii) (where the applicant relies on being a joining family member of a relevant sponsor as described in sub-paragraph (b) of that entry in this table and the applicant arrived in the UK on or after 1 April 2021, and where sub-paragraph (a)(viii) or (a)(ix) below does not apply) the date of application is: (aa) within three months of the date on which they arrived in the UK, and before 1 January 2026; or (bb) (where the deadline in sub-paragraph (a)(iii)(aa) above was not met and the

Term	Definition
	Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after that deadline; or (iv) (where the applicant relies on being a family member of a qualifying British citizen and sub-paragraph (a)(v) below does not apply) the date of application is before 9 August 2023; or (v) (where the applicant relies on being a family member of a qualifying British citizen, and has, or as the case may be had, leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met the definition of 'family member of a qualifying British citizen' in Annex 1 to that Appendix, and that leave has, or had, not been cancelled, curtailed or invalidated) the date of application is: (aa) before the date of expiry of that leave; or (bb) (where the deadline in sub-paragraph (a)(v)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or (vi) (where the applicant relies on being a person with a Zambrano right to reside and sub-paragraph (a)(vii) below does not apply) the date of application is before 9 August 2023; or (vii) (where the applicant relies on being a person with a Zambrano right to reside, and has, or as the case may be had, leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met sub-paragraph (a)(ii) of the definition of 'specified EEA family permit case' in Annex 1 to that Appendix, and that leave has, or had, not been cancelled, curtailed or invalidated) the date of application is: (aa) before the date of expiry of that leave; or (bb) (where the deadline in sub-paragraph (a)(vii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date

Term	Definition
	of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or (viii) (in the case of an applicant to whom the deadline in subparagraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above applies, who has, or had, limited leave to enter or remain granted under another part of these Rules or outside the Immigration Rules (except where such leave is, or was, as a visitor) or by virtue of having arrived in the UK with an entry clearance that was granted under Appendix EU (Family Permit) to these Rules, which has, or had, not lapsed or been cancelled, curtailed or invalidated, and the date of expiry of that leave (which they have held, or did hold, continuously since before that deadline) is, or was, after that deadline, the Secretary of State will deem that to be reasonable grounds for the person's failure to meet that deadline), so that the date of application is: (aa) before the date of expiry of that leave; or (bb) (where the deadline in sub-paragraph (a)(viii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or (ix) (in the case of an applicant to whom the deadline in sub-paragraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above applies, who ceases to be exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971 on or after 1 July 2021, which the Secretary of State will deem to be reasonable grounds for the person's failure to meet that deadline), the date of application is: (aa) within the period of 90 days beginning on the day on which they ceased to be exempt from immigration control; or (bb) (where the deadline in sub-paragraph (a)(ix)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after that deadline; or

Term	Definition
	(b) where the applicant has, or as the case may be had, limited leave to enter or remain granted under this Appendix, which has, or had, not lapsed or been cancelled, curtailed or invalidated, the date of application is any date in addition: (a) for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix; and (b) the deadline in sub-paragraph (a)(i)(aa) above does not apply (and the applicant therefore has to meet no requirement under sub-paragraph (a) above) where the applicant: (i) is a joining family member of a relevant sponsor; and (ii) does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix; and (iii) is not caught by the deadline in sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) above; and (iv) does not fall within sub-paragraph (a)(viii) or (a)(ix) above
required evidence of being a relevant person of Northern Ireland	(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and (b) evidence which satisfies the Secretary of State that, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence in addition: (a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and (b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite

Term	Definition
	leave to enter or remain or for limited leave to enter or remain under this Appendix
required evidence of family relationship	in the case of: (a) a spouse without a documented right of permanent residence: (i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor), or a valid document of record of a marriage recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and (ii)(aa) where the marriage to the relevant EEA citizen (or, as the case may be, the relevant sponsor) was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is the joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the specified date; or (bb) where the marriage to the qualifying British citizen was contracted after the date and time of withdrawal, evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the date and time of withdrawal; or (b) a civil partner without a documented right of permanent residence: (i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor); a valid civil partnership certificate recognised under the law of England and Wales, Scotland or Northern Ireland or under any equivalent legislation in the Islands; or the valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2004 or under any equivalent legislation in the Islands; and (ii)(aa) where the civil partnership with the relevant EEA citizen (or, as the case may be, the relevant sponsor) was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is a joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland,

Term	Definition
	there is evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the specified date; or (bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the date and time of withdrawal; or (c) a child without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their **evidence of birth**, and: (i) where the applicant is aged 21 years or over and was not previously granted limited leave to enter or remain under this Appendix (or under its equivalent in the Islands) as a child, evidence which satisfies the Secretary of State that the requirements in sub-paragraph (b)(ii) of the entry for 'child' in this table are met; and (ii) where, in the case of a joining family member of a relevant sponsor, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the Secretary of State that the requirements in the second sub-paragraph (c) (as set out in sub-paragraph (i), (ii) or (iii) of that sub-paragraph) or in the second sub-paragraph (d) of the entry for 'joining family member of a relevant sponsor' in this table are met; or (d) a dependent parent without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their evidence of birth, and, where the first sub-paragraph (b) of the entry for 'dependent parent' in this table applies, evidence which satisfies the Secretary of State that (where this is not assumed) the requirement as to dependency in that sub-paragraph is met; or (e) a durable partner: (i) a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) and, unless this confirms the right of permanent residence in the UK under regulation 15 of the EEA Regulations (or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area)

Term	Definition
	Regulations of the Isle of Man), evidence which satisfies the Secretary of State that the partnership remains durable at the date of application (or did so for the period of residence relied upon); or (ii) (where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen) and sub-paragraph (b)(ii) of the entry for 'durable partner' in this table applies) the evidence to which that sub-paragraph refers, and evidence which satisfies the Secretary of State that the partnership remains durable at the date of application (or did so for the period of residence relied upon); or (f) a dependent relative: (i) (where sub-paragraph (f)(ii) below does not apply) a relevant document as the dependent relative of their sponsoring person (in the entry for 'dependent relative' in this table) and, unless this confirms the right of permanent residence in the UK under regulation 15 of the EEA Regulations (or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man), evidence which satisfies the Secretary of State that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continue to exist at the date of application (or did so for the period of residence relied upon); or (ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline to which that sub-paragraph refers) evidence which satisfies the Secretary of State that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application (or did so for the period of residence relied upon) in addition: (a) where the eligibility requirements to be met for leave to be granted under this Appendix relate to the death of a person, the required evidence of family relationship must

Term	Definition
	include their death certificate or other evidence which the Secretary of State is satisfied evidences the death; and (b) where the applicant is a non-EEA citizen without a documented right of permanent residence, or is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) without a documented right of permanent residence who relies on being (or, as the case may be, for the relevant period on having been) a family member of a qualifying British citizen (or, as the case may be, a family member of a relevant EEA citizen, a family member who has retained the right of residence or a joining family member of a relevant sponsor), the required evidence of family relationship must include: (i) the following proof of identity and nationality of (as the case may be) the relevant EEA citizen, the qualifying British citizen or the relevant sponsor, of whom the applicant is (or, as the case may be, for the relevant period was) a family member or (as the case may be) a joining family member: (aa) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, in the case of a qualifying British citizen, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid passport; or (bb) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid national identity card or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or (cc) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (d) of the

Term	Definition
	applicable entry in this table, or in the case of a relevant sponsor who is a relevant naturalised British citizen) their valid passport or their valid national identity card as a national of a country listed in sub-paragraph (a)(i) in the entry for 'EEA citizen' in this table, and information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State, which satisfies the Secretary of State that the person is a British citizen; or (dd) (in the case of a relevant EEA citizen or a relevant sponsor who, in either case, is relied on by the applicant as being a relevant person of Northern Ireland) the **required evidence of being a relevant person of Northern Ireland**, and: (aaa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State, which satisfies the Secretary of State that the person is a British citizen; or (bbb) (where they are an Irish citizen) their valid passport or their valid national identity card as an Irish citizen, or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or (ccc) (where they are a British citizen and an Irish citizen, and are not relied on by the applicant as being a specified relevant person of Northern Ireland) the evidence required by sub-paragraph (b)(i)(dd)(aaa) or (b)(i)(dd)(bbb) above, unless (in any case) the Secretary of State agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; and (ii) evidence which satisfies the Secretary of State that:

Term	Definition
	(aa) where the applicant is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen, that EEA citizen is (or, as the case may be, for the relevant period was) a relevant EEA citizen as described in the applicable entry for 'relevant EEA citizen' in this table, and is (or, as the case may be, was) such a relevant EEA citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a relevant EEA citizen; or (bb) where the applicant is (or, as the case may be, for the relevant period was) a family member of a qualifying British citizen, that British citizen is (or, as the case may be, for the relevant period was) a qualifying British citizen, and is (or, as the case may be, was) a qualifying British citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a qualifying British citizen; or (cc) where the applicant is (or, as the case may be, for the relevant period was) a joining family member of a relevant sponsor, that relevant sponsor is (or, as the case may be, for the relevant period was) a relevant sponsor, and is (or, as the case may be, was) a relevant sponsor throughout any continuous qualifying period on which the applicant relies as being a joining family member of a relevant sponsor; and (c) 'valid' here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and (d) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and (e) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix

Term	Definition
required proof of entitlement to apply from outside the UK	(a) in the case of an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table): (i) their valid passport; or (ii) their valid national identity card, where this contains an interoperable biometric chip, unless the Secretary of State agrees to accept alternative evidence of entitlement to apply from outside the UK where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; or (b) in the case of a non-EEA citizen, their valid specified relevant document, unless the Secretary of State agrees to accept alternative evidence of entitlement to apply from outside the UK where the applicant is unable to produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons in addition, 'valid' here means that the document is genuine and has not expired or been cancelled or invalidated
required proof of identity and nationality	(a) in the case of an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) making an application within the UK: (i) their valid passport; or (ii) their valid national identity card; or (b) in the case of a non-EEA citizen making an application within the UK: (i) their valid passport; or (ii) their valid specified relevant document; or (iii) their valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007), unless (in the case of (a) or (b)) the Secretary of State agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons in addition, 'valid' here means that the document is genuine and has not expired or been cancelled or invalidated
self-employed person	there is evidence which satisfies the Secretary of State that the person is, or (as the case may be) for the relevant period was, either: (a) a self-employed person as defined in regulation 4(1) of the EEA Regulations; or

Term	Definition
	(b) (save where sub-paragraph (b)(iv) of the entry for 'person with a derivative right to reside' in this table is concerned) a person who is or was no longer in self-employment but who continues or continued to be treated as a self-employed person within the meaning of "qualified person" under regulation 6 of the EEA Regulations, irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland
specified date	(a) (where sub-paragraphs (b) and (c) below do not apply) 2300 GMT on 31 December 2020; or (b)(i) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i), (a)(iii), (a)(v) or (a)(vi) of the entry for 'family member of a qualifying British citizen' in this table) 2300 GMT on 29 March 2022; or (ii) (where, in the case of a family member of a qualifying British citizen, the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline for returning to the UK applicable under the entry for 'family member of a qualifying British citizen' in this table) 2359 GMT on the date they arrived in the UK, in (in the case of (b)(i) or (b)(ii)) the reference to specified date in sub-paragraph (a) of the entry for 'continuous qualifying period' in this table, for the purposes of the references to continuous qualifying period in: - condition 3 in the table in paragraph EU12 of this Appendix; - condition 2 in the table in paragraph EU14 of this Appendix; - sub-paragraphs (a) and (d) of the entry for 'family member who has retained the right of residence' in this table; and - sub-paragraph (a) of the entry for 'supervening event' in this table; or (c) (in the case of a relevant EEA family permit case) 2359 GMT on the date they arrived in the UK, in the reference to specified date in: (i) sub-paragraph (a) of the entry for 'continuous qualifying period' in this table, for the purposes of the references to continuous qualifying period in: - condition 3 in the table in paragraph EU11 of this Appendix; - condition 1 in the table in paragraph EU14 of this Appendix; - sub-paragraphs (a) and (d) of the entry for 'family member who has retained the right of residence' in this table;

Term	Definition
	- the entry for ‘person with a derivative right to reside’ in this table; - the entry for ‘person with a Zambrano right to reside’ in this table; and - sub-paragraph (a) of the entry for ‘supervening event’ in this table; and (ii) the entries for ‘person who had a derivative or Zambrano right to reside’, ‘person with a derivative right to reside’ and ‘person with a Zambrano right to reside’ in this table
specified enforcement case	a person who is: (a) an “illegal entrant” within the meaning given in section 33(1) of the Immigration Act 1971 (save that, in respect of the reference there to “deportation order”, the definition of ‘deportation order’ in this table does not apply); or (b) an irregular arrival
specified relevant document	(a) within the meaning of sub-paragraph (a)(i)(aa) of the entry for ‘relevant document’ in this table, a residence card, permanent residence card or derivative residence card issued by the UK under the EEA Regulations on the basis of an application made on or after 6 April 2015; or (b) a biometric residence card as described in sub-paragraph (a)(iii) of the entry for ‘relevant document’ in this table
specified relevant person of Northern Ireland	(a) the person is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table; and (b) the applicant is a non-EEA citizen; and (c)(i)(aa) the applicant is a joining family member of a relevant sponsor where the person is their relevant sponsor; and (bb) the applicant has satisfied the Secretary of State by relevant information or evidence provided with the application that, due to compelling practical or compassionate reasons, it was not possible for the person to return to the UK before the specified date while the applicant remained outside the UK; or (ii)(aa) the applicant is a dependent relative and the person is their sponsoring person (in the entry for ‘dependent relative’ in this table); and (bb) the applicant relies, as their relevant document as the dependent relative of their sponsoring person (as described in sub-paragraph (a)(iv) of the entry for ‘relevant document’ in this table), on an EU Settlement Scheme Family Permit granted to them under Appendix EU (Family Permit) to these Rules as a ‘dependent relative of a specified relevant person of Northern Ireland’, as defined in Annex 1 to that Appendix

Term	Definition
specified spouse or civil partner of a Swiss citizen	(a) the person is the spouse or civil partner of a relevant sponsor; and (b) the relevant sponsor is a national of Switzerland and is not also a British citizen; and (c) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and (d)(i) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or (ii) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or (iii) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor
spouse	(a) the person is, or (as the case may be) for the relevant period was, party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) and the marriage is recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and (b) it is, or (as the case may be) for the relevant period was, not a **marriage of convenience**; and (c) neither party has, or (as the case may be) for the relevant period had, another spouse, a civil partner or a durable partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person's relationship with that party
supervening event	at the date of application: (a) the person has been absent from the UK and Islands for a period of more than five consecutive years (at any point since they last acquired the right of permanent residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man, or since they last completed a continuous qualifying period of five years); or (b) any of the following events has occurred in respect of the person, unless it has been set aside or revoked: (i) any decision or order to exclude or remove under regulation 23 or 32 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations of the Isle of Man); or

Term	Definition
	(ii) a decision to which regulation 15(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 24(1) of the EEA Regulations (or the equivalent decision, subject to the equivalent qualification, under the Immigration (European Economic Area) Regulations of the Isle of Man); or (iii) an exclusion decision; or (iv) a deportation order, other than by virtue of the EEA Regulations; or (v) an Islands deportation order; or (vi) an Islands exclusion decision
termination of the marriage or civil partnership	the date on which the order finally terminating the marriage or civil partnership is made by a court
the Islands	the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man
the UK and Islands	the United Kingdom and the Islands taken together
valid evidence of their indefinite leave to enter or remain	(a) a valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007), a valid stamp or endorsement in a passport (whether or not the passport has expired) or other valid document issued by the Home Office, confirming that, at 2300 GMT on 31 December 2020, the applicant had indefinite leave to enter or remain in the UK, which has not since lapsed or been revoked or invalidated; or (b) the Secretary of State is otherwise satisfied from the evidence or information available to them that, at 2300 GMT on 31 December 2020, the applicant had indefinite leave to enter or remain in the UK or the Islands, which has not since lapsed or been revoked or invalidated
visitor	means a person granted permission under paragraphs 40-56Z, 75A-M or 82-87 of the rules in force before 24 April 2015 or Appendix V on or after 24 April 2015 or Appendix V: Visitor after 9am on 1 December 2020, or a person to whom article 4 or 6 of the Immigration (Control of Entry through Republic of Ireland) Order 1972 applies, unless (in either case): (a) they are the spouse or civil partner of a relevant sponsor (as described in sub-paragraph (a)(i)(bb) of the entry for 'joining family member of a relevant sponsor' in this table) or the specified spouse or civil partner of a Swiss citizen; and (b) their leave permitted them to marry or form a civil partnership in the UK with that relevant sponsor or with that Swiss citizen and they did so
worker	there is evidence which satisfies the Secretary of State that the person is, or (as the case may be) for the relevant period was, either:

Term	Definition
	(a) a worker as defined in regulation 4(1) of the EEA Regulations; or (b) (save where sub-paragraph (b)(iv) of the entry for 'person with a derivative right to reside' in this table is concerned) a person who is or was no longer working but who continues or continued to be treated as a worker within the meaning of "qualified person" under regulation 6 of the EEA Regulations, irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland

Annex 2 – Consideration of a valid application

A2.1. A valid application made under this Appendix will be decided on the basis of:

(a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the Secretary of State; and

(b) any other information or evidence made available to the Secretary of State (including from other government departments) at the date of decision.

A2.2. (1) For the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain, the Secretary of State may:

(a) request that the applicant provide further information or evidence that they meet those requirements; or

(b) invite the applicant to be interviewed by the Secretary of State in person, by telephone, by video-telecommunications link or over the internet.

(2) If the applicant purports to meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the basis of a relationship with another person ("P"), including where P is a qualifying British citizen or a relevant sponsor, the Secretary of State may:

(a) request that P provide information or evidence about their relationship with the applicant, their residence in the UK or, where P is a qualifying British citizen, their residence in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in the table at Annex 1 to this Appendix; or

(b) invite P to be interviewed by the Secretary of State in person, by telephone, by video-telecommunications link or over the internet.

(3) If the applicant or (as the case may be) P:

(a) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or

(b) on at least two occasions, fails to comply with an invitation to attend an interview in person or with other arrangements to be interviewed,

the Secretary of State may draw any factual inferences about whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain as appear appropriate in the circumstances.

(4) The Secretary of State may decide, following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain.

(5) The Secretary of State must not decide that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the sole basis that the applicant or (as the case may be) P failed on at least two occasions to comply with an invitation to be interviewed.

Annex 3 – Cancellation, curtailment and revocation of leave to enter or remain

A3.1. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix must be cancelled on or before their arrival in the UK where the Secretary of State or an Immigration Officer deems the person's presence in the UK is not conducive to the public good because of conduct committed after the specified date.

A3.1A. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix must be cancelled where:

(a) The person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of their conduct committed before the specified date, and the person does not Page 24 of 182 fall within section 8B(5A) or 8B(5B) of that Act; and
(b) The Secretary of State or an Immigration Officer is satisfied that the cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph A3.1A. of Annex 3 to Appendix EU to the Immigration Rules").

A3.1B. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix must be cancelled where the person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of conduct committed after the specified date, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

A3.2. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the UK where the

Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where:

(a) The cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph A3.2.(a) of Annex 3 to Appendix EU to the Immigration Rules"); or
(b) The cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix.

A3.3. A person's limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the UK where the Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where they cease to meet the requirements of this Appendix.

A3.4. A person's limited leave to enter or remain granted under this Appendix may be curtailed where the Secretary of State is satisfied that it is proportionate to curtail that leave where:

(a) Curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix; or
(b) Curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience; or
(c) the person ceases to meet, or never met, the requirements of this Appendix.

A3.5. A person's indefinite leave to enter or remain granted under this Appendix may be revoked where the Secretary of State is satisfied that it is proportionate to revoke that leave where:

(a) The person is liable to deportation, but cannot be deported for legal reasons; or
(b) The indefinite leave to enter or remain was obtained by deception.

Back to top

Immigration Rules

Appendix EU (Family Permit)

Purpose

FP1. This Appendix sets out the basis on which a person will, if they apply under it, be granted an entry clearance:

(a) In the form of an EU Settlement Scheme Family Permit – to join a **relevant EEA citizen** or a **qualifying British citizen** in the UK or to accompany them to the UK; or

(b) In the form of an EU Settlement Scheme Travel Permit – to travel to the UK.

FP2. This Appendix has effect in connection with the granting of entry clearance for the purposes of acquiring leave to enter or remain in the UK by virtue of Appendix EU to these Rules.

Requirements and procedure

FP3. The applicant will be granted an entry clearance under this Appendix, valid for a period of six months from the date of decision, by an entry clearance officer where:

(a) A valid application has been made in accordance with paragraph FP4;

(b) The applicant meets the eligibility requirements in paragraph FP6(1), (2) or (3); and

(c) The application is not to be refused on grounds of suitability in accordance with paragraph FP7.

FP4. A valid application has been made under this Appendix where:

(a) It has been made using the **required application process**;

(b) The **required proof of identity and nationality** has been provided;

(c) The **required biometrics** have been provided; and

(d) The **date of application** is before 9 August 2023, where the applicant relies on meeting the eligibility requirements in paragraph FP6(2).

FP5. An application will be rejected as invalid where it does not meet the requirements in paragraph FP4(a), (b) and (d), and will not be considered where it does not meet the requirement in paragraph FP4(c).

FP6. (1) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the entry clearance officer is satisfied that at the date of application:

(a) The applicant is not a British citizen;

(b) The applicant is a **family member of a relevant EEA citizen**;

(c) The relevant EEA citizen is resident in the UK or will be travelling to the UK with the applicant within six months of the date of application;

(d) The applicant will be accompanying the relevant EEA citizen to the UK (or joining them in the UK) within six months of the date of application; and

(e) The applicant ("A") is not the **spouse**, **civil partner** or **durable partner** of a relevant EEA citizen ("B") where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, immediately before or since the **specified date** held a valid document in that capacity issued under the **EEA Regulations** or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.

(2) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the entry clearance officer is satisfied that at the date of application:

(a) The applicant is not a British citizen;

(b) The applicant is a **family member of a qualifying British citizen**;

(c) The qualifying British citizen is resident in the UK or will be travelling to the UK with the applicant within six months of the date of application;

(d) The applicant will be accompanying the qualifying British citizen to the UK (or joining them in the UK) within six months of the date of application; and

(e) The applicant ("A") is not the spouse, civil partner or durable partner of a qualifying British citizen ("B") where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, immediately before or since the specified date held a valid document in that capacity issued under the EEA Regulations or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.

(3) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Travel Permit, where the entry clearance officer is satisfied that at the date of application:

(a) The applicant is a **non-EEA citizen**;

(b) The applicant has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave;

(c) The applicant:

(i) Has been issued with a **relevant document** by the UK under the EEA Regulations, or with a biometric residence card by virtue of having been granted leave under Appendix EU to these Rules; and

(ii) Has reported to the Home Office that that document or card has been lost or stolen or has expired; and

(d) The applicant will be travelling to the UK within six months of the date of application.

FP7. (1) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision:

(a) The applicant is subject to a **deportation order** or to a decision to make a deportation order; or
(b) The applicant is subject to an **exclusion order** or **exclusion decision**.

(2) An application made under this Appendix will be refused on grounds of suitability where the applicant's presence in the UK is deemed not to be conducive is not conducive to the public good because of conduct committed after the specified date.
(2A) An application made under this Appendix will be refused on grounds of suitability where at the date of decision:

(a)(i) The applicant is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of their conduct committed before the specified date, and the person does not fall within section 8B(5A) or 8B(5B) of that Act; and

(ii) The entry clearance officer is satisfied that the refusal of the application is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "who has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph FP7(2A)(a) of Appendix EU (Family Permit) to the Immigration Rules"); or

(b) The applicant is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of conduct committed after the specified date, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

(3) An application made under this Appendix will be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands deportation order**. (3A) An application made under this Appendix may be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands exclusion decision**.
(4) An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the entry clearance officer is satisfied that:

(a) It is proportionate to refuse the application where, in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the

decision whether or not to grant the applicant an entry clearance under this Appendix; or

(b)(i) The applicant:

(aa) Has previously been refused admission to the UK in accordance with regulation 23(1) of the EEA Regulations; or

(bb) Has previously been refused admission to the UK in accordance with regulation 12(1)(a) of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020; or

(cc) Had indefinite leave to enter or remain or limited leave to enter or remain granted under Appendix EU to these Rules (or limited leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.3. or A3.4.(a) of Annex 3 to this Appendix or under paragraph A3.1., A3.1A., A3.1B. or A3.2.(a) of Annex 3 to Appendix EU; and

(ii) The refusal of the application is justified either:

(aa) In respect of the applicant's conduct committed before the specified date, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "who has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph FP7(4)(b) of Appendix EU (Family Permit) to the Immigration Rules"), and it is proportionate to refuse the application; or

(bb) In respect of conduct committed after the specified date, where the applicant's presence in the UK is deemed not to be conducive to the public good.

(5) The references in this paragraph to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or revoked.

FP8. A valid application made under this Appendix which does not meet the requirements for an entry clearance to be granted will be refused.

FP8A. The applicant will be granted an entry clearance under this Appendix, in the form of an EU Settlement Scheme Family Permit, where:

(a) the entry clearance officer is satisfied that the applicant is a **specified EEA family permit case**; and

(b) had the applicant made a valid application under this Appendix, it would not have been refused on grounds of suitability under paragraph FP7.

FP9. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.

(2) Where this Appendix requires that a document, card or other evidence is valid (or that it remained valid for the period of residence relied upon), or has not been cancelled or invalidated or has not ceased to be effective, it does not matter that the person concerned no longer has the right to enter or reside under the EEA Regulations (or under the equivalent provision in **the Islands**), on which basis the document, card or other evidence was issued, by virtue of the revocation of those Regulations (or equivalent provision in the Islands).

FP10. Annex 2 applies to the consideration by the entry clearance officer of a valid application made under this Appendix.

FP11. Annex 3 applies in respect of the revocation of an entry clearance that was granted under this Appendix, and of the cancellation and curtailment of leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix.

Annex 1 - Definitions

Term	Definition
adopted child	a **child** adopted in accordance with a **relevant adoption decision**
child	(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; or (b)(i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; and (ii)(aa) dependent on the relevant EEA citizen or on their spouse or civil partner: (aaa) (where sub-paragraph (b)(ii)(aa)(bbb) below does not apply) at the date of application; or (bbb) (where the date of application is after the specified date and where the applicant is not a **joining family member**) at the specified date; or (bb) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date 'dependent' means here that: (a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and (b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and (c) there is no need to determine the reasons for that dependence or for the recourse to that support in addition:

Term	Definition
	(a) ‘child’ includes: (i) an **adopted child** of; or (ii) a child born through surrogacy (where recognised in UK law or Islands law) for; or (iii) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989) is in force appointing as their special guardian; or (iv) a child in respect of whom an order has been made under section 5 of the Children Act 1989 appointing as their guardian; or (v) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 vesting parental responsibilities and parental rights in a person who is; or (vi) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995, or who is living with a person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or (vii) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995, or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or (viii) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or (ix) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian; or (x) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001 of Tynwald) has been made appointing as their special guardian; or (xi) a child in respect of whom an order has been made under section 6 or 7 of the Children and Young Persons Act 2001 of Tynwald appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen) or their spouse or civil partner, but ‘child’ does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen) or their spouse or civil

Term	Definition
	partner solely by virtue of a formal or informal fostering arrangement; and (b) 'direct descendant' also includes a grandchild or great-grandchild; and (c) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table or in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table
civil partner	(a) the person is in a valid civil partnership (which exists under or by virtue of the Civil Partnership Act 2004 or under any equivalent legislation in the Islands); or is in a relationship registered overseas which is entitled to be treated as a civil partnership under that Act or under any equivalent legislation in the Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen); and (b) it is not a **civil partnership of convenience**; and (c) neither party has another civil partner, a spouse or a durable partner with (in any of those circumstances) **immigration status in the UK or the Islands** based on that person's relationship with that party
civil partnership of convenience durable partnership of convenience marriage of convenience	a civil partnership, durable partnership or marriage entered into as a means to circumvent: (a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the UK under the EEA Regulations; or (b) any other provision of UK immigration law or any requirement of the Immigration Rules; or (c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the UK under EU law; or (d) any criterion the party would have to meet in order to enjoy a right to enter or reside in the Islands under Islands law
date and time of withdrawal	2300 **GMT** on 31 January 2020
date of application	the date on which the relevant on-line application form is submitted on-line under the required application process
dependent parent	(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; and (b) (unless sub-paragraph (c) immediately below applies): (i) dependent on the relevant EEA citizen or on their spouse or civil partner: (aa) (where sub-paragraph (b)(i)(bb) or (b)(i)(cc) below does not apply) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed; or

Term	Definition
	(bb) (where the date of application is after the specified date and where the applicant is not a joining family member) at the specified date, and (unless the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or (cc) (where the date of application is after the specified date and where the applicant is a joining family member) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed where the date of application is before 1 July 2021; or (ii) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; and (c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted: (i) an entry clearance under this Appendix in the form of an EU Settlement Scheme Family Permit as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, and that entry clearance has not been revoked or otherwise ceased to be valid; or (ii) indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated ‘dependent’ means here that: (a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and

Term	Definition
	(b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and (c) there is no need to determine the reasons for that dependence or for the recourse to that support in addition: (a) 'direct relative in the ascending line' includes: (i) a grandparent or great-grandparent; and (ii) an adoptive parent of an adopted child; and (b) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table or in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table; and (c) in respect of the reference in the first sub-paragraph (c) in this entry to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) 'spouse', 'civil partner' or 'durable partner' in this table applies, except that in the applicable entry 'applicant' is to be substituted for 'relevant EEA citizen'
dependent relative of a qualifying British citizen	the person: (a)(i) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of a qualifying British citizen or of their spouse or civil partner; and (ii) is a dependant of a qualifying British citizen or of their spouse or civil partner, a member of their household or in strict need of their personal care on serious health grounds; or (b) is a **person who is subject to a non-adoptive legal guardianship order** in favour (solely or jointly with another party) of a qualifying British citizen; or (c) is a person under the age of 18 years who: (i) is the direct descendant of the durable partner of a qualifying British citizen; or (ii) has been adopted by the durable partner of a qualifying British citizen, in accordance with a relevant adoption decision in addition, 'spouse or civil partner' means the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table
dependent relative of a specified relevant person of Northern Ireland	the person: (a)(i) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of a specified relevant person of Northern Ireland or of their spouse or civil partner; and (ii) is a dependant of a specified relevant person of Northern Ireland or of their spouse or civil partner, a

Term	Definition
	member of their household or in strict need of their personal care on serious health grounds; or (b) is a person who is subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a specified relevant person of Northern Ireland (substituting 'specified relevant person of Northern Ireland' for 'qualifying British citizen' in the entry for 'person who is subject to a nonadoptive legal guardianship order' in this table); or (c) is a person under the age of 18 years who: (i) is the direct descendant of the durable partner of a specified relevant person of Northern Ireland; or (ii) has been adopted by the durable partner of a specified relevant person of Northern Ireland, in accordance with a relevant adoption decision in addition, 'spouse or civil partner' means the person described in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table
deportation order	as the case may be: (a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 32(3) of the EEA Regulations; or (b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of: (i) conduct committed after the specified date; or (ii) conduct committed by the person before the specified date where the Secretary of State has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who, but for the making of the deportation order, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a deportation decision"); or (c) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 15(1)(b) of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020 in addition, for the avoidance of doubt, (b) includes a deportation order made under the Immigration Act 1971 in accordance with section 32 of the UK Borders Act 2007

Term	Definition
durable partner	(a) the applicant is, or (as the case may be) was, in a durable relationship with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen), with the couple having lived together in a relationship akin to a marriage or civil partnership for at least two years (unless there is other significant evidence of the durable relationship); and (b) where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date, the applicant held a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date (or where the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; and (c) it is, or (as the case may be) was, not a **durable partnership of convenience**; and (d) neither party has, or (as the case may be) had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person's relationship with that party
EEA citizen	a person who is: (a)(i) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (ii) (unless they are a **relevant naturalised British citizen**) not also a British citizen; or (b)(i) a national of a country listed in sub-paragraph (a)(i) above; and (ii) (where the applicant meets the criteria in paragraph 9 of Schedule 6 to the EEA Regulations as the family member ("F") to whom that paragraph refers) a British citizen within the meaning of the person ("P") to whom that paragraph refers; or (c) a **relevant person of Northern Ireland**
EEA Regulations	(a) (where relevant to something done before the specified date) the Immigration (European Economic Area) Regulations 2016 (as they had effect immediately before that date); or (b) (where relevant to something done after the specified date and before 1 July 2021) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continued to have

Term	Definition
	effect, with specified modifications, by virtue of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020); or (c) (where relevant to something done on or after 1 July 2021) the Immigration (European Economic Area) Regulations 2016 (as they had effect immediately before they were revoked and, where the context requires it, on the basis that those Regulations had not been revoked)
evidence of birth	(a) (in the case of a child) the **full birth certificate**(s) or other document(s) which the entry clearance officer is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table or in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table; or (b) (in the case of a **dependent parent**) the full birth certificate(s) or other document(s) which the entry clearance officer is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described in sub-paragraph (a) above
exclusion decision	a direction given by the Secretary of State that a person must be excluded from the UK: (a) in respect of conduct committed after the specified date; or (b) in respect of conduct committed by the person before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who, but for the making of the exclusion direction, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "an exclusion direction")
exclusion order	an order made under regulation 23(5) of the EEA Regulations
family member of a qualifying British citizen	a person who has satisfied the entry clearance officer, including by the **required evidence of family relationship**, that: (a) they will be returning to the UK:

Term	Definition
	(i) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and: (aa)(aaa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or (bbb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of 'durable partner' in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and (bb)(aaa) the marriage or civil partnership continues to exist at the date of application; or (bbb) the entry clearance officer is satisfied that the marriage will be contracted or the civil partnership will be formed before the couple return to the UK; or (ii) (where sub-paragraph (a)(i)(aa)(bbb) above does not apply) as the spouse or civil partner of a qualifying British citizen, and: (aa) the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before the specified date; and (bb) the marriage or civil partnership continues to exist at the date of application; and (cc) the entry clearance officer is satisfied that there are reasonable grounds why they did not return to the UK with the qualifying British citizen before the specified date; or (iii) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and: (aa) the partnership was formed and was durable before the date and time of withdrawal; and (bb) the partnership remains durable at the date of application; or (iv) as the durable partner of a qualifying British citizen, and: (aa) the partnership was formed and was durable after the date and time of withdrawal and before the specified date; and (bb) the partnership remains durable at the date of application; and (cc) the entry clearance officer is satisfied that there are reasonable grounds why they did not return to the UK with the qualifying British citizen before the specified date; or

Term	Definition
	(v) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of a qualifying British citizen, and the family relationship: (aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (bb) continues to exist at the date of application; or (vi) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships: (aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (bb) continue to exist at the date of application; or (vii) as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above), and: (aa) the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (bb) all the family relationships continue to exist at the date of application; and (cc) the entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the UK with the qualifying British citizen before the specified date; or (viii) as the **dependent relative of a qualifying British citizen**, or (as the case may be) of their spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) above), and: (aa) the family relationship and (in sub-paragraph (a)(ii) of the entry for 'dependent relative of a

Term	Definition
	qualifying British citizen' in this table) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application; and (bb) the entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the UK with the qualifying British citizen before the specified date; or (ix) as a person who the entry clearance officer is satisfied by evidence provided by the person that they would, if they made a valid application under Appendix EU to these Rules in the UK, be granted (as the case may be) indefinite leave to remain under paragraph EU2 of that Appendix or limited leave to remain under paragraph EU3 as a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen (as defined in Annex 1 to Appendix EU); and (b) they satisfied the conditions in regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the family member ("F") to whom those provisions refer) or, as the case may be, the conditions in regulation 9(1A)(b), (2), (3) and (4)(a) of the EEA Regulations (as the extended family member ("EFM") to whom those provisions refer), in either case doing so (with the qualifying British citizen being treated as the British citizen ("BC") to whom those provisions refer): (i) (save in the case of a child as described in sub-paragraph (a)(v), (a)(vi) or (a)(vii) above who was born after the specified date, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of Page 29 of 75 one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) before the specified date; and (ii) (save where the date of application is after the specified date and where those conditions concern matters relevant to the dependency referred to in sub-paragraph (b)(ii)(bb) of the entry for 'child' in this table or in sub-paragraph (b)(ii) of the entry for 'dependent parent' in this table, or save where sub-paragraph (a)(ix) above applies) at the date of application (or, in the case of the qualifying British citizen where they have returned to the UK before the applicant, immediately before their return to the UK) in addition, where sub-paragraph (a)(ix) above applies, the requirements in paragraph FP6(2)(c) and (d) of this Appendix do not apply

Term	Definition
family member of a relevant EEA citizen	a person who has satisfied the entry clearance officer, including by the required evidence of family relationship, that they are: (a) the spouse or civil partner of a relevant EEA citizen, and: (i)(aa) the marriage was contracted or the civil partnership was formed before the specified date; or (bb) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of 'durable partner' in this table being met before that date rather than at the date of application) and the partnership remained durable at the specified date; and (ii) the marriage or civil partnership continues to exist at the date of application; or (b) the **specified spouse or civil partner of a Swiss citizen**; or (c) the durable partner of a relevant EEA citizen, and: (i) the partnership was formed and was durable before the specified date; and (ii) the partnership remains durable at the date of application; and (iii) the date of application is after the specified date; and (iv) where they were resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date, the definition of 'durable partner' in this table was met before that date as well as at the date of application, and the partnership remained durable at the specified date; or (d) the child or dependent parent of a relevant EEA citizen, and the family relationship: (i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (ii) continues to exist at the date of application; or (e) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen, as described in sub-paragraph (a) above, and: (i) the family relationship of the child or dependent parent to the spouse or civil partner existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of

Term	Definition
	one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and (ii) all the family relationships continue to exist at the date of application; or (f) a person who the entry clearance officer is satisfied by evidence provided by the person that they would, if they had made a valid application under Appendix EU to these Rules before 1 July 2021, have been granted (as the case may be) indefinite leave to enter under paragraph EU2 of that Appendix or limited leave to enter under paragraph EU3 and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix (and, in respect of that application, the requirements in paragraph FP6(1)(c) and (d) of this Appendix do not apply): (i) as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen (as defined in Annex 1 to Appendix EU); or (ii) on the basis that condition 6 of paragraph EU11 of Appendix EU is met, or (g) the **dependent relative of a specified relevant person of Northern Ireland** in addition, where the person is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date they became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (and with the references to 'parents' in sub-paragraph (a) below construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), they meet one of the following requirements: (a) (where sub-paragraph (b) below does not apply), one of the following requirements is met: (i) both of their parents are a relevant EEA citizen; or (ii) one of their parents is a relevant EEA citizen and the other is a British citizen who is not a relevant EEA citizen; or (iii) one of their parents is a relevant EEA citizen who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the UK, of the Islands or of a country listed in sub-paragraph (a) of the entry for 'specified EEA citizen' in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognised in the UK, in the Islands or in a country listed in sub-paragraph (a) of the entry for 'specified EEA citizen'

Term	Definition
	in this table, in particular as regards the best interests of the child, and without prejudice to the normal operation of such applicable rules of private international law); or (b) where they were born after the specified date to (or adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for 'child' in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant EEA citizen
frontier worker	a person who: (a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (b) is not a British citizen; and (c) satisfies the Secretary of State by relevant evidence of this that they fulfil the relevant conditions of being a frontier worker set out in the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, and that they have done so continuously since the specified date; and (d) has not been (and is not to be) refused admission to, or removed from, the UK by virtue of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, and is not subject to a relevant restriction decision as defined by regulation 2 of those Regulations
full birth certificate	a birth certificate recognised in the UK or the Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the UK or the Islands	indefinite or limited leave to enter or remain in the UK or the Islands under or outside the relevant Immigration Rules; exemption from immigration control; the entitlement to reside in the UK or the right of permanent residence in the UK under regulations 13 to 15 of the EEA Regulations; or the entitlement to reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man
Irish citizen	a person who is an Irish citizen as a matter of Irish law
Islands deportation order	a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made: (a) in respect of conduct committed after the specified date and has effect in relation to the person, by virtue of

Term	Definition
	paragraph 3 of Schedule 4 to the Immigration Act 1971, as if it was a deportation order made under that Act; or (b) in respect of conduct committed by the person before the specified date, where the Secretary of State is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who, but for the making of the deportation order, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a deportation decision")
Islands exclusion decision	a direction given by the relevant Minister or other authority in the Islands that a person must be excluded from the Island concerned: (a) in respect of conduct committed after the specified date; or (b) in respect of conduct committed by the person before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who, but for the making of the exclusion direction, meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "an exclusion direction")
joining family member	a person who is a family member of a relevant EEA citizen (in accordance with sub-paragraph (a)(i)(bb), (c), (d) or (e) – together, where applicable, with the second sub-paragraph (a) or the second sub-paragraph (b) – of that entry in this table) and who (save, in the case of a child, where the person was born after the specified date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry): (a) was not resident in the UK and Islands at any time before the specified date; or (b) was resident in the UK and Islands before the specified date, and: (i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the entry for 'continuous qualifying

Term	Definition
	period' in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or (ii) the event referred to in sub-paragraph (a) in the entry for 'supervening event' in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date
non-EEA citizen	a person who is not an **EEA citizen** and is not a British citizen
person exempt from immigration control	a person who: (a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (b) is not a British citizen; and (c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and (d) the entry clearance officer is satisfied, including by the **required evidence of qualification,** would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix
person who is subject to a non-adoptive legal guardianship order	a person who has satisfied the entry clearance officer that, immediately before the specified date, they: (a) are under the age of 18 years; and (b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a qualifying British citizen that: (i) is recognised under the national law of the state in which it was contracted; and (ii) places parental responsibility on a permanent basis on the qualifying British citizen (solely or jointly with another party); and (c) have lived with the qualifying British citizen since their placement under the guardianship order; and (d) have created family life with the qualifying British citizen; and (e) have a personal relationship with the qualifying British citizen that involves dependency on the qualifying British citizen and the assumption of parental responsibility,

Term	Definition
	including legal and financial responsibilities, for that person by the qualifying British citizen
qualifying British citizen	a British citizen who: (a)(i) (where sub-paragraph (a)(ii) or (a)(iii) below does not apply) will be returning to the UK with the applicant before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the British citizen's failure to meet that deadline); or (ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(ii), (a)(iv), (a)(vii) or (a)(viii) of the entry for 'family member of a qualifying British citizen' in this table) will be returning to the UK with the applicant and the entry clearance officer is satisfied that there are reasonable grounds why the British citizen did not do so before the specified date; or (iii) is the qualifying British citizen referred to in sub-paragraph (a)(ix) of the entry for 'family member of a qualifying British citizen' in this table; and (b) satisfied regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the British citizen ("BC") to whom those provisions refer, with the applicant being treated as the family member ("F") or, as the case may be, as the extended family member ("EFM"), to whom those provisions refer): (i) (save where the applicant is a child as described in sub-paragraph (a)(v), (a)(vi) or (a)(vii) of the entry for 'family member of a qualifying British citizen' in this table who was born after the specified date, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) before the specified date; and (ii) (save where sub-paragraph (a)(ix) of the entry for 'family member of a qualifying British citizen' in this table applies) at the date of application (or, where they have returned to the UK before the applicant, immediately before their return to the UK) in addition: (i) for the avoidance of doubt, for the purposes of sub-paragraph (b) above, service as a member of HM Forces (as defined in the Armed Forces Act 2006) in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table may satisfy the conditions of being a "worker" for the purposes of the EEA Regulations; and (ii) for the purposes of sub-paragraph (i) immediately above, sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table will be treated as referring also to the Sovereign Base Areas on Cyprus

Term	Definition
relevant adoption decision	a decision taken: (a) by the competent administrative authority or court in the UK or the Islands; or (b) by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or the Islands; or (c) in a particular case in which that decision in another country has been recognised in the UK or the Islands as an adoption
relevant document	(a) a family permit, (or a letter from the Secretary of State, issued after 30 June 2021, confirming the person's qualification for one) residence card or permanent residence card issued by the UK under the EEA Regulations (or the equivalent document or other evidence issued by the Islands under the relevant legislation there evidencing the entitlement to enter or reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 (as it had effect before it was repealed) or under the Immigration (European Economic Area) Regulations of the Isle of Man); and (b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and (c) (in relation to an application for an EU Settlement Scheme Family Permit) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon
relevant EEA citizen (where the date of application under this Appendix is before 1 July 2021)	(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who: (i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or (ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or (iii) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or

Term	Definition
	limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or (c) (where the applicant is the family member ("F") to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (d) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who: (i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table: (aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or (bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or (cc) the entry clearance officer is satisfied, including by the required evidence of

Term	Definition
	qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (e) a **person exempt from immigration control**; or (f) a **frontier worker** in addition, references in this entry to indefinite leave to enter or remain or limited leave to enter or remain granted under paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands) exclude such leave where it was granted in error
relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)	(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who: (i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or (ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or (iii) (in the case of an Irish citizen who has not been granted indefinite leave to enter or remain or limited leave

Term	Definition
	to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on that person being a relevant person of Northern Ireland) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted such leave under that Appendix, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (iv) the applicant satisfies the entry clearance officer by relevant information and evidence provided with the application (including their valid passport or valid national identity card as an EEA citizen, which is the original document and not a copy) meets sub-paragraph (a)(i) of the definition of 'relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)' in Annex 1 to Appendix EU to these Rules, such that the applicant is a 'family member of a relevant EEA citizen' (as defined in Annex 1 to Appendix EU); or (b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or (c) (where the applicant is the family member ("F") to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (d) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who: (i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table: (aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and

Term	Definition
	which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or (bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or (cc) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen and, where they are a specified relevant person of Northern Ireland in accordance with that entry in this table, but, where applicable, for that fact) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (e) a person exempt from immigration control; or (f) a frontier worker in addition, references in this entry to indefinite leave to enter or remain or limited leave to enter or remain granted under paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands) exclude such leave where it was granted in error
relevant naturalised British citizen	a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who:

Term	Definition
	(a) comes within paragraph (b) of the definition of "EEA national" in regulation 2(1) of the EEA Regulations; and (b) meets the criteria contained in regulation 9A(2) or (3) as the dual national ("DN") to whom those provisions refer (save for the requirement in regulation 4(1)(c)(ii) and (d)(ii) of the EEA Regulations for comprehensive sickness insurance cover in the UK and regardless of whether they otherwise remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship); and (c) the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix
relevant person of Northern Ireland	a person who: (a) is: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; and (b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
required application process	the relevant on-line application form and a relevant process set out in that form for providing the required proof of identity and nationality and for providing the required biometrics
required biometrics	(a) a facial photograph of the applicant (within the meaning of "biometric information" in section 15 of the UK Borders Act 2007); and (b) the fingerprints of the applicant (also within that meaning of "biometric information"; unless, in accordance with guidance published by the Secretary of State and in force at the date of application, they are not required to provide these), in both cases provided in accordance with the required application process

Term	Definition
required evidence of being a relevant person of Northern Ireland	(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and (b) evidence which satisfies the entry clearance officer that, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence in addition: (a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and (b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix
required evidence of family relationship	in the case of: (a) a spouse: (i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen), or a valid document of record of a marriage recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and (ii)(aa) where the marriage to the relevant EEA citizen was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies

Term	Definition
	the entry clearance officer that the durable partnership was formed and was durable before the specified date; or (bb) where the marriage to the qualifying British citizen was contracted after the date and time of withdrawal, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or (b) a civil partner: (i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen); a valid civil partnership certificate recognised under the law of England and Wales, Scotland or Northern Ireland or under any equivalent legislation in the Islands; or the valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2004 or under any equivalent legislation in the Islands; and (ii)(aa) where the civil partnership with the relevant EEA citizen was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; or (bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or (c) a child – a relevant document issued on the basis of the relevant family relationship or their **evidence of birth**, and: (i) where the applicant is aged 21 years or over, evidence which satisfies the entry clearance officer that the requirements in sub-paragraph (b)(ii) of the entry for ‘child’ in this table are met; and

Term	Definition
	(ii) where, in the case of a family member of a relevant EEA citizen, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the entry clearance officer that the requirements in the second sub-paragraph (a) or the second sub-paragraph (b) of the entry for 'family member of a relevant EEA citizen' in this table are met; or (d) a dependent parent – a relevant document issued on the basis of the relevant family relationship or their evidence of birth and, where the first sub-paragraph (b) of the entry for 'dependent parent' in this table applies, evidence which satisfies the entry clearance officer that (where this is not assumed) the requirement as to dependency in that sub-paragraph is met; or (e) a durable partner: (i)(aa) (where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date and is not a joining family member) a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; or (bb) (where the applicant was not resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date, or where the applicant is a joining family member, and where sub-paragraph (e)(i)(cc) below does not apply) evidence which satisfies the entry clearance officer that the durable partnership with the relevant EEA citizen was formed and was durable before the specified date; or (cc) evidence which satisfies the entry clearance officer that the durable partnership with the qualifying British citizen was formed and was durable (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(iii) of that entry in this table) before the date and time of withdrawal or (in the case of a family member of a qualifying British citizen as

Term	Definition
	described in sub-paragraph (a)(iv) of that entry in this table) before the specified date; and (ii) evidence which satisfies the entry clearance officer that the partnership remains durable at the date of application; or (f) a dependent relative of a qualifying British citizen – evidence which satisfies the entry clearance officer that the family relationship and (in sub-paragraph (a)(ii) of the entry for 'dependent relative of a qualifying British citizen' in this table) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application, or (g) a dependent relative of a specified relevant person of Northern Ireland – evidence which satisfies the entry clearance officer that the family relationship and (in sub-paragraph (a)(ii) of the entry for 'dependent relative of a specified relevant person of Northern Ireland' in this table) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application in addition: (a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and (b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix
required evidence of qualification	(a) (in the case of a relevant EEA citizen (or, where the date of application under this Appendix is on or after 1 July 2021, an Irish citizen) who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on the relevant EEA citizen (where they are an Irish citizen) being a relevant person of Northern Ireland):

Term	Definition
	(i) their passport or national identity card as an EEA citizen or, where the date of application under this Appendix is on or after 1 July 2021, as an Irish citizen, which is: (aa) valid; and (bb) the original document and not a copy; and (ii) information or evidence which satisfies the entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (c) of the applicable entry for 'relevant EEA citizen' in this table): (i) their passport or national identity card as an EEA citizen, which is: (aa) valid; and (bb) the original document and not a copy; and (ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is a British citizen; and (iii) information or evidence which satisfies the entry clearance officer that the person would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (c) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland, and who, where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table, has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands) the **required evidence of being a relevant**

Term	Definition
	person of Northern Ireland and (where the relevant EEA citizen is relied on by the applicant as being a specified relevant person of Northern Ireland) information or evidence which satisfies the entry clearance officer that the requirements of that entry in this table are met, and (in all cases): (i)(aa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the person is a British citizen; or (bb) (where they are an Irish citizen) their passport or national identity card as an Irish citizen, which is: (aaa) valid; and (bbb) the original document and not a copy; or (cc) (where they are a British citizen and an Irish citizen, and are not relied on by the applicant as being a specified relevant person of Northern Ireland) the evidence required by sub-paragraph (c)(i)(aa) or (c)(i)(bb) above; and (ii) information or evidence which satisfies the entry clearance officer that the person would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for 'relevant person of Northern Ireland' in this table) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or (d) (in the case of a relevant EEA citizen who is a person exempt from immigration control): (i) their passport or national identity card as an EEA citizen, which is: (aa) valid; and (bb) the original document and not a copy; and (ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and (iii) information or evidence which satisfies the entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited

Term	Definition
	leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix in addition: (a) 'valid' here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and (b) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a copy (and not the original) of a document, the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and (c) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix
required proof of identity and nationality	(a) in the case of an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table): (i) their valid passport; or (ii) their valid national identity card; or (b) in the case of a non-EEA citizen, their valid passport, unless (in the case of (a) or (b)) the entry clearance officer agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons in addition, 'valid' here means that, at the date of application, the document is genuine
specified date	2300 GMT on 31 December 2020
specified EEA family permit case	a person who: (a) on the basis of a valid application made under the EEA Regulations before the specified date, would, had the route not closed after 30 June 2021, have been issued an EEA family permit under regulation 12 of the EEA Regulations:

Term	Definition
	(i)(aa) as an extended family member under regulation 8; and (bb) where the “relevant EEA national” referred to in regulation 12(4) was resident in the UK in accordance with regulation 12(1)(a)(i) before the specified date; or (ii)(aa) as a person with a derivative right to reside in the UK by virtue of regulation 16(1); and (bb) where, pursuant to regulation 12(2), any person from whom the right to be admitted to the UK under the criteria in regulation 11(5) was derived was resident in the UK before the specified date; or (b) after the specified date and before 1 June 2021 was issued an EEA family permit under regulation 12 of the EEA Regulations, has contacted the Home Office to advise that they were not able to travel to the UK by 30 June 2021, and the entry clearance officer is satisfied by information or evidence provided by the person that there were compelling practical or compassionate reasons or COVID-19 related reasons why they were not able to travel to the UK by 30 June 2021; or (c) on or after 1 June 2021 was issued an EEA family permit under regulation 12 of the EEA Regulations with an expiry date of 30 June 2021, and has contacted the Home Office to advise that they were not able to travel to the UK by 30 June 2021 in addition, there must not have been a significant change in circumstances since the date on which the person was issued an EEA family permit under regulation 12 of the EEA Regulations (or, as the case may be, since the date on which the person’s appeal against the refusal of such a family permit was allowed or on which they would otherwise have been issued one, had the route not closed after 30 June 2021), such that it is not appropriate for them to be granted an entry clearance under this Appendix
specified relevant person of Northern Ireland	(a) the person is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table; and (b) the applicant is a non-EEA citizen; and (c)(i)(aa) the applicant meets the definition of ‘joining family member of a relevant sponsor’ in Annex 1 to Appendix EU to these Rules where the person is their relevant sponsor; and (bb) the applicant has satisfied the entry clearance officer by relevant information or evidence provided with the application that, due to compelling practical or compassionate reasons, it was not possible for the person to return to the UK before the specified date while the applicant remained outside the UK; or (ii)(aa) the applicant is a dependent relative of a specified relevant person of Northern Ireland; and

Term	Definition
	(bb) the person: (i) is outside the UK; or (ii) is in the UK and has been so for a period not exceeding three months; or (iii) is in the UK and (were they an "EEA national" in accordance with regulation 2(1) of the EEA Regulations) they were residing in the UK in accordance with the EEA Regulations on 30 June 2021
specified spouse or civil partner of a Swiss citizen	(a) the person is the spouse or civil partner of a relevant EEA citizen (in accordance, where the date of application is before 1 July 2021, with sub-paragraph (a) of the applicable entry for 'relevant EEA citizen' in this table or, where the date of application is on or after 1 July 2021, with sub-paragraph (a)(i) or (a)(ii) of the applicable entry for 'relevant EEA citizen' in this table), who is a national of Switzerland and who is not also a British citizen; and (b) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and (c) the marriage or civil partnership continues to exist at the date of application
spouse	(a) the person is party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen) and the marriage is recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and (b) it is not a **marriage of convenience**; and (c) neither party has another spouse, a civil partner or a durable partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person's relationship with that party
the Islands	the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man

Annex 2 – Consideration of a valid application

A2.1. A valid application made under this Appendix will be decided on the basis of:

(a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the entry clearance officer; and

(b) any other information or evidence made available to the entry clearance officer (including from other government departments) at the date of decision.

A2.2. (1) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the entry clearance officer may:

(a) request that the applicant provide further information or evidence that they meet those requirements; or

(b) invite the applicant to be interviewed by the entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.

(2) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the entry clearance officer may:

(a) request that the person ("P") on whom the applicant relies as being the relevant EEA citizen (or, as the case may be, the qualifying British citizen) with whom the applicant is in a family relationship provide information or evidence about their relationship with the applicant, their current or planned residence in the UK or (where P is a qualifying British citizen) their residence in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in the table at Annex 1 to this Appendix; or

(b) invite P to be interviewed by the entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.

(3) If the applicant or (as the case may be) P:

(a) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or

(b) on at least two occasions, fails to comply with an invitation to attend an interview in person or with other arrangements to be interviewed,

the entry clearance officer may draw any factual inferences about whether the applicant meets the eligibility requirements for entry clearance as appear appropriate in the circumstances.

(4) The entry clearance officer may decide, following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for entry clearance.

(5) The entry clearance officer must not decide that the applicant does not meet the eligibility requirements for entry clearance on the sole basis that the applicant or (as the case may be) P failed on at least two occasions to comply with an invitation to be interviewed.

Annex 3 – Revocation of entry clearance and cancellation and curtailment of leave to enter

A3.1. A person's entry clearance granted under this Appendix must be revoked where the person's presence in the UK is deemed not to be conducive to the public good because of conduct committed after the specified date.

A3.1A. A person's entry clearance granted under this Appendix must be revoked where:

(a) The person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of their conduct committed before the specified date, and the person does not fall within section 8B(5A) or 8B(5B) of that Act; and
(b) The entry clearance officer is satisfied that the revocation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph A3.1A. of Annex 3 to Appendix EU (Family Permit) to the Immigration Rules").

A3.1B. A person's entry clearance granted under this Appendix must be revoked where the person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, because of conduct committed after the specified date, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

A3.2. A person's entry clearance granted under this Appendix may be revoked where the entry clearance officer is satisfied that it is proportionate to revoke that entry clearance where:

(a) In respect of their conduct committed before the specified date, the person is subject to an exclusion decision, an exclusion order or an Islands exclusion decision; or
(b) The revocation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
(c) Since it was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their entry clearance ought to be revoked.

A3.3. A person's leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix must be cancelled where, because of conduct committed after the specified date, the person's presence in the UK is deemed not to be conducive is not conducive to the public good.

A3.4. A person's leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix may be cancelled where the Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where:

(a) The cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph A3.4.(a) of Annex 3 to Appendix EU (Family Permit) to the Immigration Rules"); or
(b) The cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or

misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
(c) Since the entry clearance under this Appendix was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their leave to enter ought to be cancelled.

A3.5. A person's leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix may be curtailed where the Secretary of State is satisfied that it is proportionate to curtail that leave where:

(a) Curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
(b) Curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience.

Back to top

Immigration Rules

Appendix FM

Family members

General
Family life with a partner
Exception
Bereaved partner
Victim of domestic abuse
Family life as a child of a person with limited leave as a partner or parent
Family life as a parent of a child in the UK
Adult dependent relative
Deportation and removal

Appendix FM family members

General

Section GEN: General

Purpose

GEN.1.1. This route is for those seeking to enter or remain in the UK on the basis of their family life with a person who is a British Citizen, is settled in the UK, is in the UK with protection status (and the applicant cannot seek entry clearance or permission as their family member under Appendix Family Reunion (Protection) of these rules), is in the UK with permission as a Stateless person, is in the UK with limited leave under Appendix EU, or is in the UK with limited leave as a worker or business person by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules (or Decision 1/80) that underpinned the European Community Association Agreement (ECAA) with Turkey prior to 1 January 2021. It sets out the requirements to be met and, in considering applications under this route, it reflects how, under Article 8 of the Human Rights Convention, the balance will be struck between the right to respect for private and family life and the legitimate aims of protecting national security, public safety and the economic well-being of the UK; the prevention of disorder and crime; the protection of health or morals; and the protection of the rights and freedoms of others (and in doing so also reflects the relevant public interest considerations as set out in Part 5A of the Nationality, Immigration and Asylum Act 2002). It also takes into account the need to safeguard and promote the welfare of children in the UK, in line with the Secretary of State's duty under section 55 of the Borders, Citizenship and Immigration Act 2009.

Definitions

GEN.1.2. For the purposes of this Appendix “partner” includes the applicant’s fiancé(e) or proposed civil partner (unless a different meaning of partner applies elsewhere in this Appendix).

GEN.1.3. For the purposes of this Appendix

(a) "application for leave to remain" also includes an application for variation of leave to enter or remain by a person in the UK;

(b) references to a person being present and settled in the UK also include a person who is being admitted for settlement on the same occasion as the applicant;

(c) references to a British Citizen in the UK also include a British Citizen who is coming to the UK with the applicant as their partner or parent;

(d) references to a person being “in the UK with limited leave under Appendix EU” mean an EEA national in the UK who holds valid limited leave to enter or remain granted under paragraph EU3 of Appendix EU to these Rules on the basis of meeting condition 1 in paragraph EU14 of that Appendix; and

(e) references to a person being “in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay” mean a person granted such leave by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules (or Decision 1/80) that underpinned the European Community Association Agreement (ECAA) with Turkey prior to 1 January 2021.

GEN.1.4. In this Appendix "specified" means specified in Appendix FM-SE, unless otherwise stated.

GEN.1.5. If the Entry Clearance Officer, or Secretary of State, has reasonable cause to doubt the genuineness of any document submitted in support of an application, and having taken reasonable steps to verify the document, is unable to verify that it is genuine, the document will be discounted for the purposes of the application.

GEN.1.6. For the purposes of paragraph E-ECP.4.1.(a); E-LTRP.4.1.(a); E-LTRP.4.1A.(a); E-ECPT. 4.1(a); E-LTRPT.5.1.(a); and E-LTRPT.5.1A.(a) the applicant must be a national of Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; the British Overseas Territories; Canada; Dominica; Grenada; Guyana; Jamaica; Malta; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; or the United States of America.

GEN.1.7. In this Appendix references to paragraphs are to paragraphs of this Appendix unless the context otherwise requires.

GEN.1.8. Paragraphs 277-280, 289AA, 295AA and 296 of Part 8 of these Rules shall apply to this Appendix.

GEN.1.9. In this Appendix:

(a) the requirement to make a valid application will not apply when the Article 8 claim is raised:

(i) as part of an asylum claim, or as part of a further submission in person after an asylum claim has been refused;

(ii) where a migrant is in immigration detention. A migrant in immigration detention or their representative must submit any application or claim raising Article 8 to a prison officer, a prisoner custody officer, a detainee custody officer or a member of Home Office staff at the migrant's place of detention; or

(iii) in an appeal (subject to the consent of the Secretary of State where applicable); and

(b) where an application or claim raising Article 8 is made in any of the circumstances specified in paragraph GEN.1.9.(a), or is considered by the Secretary of State under paragraph A277C of these rules, the requirements of paragraphs R-LTRP.1.1.(c) and R-LTRPT.1.1.(c) are not met.

GEN.1.10. Where paragraph GEN.3.1.(2) or GEN.3.2.(3) applies, and the applicant is granted entry clearance or leave to enter or remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2., that grant of entry clearance or leave to enter or remain will be subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition.

GEN.1.11. Where entry clearance or leave to enter or remain is granted under this Appendix (and without prejudice to the specific provision that is made in this Appendix in respect of a no recourse to public funds condition), that leave may be subject to such conditions as the decision-maker considers appropriate in a particular case.

GEN.1.11A. Where entry clearance or leave to remain as a partner, child or parent is granted under D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2., if the decision maker is satisfied that:

(a) the applicant is destitute as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or

(b) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration); or
(c) the applicant is facing exceptional circumstances affecting their income or expenditure

then the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.

GEN 1.11B. For the purposes of GEN 1.11A 'relevant child' means a person who:

(a) is under the age of 18 years at the date of application; and
(b) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

GEN.1.12. In this Appendix, "decision-maker" refers, as the case may be, to the Secretary of State, an Immigration Officer or an Entry Clearance Officer.

GEN.1.13. For the purposes of paragraphs D-LTRP.1.1., D-LTRP.1.2., DILRP.1.2., D-LTRPT.1.1., D-LTRPT.1.2., and D-ILRPT.1.2. (excluding a grant of limited leave to remain as a fiancé(e) or proposed civil partner), where at the date of application the applicant has extant leave as a partner or parent (as applicable) granted under this Appendix, the remaining period of that extant leave up to a maximum of 28 days will be added to the period of limited leave to remain granted under that paragraph (which may therefore exceed 30 months).

GEN.1.14. Where a person aged 18 or over is granted entry clearance or limited leave to enter or remain under this Appendix, or where a person granted such entry clearance or limited leave to enter or remain will be aged 18 before that period of entry clearance or limited leave expires, the entry clearance or leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Appendix ATAS of these rules.

GEN.1.15. Where, pursuant to paragraph D-ILRP.1.2., D-ILRP.1.3., D-ILRPT.1.2. or D-ILRPT.1.3., a person who has made an application for indefinite leave to remain under this Appendix does not meet the requirements for indefinite leave to remain but falls to be granted limited leave to remain under those provisions or paragraphs 276ADE(1) to 276DH:

(a) The Secretary of State will treat that application for indefinite leave to remain as an application for limited leave to remain;

(b) The Secretary of State will notify the applicant in writing of any requirement to pay an immigration health charge under the Immigration (Health Charge) Order 2015; and

(c) If there is such a requirement and that requirement is not met, the application for limited leave to remain will be invalid and the Secretary of State will not refund any application fee paid in respect of the application for indefinite leave to remain.

GEN.1.16. Where an application or claim raising Article 8 is considered under Appendix FM and EX.1. applies, the requirements of paragraphs R-LTRP.1.1.(c) and R-LTRPT.1.1.(c) are not met.

GEN.1.17. An application for settlement as a partner or parent (or the dependent child of a partner or parent) on the basis of a 10-year qualifying period for settlement must meet the requirements under Appendix Settlement Family Life (and the application for settlement will not be considered under this Appendix).

Leave to enter

GEN.2.1. Subject to paragraph GEN.2.3., the requirements to be met by a person seeking leave to enter the UK under this route are that the person-

(a) must have a valid entry clearance for entry under this route; and

(b) must produce to the Immigration Officer on arrival a valid national passport or other document satisfactorily establishing their identity and nationality.

GEN.2.2. If a person does not meet the requirements of paragraph GEN.2.1. entry will be refused.

GEN.2.3.(1). Where an applicant for leave to enter the UK remains in the UK on immigration bail and the requirements of sub-paragraph (2) are met, paragraph GEN.1.10., D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (as appropriate) will apply, as if paragraph D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (where relevant) provided for the granting of leave to enter not leave to remain (and except that the references to leave to remain and limited leave to remain are to be read as leave to enter).

(2). The requirements of this sub-paragraph are met where:

(a) the applicant satisfies the requirements in paragraph R-LTRP.1.1.(a), (b) and (d), paragraph R-LTRC.1.1.(a), (b) and (d) or paragraph R-LTRPT.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain (and except that the references to leave to remain and indefinite leave to remain are to be read as leave to enter); or

(b) a parent of the applicant has been granted leave to enter in accordance with this paragraph and the applicant satisfies the requirements in paragraph R-LTRC.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain and as if paragraph R-LTRC.1.1.(d)(iii) referred to a parent of the applicant being or having been granted leave to enter in accordance with this paragraph (and except that the references to leave to remain are to be read as leave to enter).

Exceptional circumstances

GEN.3.1.(1) Where:

(a) the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7. (in the context of an application for limited leave to remain as a partner), E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1., or ELTRC.2.5. applies, and is not met from the specified sources referred to in the relevant paragraph; and

(b) it is evident from the information provided by the applicant that there are exceptional circumstances which could render refusal of entry clearance or leave to remain a breach of Article 8 of the European Convention on Human Rights, because

such refusal could result in unjustifiably harsh consequences for the applicant, their partner or a relevant child; then

the decision-maker must consider whether such financial requirement is met through taking into account the sources of income, financial support or funds set out in paragraph 21A(2) of Appendix FM-SE (subject to the considerations in sub-paragraphs (3) to (8) of that paragraph).

(2) Where the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7 (in the context of an application for limited leave to remain as a partner), E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1., or E-LTRC.2.5. is met following consideration under sub-paragraph (1) (and provided that the other relevant requirements of the Immigration Rules are also met), the applicant will be granted entry clearance or leave to remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., Appendix Adoption of the Immigration Rules.

GEN.3.2.(1) Subject to sub-paragraph (4), where an application for entry clearance or leave to enter or remain made under this Appendix, or an application for leave to remain which has otherwise been considered under this Appendix, does not otherwise meet the requirements of this Appendix or Part 9 of the Rules, the decision-maker must consider whether the circumstances in sub-paragraph (2) apply.

(2) Where sub-paragraph (1) above applies, the decision-maker must consider, on the basis of the information provided by the applicant, whether there are exceptional circumstances which would render refusal of entry clearance, or leave to enter or remain, a breach of Article 8 of the European Convention on Human Rights, because such refusal would result in unjustifiably harsh consequences for the applicant, their partner, a relevant child or another family member whose Article 8 rights it is evident from that information would be affected by a decision to refuse the application.

(3) Where the exceptional circumstances referred to in sub-paragraph (2) above apply, the applicant will be granted entry clearance or leave to enter or remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2.

(4) DELETED.

GEN.3.3.(1) In considering an application for entry clearance or leave to enter or remain where paragraph GEN.3.1. or GEN.3.2. applies, the decision-maker must take into account, as a primary consideration, the best interests of any relevant child.

(2) In paragraphs GEN.3.1. and GEN.3.2., and this paragraph, “relevant child” means a person who:

(a) is under the age of 18 years at the date of the application;

and

(b) it is evident from the information provided by the applicant would be affected by a decision to refuse the application.

Family life with a partner

Section EC-P: Entry clearance as a partner

EC-P.1.1. The requirements to be met for entry clearance as a partner are that-

(a) the applicant must be outside the UK;

(b) the applicant must have made a valid application for entry clearance as a partner;

(c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability–entry clearance; and

(d) the applicant must meet all of the requirements of Section E-ECP: Eligibility for entry clearance as a partner.

Section S-EC: Suitability-entry clearance

S-EC.1.1. The applicant will be refused entry clearance on grounds of suitability if any of paragraphs S-EC.1.2. to 1.9. apply.

S-EC.1.2. The Secretary of State has personally directed that the exclusion of the applicant from the UK is conducive to the public good.

S-EC.1.3. The applicant is currently the subject of a deportation order.

S-EC.1.4. The exclusion of the applicant from the UK is conducive to the public good because they have:

(a) been convicted of an offence for which they have been sentenced to a period of imprisonment of at least 4 years; or

(b) been convicted of an offence for which they have been sentenced to a period of imprisonment of at least 12 months but less than 4 years, unless a period of 10 years has passed since the end of the sentence; or

(c) been convicted of an offence for which they have been sentenced to a period of imprisonment of less than 12 months, unless a period of 5 years has passed since the end of the sentence.

S-EC.1.5. The exclusion of the applicant from the UK is conducive to the public good because, for example, the applicant's conduct (including convictions which do not fall within paragraph S-EC.1.4.), character, associations, or other reasons, make it undesirable to grant them entry clearance.

S-EC.1.6. The applicant has failed without reasonable excuse to comply with a requirement to-

(a) attend an interview;

(b) provide information;

(c) provide physical data; or

(d) undergo a medical examination or provide a medical report.

S-EC.1.7. It is undesirable to grant entry clearance to the applicant for medical reasons.

S-EC.1.8. The applicant left or was removed from the UK as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act 2003 less than 5 years prior to the date on which the application is decided.

S-EC.1.9. The Secretary of State considers that the applicant’s parent or parent’s partner poses a risk to the applicant. That person may be considered to pose a risk to the applicant if, for example, they -

(a) have a conviction as an adult, whether in the UK or overseas, for an offence against a child;

(b) are a registered sex offender and have failed to comply with any notification requirements; or

(c) are required to comply with a sexual risk order made under the Anti-Social Behaviour, Crime and Policing Act 2014 and have failed to do so.

S-EC.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-EC.2.2. to 2.5. apply.

S-EC.2.2. Whether or not to the applicant's knowledge-

(a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or

(b) there has been a failure to disclose material facts in relation to the application.

S-EC.2.3. DELETED

S-EC.2.4. A maintenance and accommodation undertaking has been requested or required under paragraph 35 of these Rules or otherwise and has not been provided.

S-EC.2.5. The exclusion of the applicant from the UK is conducive to the public good because:

(a) within the 12 months prior to the date on which the application is decided, the person has been convicted of or admitted an offence for which they received a non-custodial sentence or other out of court disposal that is recorded on their criminal record; or

(b) in the view of the Secretary of State:

(i) the person's offending has caused serious harm; or

(ii) the person is a persistent offender who shows a particular disregard for the law.

S-EC.3.1. The applicant may be refused on grounds of suitability if the applicant has failed to pay litigation costs awarded to the Home Office.

S-EC.3.2. The applicant may be refused on grounds of suitability if one or more relevant NHS bodies has notified the Secretary of State that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Section E-ECP: Eligibility for entry clearance as a partner

E-ECP.1.1. To meet the eligibility requirements for entry clearance as a partner all of the requirements in paragraphs E-ECP.A1.1. to 4.2. must be met.

E-ECP.A1.1. The applicant must provide a passport or other document which satisfactorily establishes their identity and nationality.

Relationship requirements

E-ECP.2.1. The applicant's partner must be-

(a) a British Citizen in the UK, subject to paragraph GEN.1.3.(c); or

(b) present and settled in the UK, subject to paragraph GEN.1.3.(b); or

(c) in the UK with protection status; or

(d) in the UK with limited leave under Appendix EU, in accordance with paragraph GEN 1.3.(d); or

(e) in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e); or

(f) in the UK with permission as a Stateless person.

E-ECP.2.2. The applicant must be aged 18 or over at the date of application.

E-ECP.2.3. The partner must be aged 18 or over at the date of application.

E-ECP.2.4. The applicant and their partner must not be within the prohibited degree of relationship.

E-ECP.2.5. The applicant and their partner must have met in person.

E-ECP.2.6. The relationship between the applicant and their partner must be genuine and subsisting.

E-ECP.2.7. If the applicant and partner are married or in a civil partnership it must be a valid marriage or civil partnership, as specified.

E-ECP.2.8. If the applicant is a fiancé(e) or proposed civil partner they must be seeking entry to the UK to enable their marriage or civil partnership to take place in the United Kingdom.

E-ECP.2.9. (i) Any previous relationship of the applicant or their partner must have broken down permanently, unless it is a relationship which falls within paragraph 278(i) of these Rules; and

(ii) If the applicant is a fiancé(e) or proposed civil partner, neither the applicant nor their partner can be married to, or in a civil partnership with, another person at the date of application.

E-ECP.2.10. The applicant and partner must intend to live together permanently in the UK.

Financial requirements

E-ECP.3.1. The applicant must provide specified evidence, from the sources listed in paragraph E-ECP.3.2., of:

(a) a specified gross annual income of at least £29,000

(b) specified savings of:

(i) £16,000; and

(ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-ECP.3.2.(a)- (d) and the total amount required under paragraph E-ECP.3.1.(a); or

(c) the requirements in paragraph E-ECP.3.3. being met.

E-ECP.3.2. When determining whether the financial requirement in paragraph E-ECP.

3.1. is met only the following sources will be taken into account-

(a) income of the partner from specified employment or self-employment, which, in respect of a partner returning to the UK with the applicant, can include specified employment or self-employment overseas and in the UK;

(b) specified pension income of the applicant and partner;

(c) any specified maternity allowance or bereavement benefit received by the partner in the UK or any specified payment relating to service in HM Forces received by the applicant or partner;

(d) other specified income of the applicant and partner; and

(e) specified savings of the applicant and partner.

E-ECP.3.3. The requirements to be met under this paragraph are-

(a) the applicant's partner must be receiving one or more of the following –

(i) Disability Living Allowance; or

(ii) Severe Disablement Allowance; or

(iii) Industrial Injuries Disablement Benefit; or

(iv) Attendance Allowance; or

(v) Carer's Allowance; or

(vi) Personal Independence Payment; or

(vii) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or

(viii) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or

(ix) Police Injury Pension; or

(x) Child Disability Payment; or

(xi) Adult Disability Payment; and

(b) the applicant must provide evidence that their partner is able to maintain and accommodate themselves, the applicant and any dependants adequately in the UK without recourse to public funds.

E-ECP.3.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not

included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

English language requirement

E-ECP.4.1. The applicant must provide specified evidence that they-

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-ECP.4.2.

E-ECP.4.2. The applicant is exempt from the English language requirement if at the date of application-

(a) the applicant is aged 65 or over;

(b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or

(c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement prior to entry to the UK.

Section D-ECP: Decision on application for entry clearance as a partner

D-ECP.1.1. Except where paragraph GEN.3.1.(2) or GEN.3.2.(3) of this Appendix applies, an applicant who meets the requirements for entry clearance as a partner (other than as a fiancé(e) or proposed civil partner) will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months in the UK

with leave to enter granted on the basis of such entry clearance or with limited leave to remain as a partner granted under paragraph D-LTRP.1.1. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, where the applicant is a fiancé(e) or proposed civil partner, the applicant will be granted entry clearance for a period not exceeding 6 months, and subject to a prohibition on employment and a condition of no recourse to public funds.

D-ECP.1.2. Where paragraph GEN.3.1.(2) or GEN.3.2.(3) of this Appendix applies, an applicant who meets the requirements for entry clearance as a partner (other than as a fiancé(e) or proposed civil partner) will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the UK with leave to enter granted on the basis of such entry clearance or of entry clearance granted under paragraph D-ECP.1.1. or with limited leave to remain as a partner granted under paragraph D-LTRP.1.1. or D-LTRP.1.2. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, where the applicant is a fiancé(e) or proposed civil partner, the applicant will be granted entry clearance for a period not exceeding 6 months, and subject to a prohibition on employment and a condition of no recourse to public funds.

D-ECP.1.3. If the applicant does not meet the requirements for entry clearance as a partner, the application will be refused.

Section R-LTRP: Requirements for limited leave to remain as a partner

R-LTRP.1.1. The requirements to be met for limited leave to remain as a partner are-

(a) the applicant and their partner must be in the UK;

(b) the applicant must have made a valid application for limited or indefinite leave to remain as a partner; and either

(c)

(i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and

(ii) the applicant meets all of the requirements of Section E-LTRP: Eligibility for leave to remain as a partner; or

(d)

(i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and

(ii) the applicant meets the requirements of paragraphs E-LTRP.1.2-1.12. and E- LTRP.2.1.-2.2.; and

(iii) paragraph EX.1. applies.

Section S-LTR: Suitability-leave to remain

S-LTR.1.1. The applicant will be refused limited leave to remain on grounds of suitability if any of paragraphs S-LTR.1.2. to 1.8. apply.

S-LTR.1.2. The applicant is currently the subject of a deportation order.

S-LTR.1.3. The presence of the applicant in the UK is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for at least 4 years.

S-LTR.1.4. The presence of the applicant in the UK is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 4 years but at least 12 months, unless a period of 10 years has passed since the end of the sentence.

S-LTR.1.5. The presence of the applicant in the UK is not conducive to the public good because, in the view of the Secretary of State, their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law.

S-LTR.1.6. The presence of the applicant in the UK is not conducive to the public good because their conduct (including convictions which do not fall within paragraphs S-LTR.1.3. to 1.5.), character, associations, or other reasons, make it undesirable to allow them to remain in the UK.

S-LTR.1.7. The applicant has failed without reasonable excuse to comply with a requirement to-

(a) attend an interview;

(b) provide information;

(c) provide physical data; or

(d) undergo a medical examination or provide a medical report.

S-LTR.1.8. The presence of the applicant in the UK is not conducive to the public good because the Secretary of State:

(a) has made a decision under Article 1F of the Refugee Convention to exclude the person from the Refugee Convention or under paragraph 339D of these Rules to exclude them from humanitarian protection; or

(b) has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because there are reasonable grounds for regarding them as a danger to the security of the UK; or

(c) considers that they are a person to whom sub-paragraph (a) or (b) would apply except that (i) the person has not made a protection claim, or (ii) the person made a protection claim which has already been finally determined without reference to Article 1F of the Refugee Convention or paragraph 339D of these Rules; or

(d) has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because, having been convicted by a final judgment of a particularly serious crime, they constitute a danger to the community of the UK.

S-LTR.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-LTR.2.2. to 2.5. apply.

S-LTR.2.2. Whether or not to the applicant's knowledge –

(a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or

(b) there has been a failure to disclose material facts in relation to the application.

S-LTR.2.3. DELETED

S-LTR.2.4. A maintenance and accommodation undertaking has been requested under paragraph 35 of these Rules and has not been provided.

S-LTR.2.5. The Secretary of State has given notice to the applicant and their partner under section 50(7)(b) of the Immigration Act 2014 that one or both of them have not complied with the investigation of their proposed marriage or civil partnership.

S-LTR.3.1. When considering whether the presence of the applicant in the UK is not conducive to the public good any legal or practical reasons why the applicant cannot presently be removed from the UK must be ignored.

S-LTR.4.1. The applicant may be refused on grounds of suitability if any of paragraphs S-LTR.4.2. to S-LTR.4.5. apply.

S-LTR.4.2. The applicant has made false representations or failed to disclose any material fact in a previous application for entry clearance, leave to enter, leave to remain or a variation

of leave, or in a previous human rights claim; or did so in order to obtain from the Secretary of State or a third party a document required to support such an application or claim (whether or not the application or claim was successful).

S-LTR.4.3. The applicant has previously made false representations or failed to disclose material facts for the purpose of obtaining a document from the Secretary of State that indicates that he or she has a right to reside in the United Kingdom.

S-LTR.4.4. The applicant has failed to pay litigation costs awarded to the Home Office.

S-LTR.4.5. One or more relevant NHS bodies has notified the Secretary of State that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Section E-LTRP: Eligibility for limited leave to remain as a partner

E-LTRP.1.1. To qualify for limited leave to remain as a partner all of the requirements of paragraphs E-LTRP.1.2. to 4.2. must be met.

Relationship requirements

E-LTRP.1.2. The applicant's partner must be-

(a) a British Citizen in the UK;

(b) present and settled in the UK; or

(c) in the UK with protection status;
(d) in the UK with limited leave under Appendix EU, in accordance with paragraph GEN.1.3.(d); or
(e) in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e); or
(f) in the UK with permission as a Stateless person.

E-LTRP.1.3. The applicant must be aged 18 or over at the date of application.

E-LTRP.1.4. The partner must be aged 18 or over at the date of application.

E-LTRP.1.5. The applicant and their partner must not be within the prohibited degree of relationship.

E-LTRP.1.6. The applicant and their partner must have met in person.

E-LTRP.1.7. The relationship between the applicant and their partner must be genuine and subsisting.

E-LTRP.1.8. If the applicant and partner are married or in a civil partnership it must be a valid marriage or civil partnership, as specified.

E-LTRP.1.9. Any previous relationship of the applicant or their partner must have broken down permanently, unless it is a relationship which falls within paragraph 278(i) of these Rules.

E-LTRP.1.10. The applicant and their partner must intend to live together permanently in the UK and, in any application for further leave to remain as a partner (except where the applicant is in the UK as a fiancé(e) or proposed civil partner) and in any application for indefinite leave to remain as a partner, the applicant must provide evidence that, since entry clearance as a partner was granted under paragraph D-ECP1.1. or since the last grant of limited leave to remain as a partner, the applicant and their partner have lived together in the UK or there is good reason, consistent with a continuing intention to live together permanently in the UK, for any period in which they have not done so.

E-LTRP.1.11. If the applicant is in the UK with leave as a fiancé(e) or proposed civil partner and the marriage or civil partnership did not take place during that period of leave, there must be good reason why and evidence that it will take place within the next 6 months.

E-LTRP.1.12. The applicant's partner cannot be the applicant's fiancé(e) or proposed civil partner, unless the applicant was granted entry clearance as that person's fiancé(e) or proposed civil partner.

Immigration status requirements

E-LTRP.2.1. The applicant must not be in the UK-

(a) as a visitor; or

(b) with valid leave granted for a period of 6 months or less, unless that leave is as a fiancé(e) or proposed civil partner, or was granted pending the outcome of family court or divorce proceedings

E-LTRP.2.2. The applicant must not be in the UK-

(a) on immigration bail, unless:

(i) the Secretary of State is satisfied that the applicant arrived in the UK more than 6 months
prior to the date of application; and

(ii) paragraph EX.1. applies; or

(b) in breach of immigration laws (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded), unless paragraph EX.1. applies.

Financial requirements for an applicant who is making their first application on the partner route on or after 11 April 2024

E-LTRP.3.1. The applicant must provide specified evidence, from the sources listed in paragraph E-LTRP.3.2., of:

(a) a specified gross annual income of at least £29,000

(b) specified savings of:

(i) £16,000; and

(ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRP.3.2.(a)-(f) and the total amount required under paragraph E-LTRP.3.1.(a); or

(c) the requirements in paragraph E-LTRP.3.3. being met, unless paragraph EX.1. applies.

E-LTRP.3.2. When determining whether the financial requirement in paragraph E-LTRP.

3.1. or E-LTRP.3.7. is met only the following sources may be taken into account-

(a) income of the partner from specified employment or self-employment;

(b) income of the applicant from specified employment or self-employment unless they are working illegally;

(c) specified pension income of the applicant and partner;

(d) any specified maternity allowance or bereavement benefit received by the applicant and partner in the UK or any specified payment relating to service in HM Forces received by the applicant or partner;

(e) other specified income of the applicant and partner;

(f) income from the sources at (b), (d) or (e) of a dependent child of the applicant or of the applicant's partner under paragraph E-LTRP.3.1. or E-LTRP.3.7. who is aged 18 years or over; and

(g) specified savings of the applicant, partner and a dependent child of the applicant or of the applicant's partner under paragraph E-LTRP.3.1. or E-LTRP.3.7. who is aged 18 years or over.

E-LTRP.3.3. The requirements to meet this paragraph are-

(a) the applicant's partner must be receiving one or more of the following:

(i) Disability Living Allowance; or

(ii) Severe Disablement Allowance; or

(iii) Industrial Injuries Disablement Benefit; or

(iv) Attendance Allowance; or

(v) Carer's Allowance; or

(vi) Personal Independence Payment; or

(vii) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or

(viii) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or

(ix) Police Injury Pension; or

(x) Child Disability Payment; or

(xi) Adult Disability Payment; and

(b) the applicant must provide evidence that their partner is able to maintain and accommodate themselves, the applicant and any dependants adequately in the UK without recourse to public funds.

E-LTRP.3.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively, unless paragraph EX.1. applies: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

Transitional financial requirements for an applicant who made their first application as a fiancé(e), proposed civil partner or as a partner before 11 April 2024 and who was granted permission as a fiancé(e), proposed civil partner or as a partner on the five-year route to settlement as a result of that application

E-LTRP.3.5. A person who has permission as a partner on the five-year route to settlement, or as a fiancé(e) or proposed civil partner, at the date of application, must meet the transitional financial requirement at E-LTRP.3.7. if they made an application for entry clearance or permission to stay as a fiancé(e), proposed civil partner or partner under Appendix FM before 11 April 2024, which was successful.

E-LTRP.3.6. To fall within E-LTRP.3.5. the applicant must be applying for permission to stay with the same partner for which they were last granted permission. Those applying for permission to stay with a new partner must meet the financial requirement at E-LTRP.3.1. to E-LTRP.3.4.

E-LTRP.3.7. The applicant must provide specified evidence, from the sources listed in paragraph E-LTRP.3.2., of:

(a) a specified gross annual income of at least:
    (i) £18,600;
    (ii) an additional £3,800 for the first child; and
    (iii)an additional £2,400 for each additional child; alone or in combination with
(b) specified savings of:
    (i) £16,000; and
    (ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRP.3.2.(a)-(f) and the total amount required under paragraph E-LTRP.3.7.(a); or
(c) the requirements in paragraph E-LTRP.3.3. being met, unless paragraph EX.1. applies.

In this paragraph "child" means a dependent child of the applicant or the applicant's partner who is:

(a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
(b) applying for entry clearance or leave to remain as a dependant of the applicant or the applicant's partner, or is in the UK with leave as their dependant;
(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and
(d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (European Economic Area) Regulations 2016.

E-LTRP.3.8. Where the financial requirement at E-LTRP.3.7. exceeds £29,000 due to the number of children in the family, the applicant will only need to provide evidence of a gross annual income of £29,000.

E-LTRP.3.9. The applicant must meet the accommodation requirement at E-LTRP.3.4.

English language requirement

E-LTRP.4.1. If the applicant has not met the requirement in a previous application for entry clearance or leave to remain as a partner or parent, the applicant must provide specified evidence that they-

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-LTRP.4.2.;

unless paragraph EX.1. applies.

E-LTRP.4.1A. Where the applicant:

(i) in a previous application for entry clearance or leave to remain as a partner or parent, met the English language requirement in paragraph E-ECP.4.1.(b), E-LTRP.4.1.(b) or E-LTRPT.5.1.(b) on the basis that they had passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference for Languages;

(ii) was granted entry clearance or leave to remain as a partner or parent; and

(iii) now seeks further leave to remain as a partner after 30 months in the UK with leave as a partner;

then, the applicant must provide specified evidence that they:

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A2 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor"s or Master"s degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor"s or Master"s degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A2 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-LTRP.4.2.

E-LTRP.4.2. The applicant is exempt from the English language requirement in paragraph E-LTRP.4.1. or E-LTRP.4.1A. if at the date of application-

(a) the applicant is aged 65 or over;

(b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or

(c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement.

Section D-LTRP: Decision on application for limited leave to remain as a partner

D-LTRP.1.1. If the applicant meets the requirements in paragraph R-LTRP.1.1.(a) to (c) for limited leave to remain as a partner the applicant will be granted limited leave to remain for a period not exceeding 30 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months with such leave or in the UK with leave to enter granted on the basis of entry clearance granted under paragraph D-ECP1.1. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé (e) or proposed civil partner); or, if paragraph E-LTRP.1.11. applies, the applicant will be granted limited leave for a period not exceeding 6 months and subject to a condition of no recourse to public funds and a prohibition on employment.

D-LTRP.1.2. If the applicant meets the requirements in paragraph R-LTRP.1.1.(a), (b) and (d) for limited leave to remain as a partner, or paragraph GEN.3.1.(2) or GEN.3.2.(3) applies to an applicant for leave to remain as a partner, the applicant will be granted leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the UK with such leave, with limited leave to remain as a partner granted under paragraph D-LTRP.1.1., or in the UK with leave to enter granted on the basis of entry clearanceas a partner granted under paragraph D-ECP1.1. or D-ECP.1.2. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner), or, if paragraph E-LTRP.1.11. applies, the applicant will be granted limited leave for a period not exceeding 6 months and subject to a condition of no recourse to public funds and a prohibition on employment.

D-LTRP.1.3. If the applicant does not meet the requirements for limited leave to remain as a partner the application will be refused.

Section R-ILRP: Requirements for indefinite leave to remain (settlement) as a partner

R-ILRP.1.1. The requirements to be met for indefinite leave to remain as a partner are that-

(a) the applicant and their partner must be in the UK;

(b) the applicant must have made a valid application for indefinite leave to remain as a partner;

(c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability for indefinite leave to remain; and

(d) DELETED

(e) the applicant must meet all of the requirements of Section E-ILRP: Eligibility for indefinite leave to remain as a partner.

Section S-ILR: Suitability for indefinite leave to remain

S-ILR.1.1. The applicant will be refused indefinite leave to remain on grounds of suitability if any of paragraphs S-ILR.1.2. to 1.10. apply.

S-ILR.1.2. The applicant is currently the subject of a deportation order.

S-ILR.1.3. The presence of the applicant in the UK is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for at least 4 years.

S-ILR.1.4. The presence of the applicant in the UK is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 4 years but at least 12 months, unless a period of 15 years has passed since the end of the sentence.

S-ILR.1.5. The presence of the applicant in the UK is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 12 months, unless a period of 7 years has passed since the end of the sentence.

S-ILR.1.6. The applicant has, within the 24 months prior to the date on which the application is decided, been convicted of or admitted an offence for which they received a non-custodial sentence or other out of court disposal that is recorded on their criminal record.

S-ILR.1.7. The presence of the applicant in the UK is not conducive to the public good because, in the view of the Secretary of State, their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law.

S-ILR.1.8. The presence of the applicant in the UK is not conducive to the public good because their conduct (including convictions which do not fall within paragraphs S-ILR.1.3. to 1.6.), character, associations, or other reasons, make it undesirable to allow them to remain in the UK.

S-ILR.1.9. The applicant has failed without reasonable excuse to comply with a requirement to-

(a) attend an interview;

(b) provide information;

(c) provide physical data; or

(d) undergo a medical examination or provide a medical report.

S-ILR.1.10. The presence of the applicant in the UK is not conducive to the public good because the Secretary of State

(a) has made a decision under Article 1F of the Refugee Convention to exclude the person from the Refugee Convention or under paragraph 339D of these Rules to exclude them from humanitarian protection; or

(b) has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because there are reasonable grounds for regarding them as a danger to the security of the UK; or

(c) considers that they are a person to whom sub-paragraph (a) or (b) would apply except that (i) the person has not made a protection claim, or (ii) the person made a protection claim which has already been finally determined without reference to Article 1F of the Refugee Convention or paragraph 339D of these Rules; or

(d) has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because, having been convicted by a final judgment of a particularly serious crime, they constitute a danger to the community of the UK.

S-ILR.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-ILR.2.2. to 2.4. apply.

S-ILR.2.2. Whether or not to the applicant's knowledge –

(a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or

(b) there has been a failure to disclose material facts in relation to the application.

S-ILR.2.3. DELETED

S-ILR.2.4. A maintenance and accommodation undertaking has been requested under paragraph 35 of these Rules and has not been provided.

S-ILR.3.1. When considering whether the presence of the applicant in the UK is not conducive to the public good, any legal or practical reasons why the applicant cannot presently be removed from the UK must be ignored.

S-ILR.4.1. The applicant may be refused on grounds of suitability if any of paragraphs S-ILR.4.2. to S-ILR.4.4. apply.

S-ILR.4.2. The applicant has made false representations or failed to disclose any material fact in a previous application for entry clearance, leave to enter, leave to remain or a variation of leave, or in a previous human rights claim; or did so in order to obtain from the Secretary of State or a third party a document required to support such an application or claim (whether or not the application or claim was successful).

S-ILR.4.3. The applicant has previously made false representations or failed to disclose material facts for the purpose of obtaining a document from the Secretary of State that indicates that he or she has a right to reside in the United Kingdom.

S-ILR.4.4. The applicant has failed to pay litigation costs awarded to the Home Office.

S-ILR.4.5. One or more relevant NHS bodies has notified the Secretary of State that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Section E-ILRP: Eligibility for indefinite leave to remain as a partner

E-ILRP.1.1. To meet the eligibility requirements for indefinite leave to remain as a partner after a 5 year qualifying period all of the requirements of paragraphs E-ILRP.1.2. to 1.6. must be met.

E-ILRP.1.2. The applicant must be in the UK with valid leave to remain as a partner under this Appendix (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded).

E-ILRP.1.3. (1) Subject to subparagraph (2), the applicant must, at the date of application, have completed a period of continuous residence in the UK of at least 5 years (60 months) with the following:

(a) L eave to enter granted on the basis of entry clearance as a partner granted under paragraph D-ECP.1.1; or

(b) limited leave to remain as a partner granted under paragraph D-LTRP.1.1; or

(c) a combination of leave under (a) and (b).

(1A) In respect of an application falling within subparagraph (1) above, the applicant must meet all 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), (d), (e) or (f) of that paragraph, and in applying paragraph E-LTRP.3.1.(b)(ii) or E-LTRP.3.7.(b)(ii) disregard the words “2.5 times”).

(2) In calculating periods of leave for the purposes of subparagraph (1) above, any period of leave to enter or leave to remain as a fiancé(e) or proposed civil partner will be disregarded.

E-ILRP.1.4. In calculating the periods under paragraph E-ILRP.1.3. only the periods when the applicant's partner is the same person as the applicant's partner for the previous period of limited leave shall be taken into account.

E-ILRP.1.5. In calculating the periods under paragraph E-ILRP.1.3. the words “in the UK” in that paragraph shall not apply to any period(s) to which the evidence in paragraph 26A of Appendix FM-SE applies.

E-ILRP.1.5A. In calculating the periods under paragraph E-ILRP.1.3., any current period of overstaying will be disregarded where paragraph 39E of these Rules applies. Any previous period of overstaying between periods of leave will also be disregarded where: the further application was made before 24 November 2016 and within 28 days of the expiry of leave; or the further application was made on or after 24 November 2016 and paragraph 39E of these Rules applied.

E-ILRP.1.6. The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom in accordance with the requirements of Appendix KoLL of these Rules.

Section D-ILRP: Decision on application for indefinite leave to remain as a partner

D-ILRP.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a partner the applicant will be granted indefinite leave to remain.

D-ILRP.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a partner only for one or both of the following reasons-

(a) paragraph S-ILR.1.5. or S-ILR.1.6. applies;

(b) the applicant has not demonstrated sufficient knowledge of the English language or about life in the United Kingdom in accordance with Appendix KoLL,

subject to compliance with any requirement notified under paragraph GEN.1.15.(b), the applicant will be granted further limited leave to remain as a partner for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-ILRP.1.3. If the applicant does not meet all the eligibility requirements for indefinite leave to remain as a partner, and does not qualify for further limited leave to remain as a partner under paragraph DILRP. 1.2., the application will be refused, unless the applicant meets the requirements in paragraph R-LTRP.1.1.(a), (b) and (d) for limited leave to remain as a partner. Where they do, and subject to compliance with any requirement notified under paragraph GEN.1.15.(b), the applicant will be granted further limited leave to remain as a partner for a period not exceeding 30 months under paragraph D-LTRP.1.2. and subject to a

condition of no recourse to public funds unless the Secretary of State considers that the person should not be subject to such a condition.

Section EX: Exceptions to certain eligibility requirements for leave to remain as a partner or parent

EX.1. This paragraph applies if

(a)

(i) the applicant has a genuine and subsisting parental relationship with a child who-

(aa) is under the age of 18 years, or was under the age of 18 years when the applicant was first granted leave on the basis that this paragraph applied;

(bb) is in the UK;

(cc) is a British Citizen or has lived in the UK continuously for at least the 7 years immediately preceding the date of application ;and

(ii) taking into account their best interests as a primary consideration, it would not be reasonable to expect the child to leave the UK; or

(b) the applicant has a genuine and subsisting relationship with a partner who is in the UK and is a British Citizen, settled in the UK, or in the UK with protection status, in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), or in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay in accordance with paragraph GEN.1.3.(e), or in the UK with permission as a Stateless person, and there are insurmountable obstacles to family life with that partner continuing outside the UK.

EX.2. For the purposes of paragraph EX.1.(b) “insurmountable obstacles” means the very significant difficulties which would be faced by the applicant or their partner in continuing their family life together outside the UK and which could not be overcome or would entail very serious hardship for the applicant or their partner.

Bereaved partner

Section BPILR: Indefinite leave to remain (settlement) as a bereaved partner

BPILR.1.1. DELETED.

Section E-BPILR: Eligibility for indefinite leave to remain as a bereaved partner

E-BPILR.1.1. DELETED.

E-BPILR.1.2. DELETED.

E-BPILR.1.3. DELETED.

E-BPILR.1.4. DELETED.

Section D-BPILR: Decision on application for indefinite leave to remain as a bereaved partner

D-BPILR.1.1. DELETED.

D-BPILR.1.2. DELETED.

D-BPILR.1.3. DELETED.

Victim of domestic abuse

Section DVILR: Indefinite leave to remain (settlement) as a victim of domestic abuse

DVILR.1.1. DELETED.

Section E-DVILR: Eligibility for indefinite leave to remain as a victim of domestic abuse

E-DVILR.1.1. DELETED.

E-DVILR.1.2. DELETED.

E-DVILR.1.3. DELETED.

Section D-DVILR: Decision on application for indefinite leave to remain as a victim of domestic abuse

D-DVILR.1.1. DELETED.

D-DVILR.1.2. DELETED.

D-DVILR.1.3. DELETED.

Family life as a child of a person with limited leave as a partner or parent

This route is for a child whose parent is applying under this Appendix for entry clearance or leave, or who has limited leave, as a partner or parent. For further provision on a child seeking to enter or remain in the UK for the purpose of their family life see Part 8 of these Rules.

Section EC-C: Entry clearance as a child

EC-C.1.1. The requirements to be met for entry clearance as a child are that-

(a) the applicant must be outside the UK;

(b) the applicant must have made a valid application for entry clearance as a child;

(c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability for entry clearance; and

(d) the applicant must meet all of the requirements of Section E-ECC: Eligibility for entry clearance as a child.

Section E-ECC: Eligibility for entry clearance as a child

E-ECC.1.1. To meet the eligibility requirements for entry clearance as a child all of the requirements of paragraphs E-ECC.A1.1. to 2.7. must be met.

E-ECC.A1.1. The applicant must provide a passport or other document which satisfactorily establishes their identity and nationality.

Relationship requirements

E-ECC.1.2. The applicant must be under the age of 18 at the date of application.

E-ECC.1.3. The applicant must not be married or in a civil partnership.

E-ECC.1.4. The applicant must not have formed an independent family unit.

E-ECC.1.5. The applicant must not be leading an independent life.

E-ECC.1.6. One of the applicant's parents must be in the UK with limited leave to enter or remain, or be being granted, or have been granted, entry clearance, as a partner or a parent under this Appendix (referred to in this section as the "applicant's parent"), and

(a) the applicant's parent's partner under Appendix FM is also a parent of the applicant;or

(b) the applicant's parent has had and continues to have sole responsibility for the child's upbringing; or

(c) there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care.

Financial requirement for applicants where the transitional requirements at E-ECC.2.5 to E-ECC.2.7. do not apply

E-ECC.2.1. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a partner under this Appendix, the applicant must provide specified evidence, from the sources listed in paragraph E-ECC.2.2., of:

(a) a specified gross annual income of at least £29,000

(b) specified savings of:

(i) £16,000; and

(ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-ECC.2.2.(a)- (f) and the total amount required under paragraph E-ECC.2.1.(a); or

(c) the requirements in paragraph E-ECC.2.3. being met.

E-ECC.2.2. When determining whether the financial requirement in paragraph E-ECC.2.1. or E-ECC.2.5. is met only the following sources may be taken into account-

(a) income of the applicant's parent's partner from specified employment or self-employment, which, in respect of an applicant's parent's partner returning to the UK with the applicant, can include specified employment or self-employment overseas and in the UK;

(b) income of the applicant's parent from specified employment or self employment if they are in the UK unless they are working illegally;

(c) specified pension income of the applicant's parent and that parent's partner;

(d) any specified maternity allowance or bereavement benefit received by the applicant's parent and that parent's partner in the UK or any specified payment relating to service in HM Forces received by the applicant's parent and that parent's partner;

(e) other specified income of the applicant's parent and that parent's partner;

(f) income from the sources at (b), (d) or (e) of a dependent child of the applicant's parent under paragraph E-ECC.2.1. or E-ECC.2.5. who is aged 18 years or over; and

(g) specified savings of the applicant's parent, that parent's partner and a dependent child of the applicant's parent under paragraph E-ECC.2.1. or E-ECC.2.5. who is aged 18 years or over.

E-ECC.2.3. The requirements to be met under this paragraph are-

(a) the applicant's parent's partner must be receiving one or more of the following:

(i) Disability Living Allowance; or

(ii) Severe Disablement Allowance; or

(iii) Industrial Injuries Disablement Benefit; or

(iv) Attendance Allowance; or

(v) Carer's Allowance; or

(vi) Personal Independence Payment; or

(vii) Armed Forces Independence Payment or Guaranteed Income Page Payment under the Armed Forces Compensation Scheme; or

(viii) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or

(ix) Police Injury Pension; or

(x) Child Disability Payment; or

(xi) Adult Disability Payment; and

(b) the applicant must provide evidence that their parent's partner is able to maintain and accommodate themselves, the applicant's parent, the applicant and any dependants adequately in the UK without recourse to public funds.

E-ECC.2.3A. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves, the applicant and any other dependants adequately in the UK without recourse to public funds.

E-EEC.2.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

Transitional financial requirements

E-ECC.2.5. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or limited leave to remain as a partner under this Appendix, and that parent meets the requirements of E-LTRP.3.5. the applicant must provide specified evidence, from the sources listed in paragraph E-ECC.2.2., of:

(a) a specified gross annual income of at least
    (i) £18,600;
    (ii) an additional £3,800 for the first child; and
    (iii)an additional £2,400 for each additional child; alone or in combination with
(b) specified savings of
    (i) £16,000; and
    (ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-ECC.2.2.(a)-(f) and the total amount required under paragraph E-ECC.2.5.(a); or
(c) the requirements in paragraph E-ECC.2.3. being met.

In this paragraph “child” means the applicant and any other dependent child of the applicant’s parent or the applicant’s parent’s partner who is:

(a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
(b) applying for entry clearance as a dependant of the applicant’s parent or of the applicant’s parent’s partner, or is in the UK with leave as their dependant;
(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and
(d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (European Economic Area) Regulations 2016.

E-ECC.2.6. Where the financial requirement at E-ECC.2.5. exceeds £29,000 due to the number of children in the family, the applicant will only need to provide evidence of a gross annual income of £29,000.

E-ECC.2.7. The applicant must meet the accommodation requirement at E-ECC.2.4.

Section D-ECC: Decision on application for entry clearance as a child

D-ECC.1.1. If the applicant meets the requirements for entry clearance as a child they will be granted entry clearance of a duration which will expire at the same time as the leave granted to the applicant's parent, and will be subject to the same conditions in respect of recourse to public funds as that parent.

D-ECC.1.2. If the applicant does not meet the requirements for entry clearance as a child the application will be refused.

Section R-LTRC: Requirements for leave to remain as a child

R-LTRC.1.1. The requirements to be met for leave to remain as a child are that-

(a) the applicant must be in the UK;

(b) the applicant must have made a valid application for leave to remain as a child;

and either

(c)

(i) the applicant must not fall for refusal under any of the grounds in Section S-LTR: Suitability-leave to remain; and

(ii) the applicant meets all of the requirements of Section E-LTRC: Eligibility for leave to remain as a child; and

(iii) a parent of the applicant has been or is at the same time being granted leave to remain under paragraph D-LTRP.1.1. or D-LTRPT.1.1. or indefinite leave to remain under this Appendix; or

(d)

(i) the applicant must not fall for refusal under any of the grounds in Section S-LTR: Suitability-leave to remain; and

(ii) the applicant meets the requirements of paragraphs E-LTRC.1.2.-1.6.; and

(iii) a parent of the applicant has been or is at the same time being granted leave to remain under paragraph D-LTRP.1.2. , D-ILRP.1.2., D-LTRPT.1.2. or D-ILRPT.1.2. or indefinite leave to remain under this Appendix.

Section E-LTRC: Eligibility for leave to remain as a child

E-LTRC.1.1. To qualify for limited leave to remain as a child all of the requirements of paragraphs E-LTRC.1.2. to 2.7. must be met (except where paragraph R-LTRC.1.1.(d)(ii) applies).

Relationship requirements

E-LTRC.1.2. The applicant must be under the age of 18 at the date of application or when first granted leave as a child under this route.

E-LTRC.1.3. The applicant must not be married or in a civil partnership.

E-LTRC.1.4. The applicant must not have formed an independent family unit.

E-LTRC.1.5. The applicant must not be leading an independent life.

E-LTRC.1.6. One of the applicant's parents (referred to in this section as the "applicant's parent") must be in the UK and have leave to enter or remain or indefinite leave to remain, or is at the same time being granted leave to remain or indefinite leave to remain, under this Appendix, and

(a) the applicant's parent's partner under Appendix FM is also a parent of the applicant; or

(b) the applicant's parent has had and continues to have sole responsibility for the child's upbringing or the applicant normally lives with this parent and not their other parent; or

(c) there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care.

Financial requirements for applicants where the transitional requirements at E-LTRC.2.5. to E-LTRC.2.7. do not apply

E-LTRC.2.1. Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a partner under this Appendix, the applicant must provide specified evidence, from the sources listed in paragraph E-LTRC.2.2., of:

(a) a specified gross annual income of at least £29,000

(b) specified savings of:

(i) £16,000; and

(ii) additional savings of an amount equivalent to 2.5 times (or if the parent is applying for indefinite leave to remain 1 times) the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRC.2.2.(a)-(f) and the total amount required under paragraph E-LTRC.2.1.(a); or

(c) the requirements in paragraph E-LTRC.2.3. being met.

E-LTRC.2.2. When determining whether the financial requirement in paragraph E-LTRC.2.1. or E-LTRC.2.5. is met only the following sources may be taken into account-

(a) income of the applicant's parent's partner from specified employment or self-employment;

(b) income of the applicant's parent from specified employment or self employment;

(c) specified pension income of the applicant's parent and that parent's partner;

(d) any specified maternity allowance or bereavement benefit received by the applicant's parent and that parent's partner in the UK or any specified payment relating to service in HM Forces received by the applicant's parent and that parent's partner;

(e) other specified income of the applicant's parent and that parent's partner;

(f) income from the sources at (b), (d) or (e) of a dependent child of the applicant's parent under paragraph E-LTRC.2.1. or E-LTRC.2.5. who is aged 18 years or over; and

(g) specified savings of the applicant's parent, that parent's partner and a dependent child of the applicant's parent under paragraph E-ECC.2.1. who is aged 18 years or over.

E-LTRC.2.3. The requirements to be met under this paragraph are-

(a) the applicant's parent's partner must be receiving one or more of the following:

(i) Disability Living Allowance; or

(ii) Severe Disablement Allowance; or

(c) Industrial Injuries Disablement Benefit; or

(iv) Attendance Allowance; or

(d) Carer's Allowance; or

(vi) Personal Independence Payment; or

(e) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or

(f) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or

(ix) Police Injury Pension; or

(g) Child Disability Payment; or

(xi) Adult Disability Payment; and

(h) the applicant must provide evidence that their parent's partner is able to maintain and accommodate themselves, the applicant's parent, the applicant and any dependants adequately in the UK without recourse to public funds.

E-LTRC.2.3A. Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves, the applicant and any other dependants adequately in the UK without recourse to public funds.

E-LTRC.2.4. The applicant must provide evidence that there will be adequate accommodation in the UK, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household,

which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

Transitional financial requirements

E-LTRC.2.5. Where a parent of the applicant has, or is applying or has applied for, entry clearance or leave to enter or limited leave to remain as a partner under this Appendix, and that parent meets the requirements of E-LTRP.3.5. the applicant must provide specified evidence, from the sources listed in paragraph E-LTRC.2.2., of:

(a) a specified gross annual income of at least:
  (i) £18,600;
  (ii) an additional £3,800 for the first child; and
  (iii)an additional £2,400 for each additional child; alone or in combination with
(b) specified savings of:
  (i) £16,000; and
  (ii) additional savings of an amount equivalent to 2.5 times (or if the parent is applying for indefinite leave to remain 1 times) the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRC.2.2.(a)-(f) and the total amount required under paragraph E-LTRC.2.5.(a); or
(c) the requirements in paragraph E-LTRC.2.3. being met.

In this paragraph “child” means the applicant and any other dependent child of the applicant’s parent or the applicant’s parent’s partner who is:

(a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
(b) applying for entry clearance as a dependant of the applicant’s parent or of the applicant’s parent’s partner, or is in the UK with leave as their dependant;
(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and
(d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (European Economic Area) Regulations 2016.

E-LTRC.2.6. Where the financial requirement at E-LTRC.2.5. exceeds £29,000 due to the number of children in the family, the applicant will only need to provide evidence of a gross annual income of £29,000.

E-LTRC.2.7. The applicant must meet the accommodation requirement at E-LTRC.2.4.

Section D-LTRC: Decision on application for leave to remain as a child

D-LTRC.1.1. If the applicant meets the requirements for leave to remain as a child the applicant will be granted leave to remain, either:

(a) of a duration which will expire at the same time as the limited leave granted to the applicant's parent(s) and will be subject to the same conditions in respect of recourse to public funds as their parent(s); or

(b) 30 months, where a parent is settled but the child does not qualify for settlement, subject to the following conditions:

(i) no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition; and

(ii) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is aged 18 or over.

To qualify for indefinite leave to remain as a child of a person with indefinite leave to remain as a partner or parent, the applicant must meet the requirements of Appendix Settlement Family Life if applying as a dependent of a partner or parent who is applying under that Appendix, otherwise the applicant must meet the requirements of paragraph 298 of these rules.

D-LTRC.1.2. If the applicant does not meet the requirements for leave to remain as a child the application will be refused.

Family life as a parent of a child in the UK

Section EC-PT: Entry clearance as a parent of a child in the UK

EC-PT.1.1. The requirements to be met for entry clearance as a parent are that-

(a) the applicant must be outside the UK;

(b) the applicant must have made a valid application for entry clearance as a parent;

(c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability–entry clearance; and

(d) the applicant must meet all of the requirements of Section E-ECPT: Eligibility for entry clearance as a parent.

Section E-ECPT: Eligibility for entry clearance as a parent

E-ECPT.1.1. To meet the eligibility requirements for entry clearance as a parent all of the requirements in paragraphs E-ECPT.A1.1. to 4.2. must be met.

E-ECPT.A1.1. The applicant must provide a passport or other document which satisfactorily establishes their identity and nationality.

Relationship requirements

E-ECPT.2.1. The applicant must be aged 18 years or over.

E-ECPT.2.2. The child of the applicant must be-

(a) under the age of 18 years at the date of application;

(b) living in the UK; and

(c) a British Citizen, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d).

E-ECPT.2.3. Either -

(a) the applicant must have sole parental responsibility for the child; or

(b) the parent or carer with whom the child normally lives must be-

(i) a British Citizen in the UK, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d);

(ii) not the partner of the applicant; and

(iii) the applicant must not be eligible to apply for entry clearance as a partner under this Appendix.

E-ECPT.2.4.

(a) The applicant must provide evidence that they have either-

(i) sole parental responsibility for the child; or

(ii) direct access (in person) to the child, as agreed with the parent or carer with whom the child normally lives or as ordered by a court in the UK; and

(b) The applicant must provide evidence that they are taking, and intend to continue to take, an active role in the child's upbringing.

Financial requirements

E-ECPT.3.1. The applicant must provide evidence that they will be able to adequately maintain and accommodate themselves and any dependants in the UK without recourse to public funds

E-ECPT.3.2. The applicant must provide evidence that there will be adequate accommodation in the UK, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household,

which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

English language requirement

E-ECPT.4.1. The applicant must provide specified evidence that they-

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-ECPT.4.2.

E-ECPT.4.2. The applicant is exempt from the English language requirement if at the date of application-

(a) the applicant is aged 65 or over;

(b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or

(c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement prior to entry to the UK.

Section D-ECPT: Decision on application for entry clearance as a parent

D-ECPT.1.1. If the applicant meets the requirements for entry clearance as a parent (except where paragraph GEN.3.2.(3) applies), the applicant will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60

months in the UK with leave to enter granted on the basis of such entry clearance or with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1.

D-ECPT.1.2. If paragraph GEN.3.2.(3) applies to an applicant for entry clearance as a parent, the applicant will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the person should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the UK with leave to enter granted on the basis of such entry clearance or of entry clearance granted under paragraph D-ECPT.1.1. or with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1. or D-LTRPT.1.2.

D-ECPT.1.3. If the applicant does not meet the requirements for entry clearance as a parent, the application will be refused.

Section R-LTRPT: Requirements for limited leave to remain as a parent

R-LTRPT.1.1. The requirements to be met for limited leave to remain as a parent are-

(a) the applicant and the child must be in the UK;

(b) the applicant must have made a valid application for limited or indefinite leave to remain as a parent or partner; and either

(c)

(i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and

(ii) the applicant meets all of the requirements of Section ELTRPT: Eligibility for leave to remain as a parent, or

(d)

(i) the applicant must not fall for refusal under S-LTR: Suitability leave to remain; and

(ii) the applicant meets the requirements of paragraphs E-LTRPT.2.2-2.4. and E-LTRPT.3.1.-3.2.; and

(iii) paragraph EX.1. applies.

Section E-LTRPT: Eligibility for limited leave to remain as a parent

E-LTRPT.1.1. To qualify for limited leave to remain as a parent all of the requirements of paragraphs E-LTRPT.2.2. to 5.2. must be met.

Relationship requirements

E-LTRPT.2.2. The child of the applicant must be-

(a) under the age of 18 years at the date of application, or where the child has turned 18 years of age since the applicant was first granted entry clearance or leave to remain as a parent under this Appendix, must not have formed an independent family unit or be leading an independent life;

(b) living in the UK; and

(c) , settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)

(d) has lived in the UK continuously for at least the 7 years immediately preceding the date of application and paragraph EX.1. applies.

E-LTRPT.2.3. Either-

(a) the applicant must have sole parental responsibility for the child or the child normally lives with the applicant and not their other parent (who is a British Citizen, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)), and the applicant must not be eligible to apply for leave to remain as a partner under this Appendix; or

(b) the parent or carer with whom the child normally lives must be-

(i) a British Citizen in the UK, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d);

(ii) not the partner of the applicant (which here includes a person who has been in a relationship with the applicant for less than two years prior to the date of application); and

(iii) the applicant must not be eligible to apply for leave to remain as a partner under this Appendix.

E-LTRPT.2.4.

(a) The applicant must provide evidence that they have either-

(i) sole parental responsibility for the child, or that the child normally lives with them; or

(ii) direct access (in person) to the child, as agreed with the parent or carer with whom the child normally lives or as ordered by a court in the UK; and

(b) The applicant must provide evidence that they are taking, and intend to continue to take, an active role in the child's upbringing.

Immigration status requirement

E-LTRPT.3.1. The applicant must not be in the UK-

(a) as a visitor; or

(b) with valid leave granted for a period of 6 months or less, unless that leave was granted pending the outcome of family court or divorce proceedings;

E-LTRPT.3.2. The applicant must not be in the UK –

(a) on immigration bail, unless:

(i) the Secretary of State is satisfied that the applicant arrived in the UK more than 6 months prior to the date of application; and

(ii) paragraph EX.1. applies; or

(b) in breach of immigration laws (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded), unless paragraph EX.1. applies.

Financial requirements

E-LTRPT.4.1. The applicant must provide evidence that they will be able to adequately maintain and accommodate themselves and any dependants in the UK without recourse to public funds, unless paragraph EX.1. applies.

E-LTRPT.4.2. The applicant must provide evidence that there will be adequate accommodation in the UK, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively, unless paragraph EX.1. applies: accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

(b) it contravenes public health regulations.

English language requirement

E-LTRPT.5.1. If the applicant has not met the requirement in a previous application for entry clearance or leave to remain as a parent or partner, the applicant must provide specified evidence that they-

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-LTRPT.5.2.; unless paragraph EX.1. applies.

E-LTRPT.5.1A. Where the applicant:

(i) in a previous application for entry clearance or leave to remain as a parent or partner, met the English language requirement in paragraph E-ECP.4.1.(b), E-LTRP.4.1.(b), E-ECPT.4.1.(b) or E-LTRPT.5.1.(b) on the basis that they had passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference for Languages; and

(ii) was granted entry clearance or leave to remain as a parent or partner; and

(iii) now seeks further leave to remain as a parent after 30 months in the UK with leave as a parent;

then, the applicant must provide specified evidence that they:

(a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;

(b) have passed an English language test in speaking and listening at a minimum of level A2 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;

(c) have an academic qualification which is either a Bachelor"s or Master"s degree or PhD awarded by an educational establishment in the UK; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to be equivalent to the standard of a Bachelor"s or Master"s degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A2 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-LTRPT.5.2.

E-LTRPT.5.2. The applicant is exempt from the English language requirement in paragraph E-LTRPT.5.1. or E-LTRPT.5.1A. if at the date of application-

(a) the applicant is aged 65 or over;

(b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or

(c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement.

Section D-LTRPT: Decision on application for limited leave to remain as a parent

D-LTRPT.1.1. If the applicant meets the requirements in paragraph R-LTRPT.1.1.(a) to (c) for limited leave to remain as a parent the applicant will be granted limited leave to remain for a period not exceeding 30 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months with such leave or in the UK with entry clearance as a parent under paragraph D-ECPT.1.1.

D-LTRPT.1.2. If the applicant meets the requirements in paragraph R-LTRPT.1.1. (a), (b) and (d) for limited leave to remain as a parent, or paragraph GEN.3.2.(3) applies to an applicant for leave to remain as a parent, the applicant will be granted leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the UK with such leave, with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1., or in the UK with 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.

D-LTRPT.1.3. If the applicant does not meet the requirements for limited leave to remain as a parent the application will be refused.

Section R-ILRPT: Requirements for indefinite leave to remain (settlement) as a parent

R-ILRPT.1.1. The requirements to be met for indefinite leave to remain as a parent after a 5 year qualifying period are that:

(a) the applicant must be in the UK;

(b) the applicant must have made a valid application for indefinite leave to remain as a parent;

(c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and

(d) the applicant must meet all of the requirements of Section E-ILRPT: Eligibility for indefinite leave to remain as a parent.

Section E-ILRPT: Eligibility for indefinite leave to remain as a parent

E-ILRPT.1.1. To meet the eligibility requirements for indefinite leave to remain as a parent all of the requirements of paragraphs E-ILRPT.1.2. to 1.5. must be met.

E-ILRPT.1.2. The applicant must be in the UK with valid leave to remain as a parent under this Appendix (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded).

E-ILRPT.1.3. (1) The applicant must, at the date of application, have completed a continuous period of residence of at least 5 years (60 months) with the following:

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

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

(c) a combination of leave under (a) and (b).

(1A) In respect of an application falling within subparagraph (1) above, the applicant must meet all of the requirements of Section E-LTRPT: Eligibility for leave to remain as a parent (except that paragraph E-LTRPT.2.2.(c) cannot be met on the basis of a person being in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)).

(1B) DELETED

E-ILRPT.1.4. DELETED.

E-ILRPT.1.5. The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom in accordance with the requirements of Appendix KoLL of these Rules.

E-ILRPT.1.5A. In calculating the periods under paragraph E-ILRPT.1.3., any current period of overstaying will be disregarded where paragraph 39E of these Rules applies. Any previous period of overstaying between periods of leave will also be disregarded where: the further application was made before 24 November 2016 and within 28 days of the expiry of leave; or the further application was made on or after 24 November 2016 and paragraph 39E of these Rules applied.

Section D-ILRPT: Decision on application for indefinite leave to remain as a parent

D-ILRPT.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a parent the applicant will be granted indefinite leave to remain.

D-ILRPT.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a parent only for one or both of the following reasons-

(a) paragraph S-ILR.1.5. or S-ILR.1.6. applies; or

(b) the applicant has not demonstrated sufficient knowledge of the English language or about life in the United Kingdom in accordance with Appendix KoLL,

subject to compliance with any requirement notified under paragraph GEN.1.15.(b), the applicant will be granted further limited leave to remain as a parent for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-ILRPT.1.3. If the applicant does not meet all the eligibility requirements for indefinite leave to remain as a parent, and does not qualify for further limited leave to remain under paragraph D-ILRPT.1.2., the application will be refused, unless the applicant meets the requirements in paragraph R-LTRPT.1.1.(a), (b) and (d) for limited leave to remain as a parent. Where they do, and subject to compliance with any requirement notified under paragraph GEN.1.15.(b), the applicant will be granted further limited leave to remain as a parent for a period not exceeding 30 months under paragraph D-LTRPT.1.2. and subject to a condition of no recourse to public funds unless the Secretary of State considers that the person should not be subject to such a condition.

Adult dependent relative

Section EC-DR: Entry clearance as an adult dependent relative

EC-DR.1.1. DELETED.

Section E-ECDR: Eligibility for entry clearance as an adult dependent relative

E-ECDR.1.1. DELETED.

Relationship requirements

E-ECDR.2.1. DELETED.

E-ECDR.2.2. DELETED.

E-ECDR.2.3. DELETED.

E-ECDR.2.4. DELETED.

E-ECDR.2.5. DELETED.

Financial requirements

E-ECDR.3.1. DELETED.

E-ECDR.3.2. DELETED.

Section D-ECDR: Decision on application for entry clearance as an adult dependent relative

D-ECDR.1.1. DELETED.

D-ECDR.1.2. DELETED.

D-ECDR.1.3. DELETED.

Section R-ILRDR: Requirements for indefinite leave to remain as an adult dependent relative

R-ILRDR.1.1. DELETED.

Section E-ILRDR: Eligibility for indefinite leave to remain as an adult dependent relative

E-ILRDR.1.1. DELETED.

E-ILRDR.1.2. DELETED.

E-ILRDR.1.3. DELETED.

E-ILRDR.1.4. DELETED.

E-ILRDR.1.5. DELETED.

Section D-ILRDR: Decision on application for indefinite leave to remain as an adult dependent relative

D-ILRDR.1.1. DELETED.

D-ILRDR.1.2. DELETED.

D-ILRDR.1.3. DELETED.

D-ILRDR.1.4. DELETED.

Deportation and removal

Where the Secretary of State or an immigration officer is considering deportation or removal of a person who claims that their deportation or removal from the UK would be a breach of the right to respect for private and family life under Article 8 of the Human Rights Convention that person may be required to make an application under this Appendix or Appendix Private Life, but if they are not required to make an application Part 13 of these Rules will apply.

Back to top

Immigration Rules

Appendix FM-SE

Family members - specified evidence

Family Members - Specified Evidence

A. This Appendix sets out the specified evidence applicants need to provide to meet the requirements of rules contained in Appendix FM and, where those requirements are also contained in other rules, including Appendix HM Armed Forces, Appendix International Armed Forces and International Civilian Employees, Appendix Adult Dependent Relative and Appendix Adoption, and unless otherwise stated, the specified evidence applicants need to provide to meet the requirements of those rules.

B. Where evidence is not specified by Appendix FM, but is of a type covered by this Appendix, the requirements of this Appendix shall apply.

C. In this Appendix references to paragraphs are to paragraphs of this Appendix unless the context otherwise requires.

D. (a) In deciding an application in relation to which this Appendix states that specified documents must be provided, the Entry Clearance Officer or Secretary of State ("the decision-maker") will consider documents that have been submitted with the application, and will only consider documents submitted after the application where sub-paragraph (b), (e) or (f) applies.

(b) If the applicant:

(i) Has submitted:

(aa) A sequence of documents and some of the documents in the sequence have been omitted (e.g. if one bank statement from a series is missing);

(bb) A document in the wrong format (for example, if a letter is not on letterhead paper as specified); or

(cc) DELETED

(dd) A document which does not contain all of the specified information; or

(ii) Has not submitted a specified document,

the decision-maker may contact the applicant or his representative in writing or otherwise, and request the document(s) or the correct version(s). The material requested must be

received at the address specified in the request within a reasonable timescale specified in the request.

(c) The decision-maker will not request documents where he or she does not anticipate that addressing the error or omission referred to in sub-paragraph (b) will lead to a grant because the application will be refused for other reasons.

(d) If the applicant has submitted:

(i) A document in the wrong format; or

(ii) DELETED

(iii) A document that does not contain all of the specified information, but the missing information is verifiable from:

(1) other documents submitted with the application,

(2) the website of the organisation which issued the document, or

(3) the website of the appropriate regulatory body,

the application may be granted exceptionally, providing the decision-maker is satisfied that the document(s) is genuine and that the applicant meets the requirement to which the document relates.

(e) Where the decision-maker is satisfied that there is a valid reason why a specified document(s) cannot be supplied, e.g. because it is not issued in a particular country or has been permanently lost, he or she may exercise discretion not to apply the requirement for the document(s) or to request alternative or additional information or document(s) be submitted by the applicant.

(f) Before making a decision under Appendix FM or this Appendix, the decision-maker may contact the applicant or their representative in writing or otherwise to request further information or documents. The material requested must be received at the address specified in the request within a reasonable timescale specified in the request.

E. A reference in this Appendix to the provision of evidence from a UK government department includes evidence from a body performing an equivalent function to such a department.

Evidence of Financial Requirements under Appendix FM

A1. To meet the financial requirement under paragraphs E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7., E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1. and E-LTRC.2.5. of Appendix FM, the applicant must meet:

(a) The level of financial requirement applicable to the application under Appendix FM; and

(b) The requirements specified in Appendix FM and this Appendix as to:

(i) The permitted sources of income and savings;

(ii) The time periods and permitted combinations of sources applicable to each permitted source relied upon; and

(iii)The evidence required for each permitted source relied upon.

1. In relation to evidencing the financial requirements in Appendix FM, Appendix HM Armed Forces, Appendix International Armed Forces and International Civilian Employees and Appendix Adult Dependent Relative the following general provisions shall apply:

(a) Bank statements must:

(i) be from a financial institution to which Appendix Finance applies.
(ii) DELETED.
(iii) in relation to personal bank statements be only in the name of:

(1) the applicant's partner, the applicant or both as appropriate; or
(2) if the applicant is a child the applicant parent's partner, the applicant's parent or both as appropriate; or
(3) if the applicant is an adult dependent relative, the applicant's sponsor or the applicant,
unless otherwise stated.

(iv) cover the period(s) specified.

(v) be:

(1) on official bank stationery; or
(2) electronic bank statements which are either accompanied by a letter from the bank on its headed stationery confirming that the documents are authentic or which bear the official stamp of the issuing bank on every page.

(aa) Where a bank statement is specified in this Appendix, a building society statement, a building society pass book, a letter from the applicant's bank or building society, or a letter from a financial institution regulated by the Financial Conduct Authority and the Prudential Regulation Authority or, for overseas accounts, the appropriate regulatory body for the country in which the institution operates and the funds are located, may be submitted as an alternative to a bank statement(s) provided that:

(1) the requirements in paragraph 1(a)(i)-(iv) are met as if the document were a bank statement; and

(2) a building society pass book must clearly show:

(i) the account number;
(ii) the building society's name and logo; and
(iii) the information required on transactions, funds held and time period(s) or as otherwise specified in this Appendix in relation to bank statements; and/or

(3) a letter must be on the headed stationery of the bank, building society or other financial institution and must clearly show:

(i) the account number,
(ii) the date of the letter;
(iii) the financial institution's name and logo; and
(iv) the information required on transactions, funds held and time period(s) or as otherwise specified in this Appendix in relation to bank statements.

(b) Promises of third party support will not be accepted, except in the limited circumstances set out in paragraph 21A (and to the extent permitted by that paragraph). Existing sources of third party support will be accepted in the form of:

(i) payments from a former partner of the applicant for the maintenance of the applicant or any children of the applicant and the former partner, and payments from a former partner of the applicant's partner for the maintenance of that partner;
(ii) income from a dependent child who has turned 18, remains in the same UK household as the applicant and continues to be counted towards the financial requirement under Appendix FM;
(iii) gift of cash savings (whose source must be declared) evidenced at paragraph 1(a)(iii), provided that the cash savings have been held by the person or persons at paragraph 1(a)(iii) for at least 6 months prior to the date of application and are under their control; and
(iv) a maintenance grant or stipend associated with undergraduate study or postgraduate study or research.

(bb) Payslips must be:

(i) formal payslips issued by the employer and showing the employer's name; or

(ii) accompanied by a letter from the employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic;

(c) The employment or self employment income of an applicant will be taken into account if they are in the UK, aged 18 years or over and working legally, and prospective employment income will not be taken into account (except that of an applicant's partner or parent's partner who is returning to employment or self-employment in the UK at paragraphs E-ECP.3.2.(a) and E-ECC.2.2.(a) of Appendix FM, or where paragraph 21A of this Appendix so permits).

(cc) The income of an applicant or sponsor working in the UK in salaried or non-salaried employment or in self-employment can include income from work undertaken overseas, provided paragraph E-LTRP.1.10 of Appendix FM and the other requirements of this Appendix are met.

(d) All income and savings must be lawfully derived.
(e) Savings must be held in cash.
(f) Income or cash savings in a foreign currency will be converted to pounds sterling using the exchange rate specified in FIN 1.1, FIN 1.2 or FIN 1.3.
(g) Where there is income or cash savings in different foreign currencies, each will be converted into pounds sterling before being added together, and then added to any UK income or savings to give a total amount.
(h) DELETED
(i) Evidence of profit from the sale of a business, property, investment, bond, stocks, shares or other asset will:

(i) not be accepted as evidence of income, but
(ii) the associated funds will be accepted as cash savings subject to the requirements of this Appendix and Appendix FM.

(j) Where any specified documents provided are not in English or Welsh, the applicant must provide document in the original language and a full translation that can be independently verified by the Entry Clearance Officer, Immigration Officer or the Secretary of State. The translation must be dated and include:

(i) confirmation that it is an accurate translation of the document;

(ii) the full name and signature of the translator or an authorised official of the translation company;

(iii) the translator or translation company's contact details; and

(iv) if the applicant is applying for leave to remain or indefinite leave to remain, certification by a qualified translator and details of the translator or translation company's credentials.

(k) Where the gross (pre-tax) amount of any income cannot be properly evidenced, the net (post-tax) amount will be counted, including towards a gross income requirement.

(l) Where this Appendix requires the applicant to provide specified evidence relating to a period which ends with the date of application, that evidence, or the most recently dated part of it, must be dated no earlier than 28 days before the date of application.

(m) Cash income on which the correct tax has been paid may be counted as income under this Appendix, subject to the relevant evidential requirements of this Appendix.

(n) The gross amount of any cash income may be counted where the person's specified bank statements show the net amount which relates to the gross amount shown on their payslips (or in the relevant specified evidence provided in addition to the specified bank statements in relation to non-employment income). Otherwise, only the net amount shown on the specified bank statements may be counted.

(o) In this Appendix, a reference to the "average" is a reference to the mean average.

2. In respect of salaried employment in the UK (except where paragraph 9 applies), all of the following evidence must be provided:

(a) Payslips covering:

(i) a period of 6 months prior to the date of application if the person has been employed by their current employer for at least 6 months (and where paragraph 13(b) of this Appendix does not apply); or
(ii) any period of salaried employment in the period of 12 months prior to the date of application if the person has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a) of this Appendix), or in the financial year(s) relied upon by a self-employed person.

(b) A letter from the employer(s) who issued the payslips at paragraph 2(a) confirming:

(i) the person's employment and gross annual salary;
(ii) the length of their employment;
(iii) the period over which they have been or were paid the level of salary relied upon in the application; and
(iv) the type of employment (permanent, fixed-term contract or agency).

(c) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 2(a), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(d) Where the person is a director of a limited company based in the UK, evidence that the company is not of a type specified in paragraph 9(a). This can include the latest Annual Return filed at Companies House.

(e) Where a person appointed as a non-executive director of a limited company based in the UK, which is not a company of the type specified in paragraph 9(a), is paid a fee instead of a salary, this income may be treated and evidenced as though it were income received for employment in that capacity.

2A. (i) In respect of salaried employment in the UK (paragraph 2 of this Appendix), statutory or contractual maternity, paternity, adoption or sick pay in the UK (paragraph 5 or 6 of this Appendix), or a director's salary paid to a self-employed person (paragraph 9 of this Appendix), the applicant may, in addition to the payslips and personal bank statements required under that paragraph, submit the P60 for the relevant period(s) of employment relied upon (if issued). If they do not, the Entry Clearance Officer or Secretary of State may grant the application if otherwise satisfied that the requirements of this Appendix relating to that employment are met. The Entry Clearance Officer or Secretary of State may request that the applicant submit the document(s) in accordance with paragraph D of this Appendix.

(ii) In respect of salaried employment in the UK (paragraph 2 of this Appendix), or statutory or contractual maternity, paternity, adoption or sick pay in the UK (paragraph 5 or 6 of this Appendix), the applicant may, in addition to the letter from the employer(s) required under that paragraph, submit a signed contract of employment. If they do not, the Entry Clearance Officer or Secretary of State may grant the application if otherwise satisfied that the requirements of this Appendix relating to that employment are met. The Entry Clearance Officer or Secretary of State may request that the applicant submit the document(s) in accordance with paragraph D of this Appendix.

3. In respect of salaried employment outside of the UK, evidence should be a reasonable equivalent to that set out in paragraph 2 and (where relevant) paragraph 2A. In respect of an equity partner whose income from the partnership is treated as salaried employment under paragraph 17, the payslips and employer’s letter referred to in paragraph 2 may be replaced by other evidence providing the relevant information in paragraph 2 (which may include, but is not confined to, a letter on official stationery from an accountant, solicitor or business manager acting for the partnership).

4. In respect of a job offer in the UK (for an applicant's partner or parent's partner returning to salaried employment in the UK at paragraphs E-ECP.3.2.(a) and E-ECC.2.2.(a) of Appendix FM) a letter from the employer must be provided:

(a) confirming the job offer, the gross annual salary and the starting date of the employment which must be within 3 months of the applicant's partner's return to the UK; or
(b) enclosing a signed contract of employment, which must have a starting date within 3 months of the applicant's partner's return to the UK.

5. In respect of statutory or contractual maternity, paternity or adoption pay all of the following, and in respect of parental leave in the UK only the evidence at paragraph 5(c), must be provided:

(a) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 5(b), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Payslips covering:

(i) a period of 6 months prior to the date of application or to the commencement of the maternity, paternity or adoption leave, if the applicant has been employed by their current employer for at least 6 months (and where paragraph 13(b) does not apply); or
(ii) any period of salaried employment in the period of 12 months prior to the date of application or to the commencement of the maternity, paternity or adoption leave, if the applicant has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)).

(c) A letter from the employer confirming:

(i) the length of the person's employment;
(ii) the gross annual salary and the period over which it has been paid at this level;
(iii) the entitlement to maternity, paternity, parental or adoption leave; and
(iv) the date of commencement and the end-date of the maternity, paternity, parental or adoption leave.

6. In respect of statutory or contractual sick pay in the UK all of the following must be provided:

(a) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 6(b), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Payslips covering:

(i) a period of 6 months prior to the date of application or to the commencement of the sick leave, if the applicant has been employed by their current employer for at least 6 months (and where paragraph 13(b) does not apply); or,
(ii) any period of salaried employment in the period of 12 months prior to the date of application or to the commencement of the sick leave, if the applicant has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)).

(c) A letter from employer confirming:

(i) the length of the person's employment;
(ii) the gross annual salary and the period over which it has been paid at this level;
(iii) that the person is in receipt of statutory or contractual sick pay; and
(iv) the date of commencement of the sick leave.

7. In respect of self-employment in the UK as a partner, as a sole trader or in a franchise all of the following must be provided:

(a) Evidence of the amount of tax payable, paid and unpaid for the last full financial year.

(b) The following documents for the last full financial year, or for the last two such years (where those documents show the necessary level of gross profit as an average of those two years):

(i) annual self-assessment tax return to HMRC (a copy or print-out); and
(ii) Statement of Account (SA300 or SA302).

(c) Proof of registration with HMRC as self-employed if available.

(d) Each partner's Unique Tax Reference Number (UTR) and/or the UTR of the partnership or business.

(e) Where the person holds or held a separate business bank account(s), bank statements for the same 12-month period as the tax return(s).

(f) personal bank statements for the same 12-month period as the tax return(s) showing that the income from self-employment has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(g) Evidence of ongoing self-employment through the provision of at least one of the following: a bank statement dated no more than three months earlier than the date of application showing transactions relating to ongoing trading, or evidence dated no more than three months earlier than the date of application of the renewal of a licence to trade or of ongoing payment of business rates, business-related insurance premiums, employer National Insurance contributions or franchise payments to the parent company.

(h) One of the following documents must also be submitted:

(i) (aa) If the business is required to produce annual audited accounts, such accounts for the last full financial year; or
(bb) If the business is not required to produce annual audited accounts, unaudited accounts for the last full financial year and an accountant's certificate of confirmation, from an accountant who is a member of a UK Recognised

Supervisory Body (as defined in the Companies Act 2006) or who is a member of the Institute of Financial Accountants, The Association of Authorised Public Accountants, The Chartered Institute of Public Finance and Accountancy, The Chartered Institute of Management Accountants, the Association of International Accountants and The Association of Accounting Technicians;
(ii) A certificate of VAT registration and the VAT return for the last full financial year (a copy or print-out) confirming the VAT registration number, if turnover is in excess of £79,000 or was in excess of the threshold which applied during the last full financial year;
(iii) Evidence to show appropriate planning permission or local planning authority consent is held to operate the type/class of business at the trading address (where this is a local authority requirement); or
(iv) A franchise agreement signed by both parties.

(i) The document referred to in paragraph 7(h)(iv) must be provided if the organisation is a franchise.

8. In respect of self-employment outside of the UK, evidence should be a reasonable equivalent to that set out in paragraph 7.

8A. In respect of prospective self-employment in the UK (for an applicant's partner or parent's partner who, in respect of paragraph E-ECP.3.2.(a) or E-ECC.2.2.(a) of Appendix FM, is in self-employment outside the UK at the date of application and is returning to the UK to continue that self-employment), one of the following must be provided, with a starting date within three months of the person's return to the UK:

(a) An application to the appropriate authority for a licence to trade;

(b) Details of the purchase or rental of business premises;

(c) A signed employment contract or a signed contract for the provision of services; or

(d) A partnership or franchise agreement signed by the relevant parties to the agreement.

9. In respect of income from employment and/or shares in a limited company based in the UK of a type specified in paragraph 9(a), the requirements of paragraph 9(b)-(e) shall apply in place of the requirements of paragraphs 2 and 10(b).

(a) The specified type of limited company is one in which:

(i) the person is either a director or employee of the company, or both or of another company within the same group; and
(ii) shares are held (directly or indirectly) by the person, their partner or the following family members of the person or their partner: parent, grandparent, child, stepchild, grandchild, brother, sister, uncle, aunt, nephew, niece or first cousin; and

(iii) any remaining shares are held (directly or indirectly) by fewer than five other persons.

(b) All of the following must be provided:

(i) Company Tax Return CT600 (a copy or print-out) for the last full financial year and evidence this has been filed with HMRC, such as electronic or written acknowledgment from HMRC.
(ii) Evidence of registration with the Registrar of Companies at Companies House.
(iii) If the company is required to produce annual audited accounts, such accounts for the last full financial year.
(iv) If the company is not required to produce annual audited accounts, unaudited accounts for the last full financial year and an accountant's certificate of confirmation, from an accountant who is a member of a UK Recognized Supervisory Body (as defined in the Companies Act 2006) or who is a member of the Institute of Financial Accountants, The Association of Authorised Public Accountants, The Chartered Institute of Public Finance and Accountancy, The Chartered Institute of Management Accountants, the Association of International Accountants and The Association of Accounting Technicians.
(v) Corporate/business bank statements covering the same 12-month period as the Company Tax Return CT600.
(vi) DELETED
(vii) One of the following documents must also be provided:

(1) A certificate of VAT registration and the VAT return for the last full financial year (a copy or print-out) confirming the VAT registration number, if turnover is in excess of £79,000 or was in excess of the threshold which applied during the last full financial year.

(2) Proof of ownership or lease of business premises.

(3) Proof of registration with HMRC as an employer for the purposes of PAYE and National Insurance, proof of PAYE reference number and Accounts Office reference number. This evidence may be in the form of a certified copy of the documentation issued by HMRC.

(c) Where the person is either listed as a director of the company, or is an employee of the company, or both, and receives a salary from the company, all of the following documents must also be provided:

(i) Payslips and P60 (if issued) covering the same period as the Company Tax Return CT600.
(ii) Personal bank statements covering the same 12-month period as the Company Tax Return CT600 showing that the salary as a director or employee

of the company (or both) was paid into an account in the name of the person or in the name of the person and their partner jointly.

(d) Where the person receives dividends from the company, all of the following documents must also be provided:

(i) Dividend vouchers for all dividends declared in favour of the person during or in respect of the period covered by the Company Tax Return CT600 showing the company's and the person's details with the person's net dividend amount and tax credit.
(ii) Personal bank statement(s) showing that those dividends were paid into an account in the name of the person or in the name of the person and their partner jointly.

(e) For the purposes of paragraph 19(a), evidence of ongoing employment as a director or other employee of the company or of ongoing receipt of dividend income from the company must be provided. This evidence may include payslips (or dividend vouchers) and personal bank statements showing that, in the period since the latest 12-month period covered by the Company Tax Return CT600, the person’s salary as a director or employee of the company (or both) (or dividend income from the company) was paid into an account in the name of the person or in the name of the person and their partner jointly. Alternative evidence may include evidence of ongoing payment of business rates, business-related insurance premiums or employer National Insurance contributions in relation to the company.

10. In respect of non-employment income all the following evidence, in relation to the form of income relied upon, must be provided:

(a) To evidence property rental income:

(i) Confirmation that the person or the person and their partner jointly own the property for which the rental income is received, through:

(1) A copy of the title deeds of the property or of the title register from the Land Registry (or overseas equivalent); or
(2) A mortgage statement.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the income relied upon was paid into an account in the name of the person or of the person and their partner jointly.
(iii) A rental agreement or contract.

(b) To evidence dividends (except where paragraph 9 applies) or other income from investments, stocks, shares, bonds or trust funds:

(i) A certificate showing proof of ownership and the amount(s) of any investment(s).
(ii) A portfolio report (for a financial institution regulated by the Financial Conduct Authority (and the Prudential Regulation Authority where applicable) in the UK) or a dividend voucher showing the company and person's details with the person's net dividend amount and tax credit.
(iii) personal bank statements for or from the 12-month period prior to the date of application showing that the income relied upon was paid into an account in the name of the person or of the person and their partner jointly.
(iv) Where the person is a director of a limited company based in the UK, evidence that the company is not of a type specified in paragraph 9(a). This can include the latest Annual Return filed at Companies House.

(c) To evidence interest from savings:

(i) personal bank statements for or from the 12-month period prior to the date of application showing the amount of the savings held and that the interest was paid into an account in the name of the person or of the person and their partner jointly.

(d) To evidence maintenance payments (from a former partner of the applicant to maintain their and the applicant's child or children or the applicant, or from a former partner of the applicant’s partner to maintain the applicant’s partner):

(i) Evidence of a maintenance agreement through any of the following:

(1) A court order;
(2) Written voluntary agreement; or
(3) Child Support Agency documentation.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the income relied upon was paid into an account in the name of the person or the person and their partner jointly.

(e) To evidence a pension:

(i) Official documentation from:

(1) The Department for Work and Pensions (in respect of the Basic State Pension and the Additional or Second State Pension) or other government department or agency, including the Veterans Agency;
(2) An overseas pension authority; or
(3) A pension company,
confirming pension entitlement and amount (and, where applicable, reflecting any funds withdrawn from the pension account or fund).

(ii) At least one personal bank statement in the 12-month period prior to the date of application showing payment of the pension into the person's account.

(iii) For the purposes of sub-paragraph (i), War Disablement Pension, War Widow's/Widower's Pension and any other pension or equivalent payment for life made under the War Pensions Scheme, the Armed Forces Compensation Scheme or the Armed Forces Attributable Benefits Scheme may be treated as a pension, unless excluded under paragraph 21 of this Appendix.

(f) To evidence UK Maternity Allowance, Bereavement Allowance, Bereavement Payment and Widowed Parent's Allowance:

(i) Department for Work and Pensions documentation confirming the person or their partner is or was in receipt of the benefit in the 12-month period prior to the date of application.
(ii) personal bank statements for or from the 12-month period prior to the date of application showing the income was paid into the person's account.

(ff) Subject to paragraph 12, to evidence payments under the War Pensions Scheme, the Armed Forces Compensation Scheme or the Armed Forces Attributable Benefits Scheme which are not treated as a pension for the purposes of paragraph 10(e)(i):

(i) Veterans Agency or Department for Work and Pensions documentation in the form of an award notification letter confirming the person or their partner is or was in receipt of the payment at the date of application.
(ii) personal bank statements for or from the 12-month period prior to the date of application showing the income was paid into the person's account.

(g) To evidence a maintenance grant or stipend (not a loan) associated with undergraduate study or postgraduate study or research:

(i) Documentation from the body or company awarding the grant or stipend confirming that the person is currently in receipt of the grant or stipend or will be within 3 months of the date of application, confirming that the grant or stipend will be paid for a period of at least 12 months or for at least one full academic year from the date of application or from the date on which payment of the grant or stipend will commence, and confirming the annual amount of the grant or stipend. Where the grant or stipend is or will be paid on a tax-free basis, the amount of the gross equivalent may be counted as income under this Appendix.
(ii) personal bank statements for any part of the 12-month period prior to the date of the application during which the person has been in receipt of the grant or stipend showing the income was paid into the person's account.

(h) To evidence ongoing insurance payments (such as, but not exclusively, payments received under an income protection policy):

(i) documentation from the insurance company confirming:

(a) that in the 12 months prior to the date of application the person has been in receipt of insurance payments and the amount and frequency of the payments.

(b) the reason for the payments and their expected duration.

(c) that, provided any relevant terms and conditions continue to be met, the payment(s) will continue for at least the 12 months following the date of application.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the insurance payments were paid into the person's account.

(i) To evidence ongoing payments (other than maintenance payments under paragraph 10(d)) arising from a structured legal settlement (such as, but not exclusively, one arising from settlement of a personal injury claim):

(i) documentation from a court or the person’s legal representative confirming:

(a) that in the 12 months prior to the date of application the person has been in receipt of structured legal settlement payments and the amount and frequency of those payments.

(b) the reason for the payments and their expected duration.

(c) that the payment(s) will continue for at least the 12 months following the date of application.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the payments were paid into the person's account, either directly or via the person’s legal representative.

11. In respect of cash savings the following must be provided:

(a) personal bank statements showing that at least the level of cash savings relied upon in the application has been held in an account(s) in the name of the person or of the person and their partner jointly throughout the period of 6 months prior to the date of application.

(b) A declaration by the account holder(s) of the source(s) of the cash savings.

11A. In respect of cash savings:

(a) The savings may be held in any form of bank/savings account (whether a current, deposit or investment account, provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating), provided that the account allows the savings to be accessed immediately (with or without a penalty for withdrawing funds without notice). This can include savings held in a pension savings account which can be immediately withdrawn.

(b) Paid out competition winnings or a legacy which has been paid can contribute to cash savings.

(c) Funds held as cash savings by the applicant, their partner or both jointly at the date of application can have been transferred from investments, stocks, shares, bonds or trust funds within the period of 6 months prior to the date of application, provided that:

(i) The funds have been in the ownership and under the control of the applicant, their partner or both jointly for at least the period of 6 months prior to the date of application.

(ii) The ownership of the funds in the form of investments, stocks, shares, bonds or trust funds; the cash value of the funds in that form at or before the beginning of the period of 6 months prior to the date of application; and the transfer of the funds into cash, are evidenced by a portfolio report or other relevant documentation from a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating.

(iii) The requirements of this Appendix in respect of the cash savings held at the date of application are met, except that the period of 6 months prior to the date of application in paragraph 11(a) will be reduced by the amount of that period in which the relevant funds were held in the form of investments, stocks, shares, bonds or trust funds.

(iv) For the purposes of sub-paragraph 11A(c), “investments” includes funds held in an investment account or pension account or fund which does not meet the requirements of paragraphs 11 and 11A(a).

(d) Funds held as cash savings by the applicant, their partner or both jointly at the date of application can be from the proceeds of the sale of property, in the form only of a dwelling, other building or land, which took place within the period of 6 months prior to the date of application, provided that:

(i) The property (or relevant share of the property) was owned at the beginning of the period of 6 months prior to the date of application and at the date of sale by the applicant, their partner or both jointly.

(ii) Where ownership of the property was shared with a third party, only the proceeds of the sale of the share of the property owned by the applicant, their partner or both jointly may be counted.

(iii) The funds deposited as cash savings are the net proceeds of the sale, once any mortgage or loan secured on the property (or relevant share of the property) has been repaid and once any taxes and professional fees associated with the sale have been paid.

(iv) The decision-maker is satisfied that the requirements in sub-paragraphs (i)-(iii) are met on the basis of information and documents submitted in support of the application. These may include for example:

(1) Registration information or documentation (or a copy of this) from the Land Registry (or overseas equivalent).

(2) A letter from a solicitor (or other relevant professional, if the sale takes place overseas) instructed in the sale of the property confirming the sale price and other relevant information.

(3) A letter from a lender (a bank or building society) on its headed stationery regarding the repayment of a mortgage or loan secured on the property.

(4) Confirmation of payment of taxes or professional fees associated with the sale.

(5) Any other relevant evidence that the requirements in subparagraphs (i)-(iii) are met.

(v) The requirements of this Appendix in respect of the cash savings held at the date of application are met, except that the period of 6 months mentioned in paragraph 11(a) will be reduced by the amount of time which passed between the start of that 6-month period and the deposit of the proceeds of the sale in an account mentioned in paragraph 11(a).

12. Where a person is in receipt of:

(a) Disability Living Allowance; or

(b) Severe Disablement Allowance; or

(c) Industrial Injuries Disablement Benefit; or

(d) Attendance Allowance; or

(e) Carer’s Allowance; or

(f) Personal Independence Payment; or

(g) Armed Forces Independence Payment or Guaranteed Income Payment under the Armed Forces Compensation Scheme; or

(h) Constant Attendance Allowance, Mobility Supplement or War Disablement Pension under the War Pensions Scheme; or

(i) Police Injury Pension; or

(j) Child Disability Payment; or

(k) Adult Disability Payment,

the following must be provided:

(i) official documentation from the Department for Work and Pensions, Social Security Scotland, Veterans Agency or Police Pension Authority (as the case may be), confirming the current entitlement and the amount currently received; and

(ii) at least one personal bank statement from the 12-month period immediately before the date of application showing payment of the amount of the benefit or allowance to which the person is currently entitled into their account.

12A. Where the financial requirement the applicant must meet under Appendix FM or under Appendix Adult Dependent Relative, Appendix HM Armed Forces, Appendix International Armed Forces and International Civilian Employees, or Appendix Adoption, relates to adequate maintenance, paragraphs 2 to 12 apply only to the extent and in the manner specified by this paragraph. Where such a financial requirement applies, the applicant must provide the following evidence:

(a) Where the current salaried employment in the UK of the applicant or their partner, parent, parent's partner or sponsor is relied upon:

(i) A letter from the employer confirming the employment, the gross annual salary and the annual salary after income tax and National Insurance contributions have been paid, how long the employment has been held, and the type of employment (permanent, fixed-term contract or agency).
(ii) Payslips covering the period of 6 months prior to the date of application or such shorter period as the current employment has been held.
(iii) personal bank statement covering the same period as the payslips, showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Where statutory or contractual maternity, paternity, adoption or sick pay in the UK of the applicant or their partner, parent, parent's partner or sponsor are relied upon, paragraph 5(b)(i) and (c) or paragraph 6(b)(i) and (c) apply as appropriate.

(c) Where self-employment in the UK of the applicant or their partner, parent, parent's partner or sponsor, or income from employment and/or shares in a limited company based in the UK of a type to which paragraph 9 applies, is relied upon, paragraph 7 or 9 applies as appropriate.

(d) Where the non-employment income of the applicant or their partner, parent, parent's partner or sponsor is relied upon, paragraph 10 applies and paragraph 10shall apply as if it referred to any UK welfare benefit or tax credit relied upon and to HMRC as well as Department for Work and Pensions or other official documentation.

(e) Where the cash savings of the applicant or their partner, parent, parent's partner or sponsor are relied upon, paragraphs 11 and 11A apply.

(f) The monthly housing and Council Tax costs for the accommodation in the UK in which the applicant (and any other family members who are or will be part of the same household) lives or will live if the application is granted.

(g) Where the applicant is an adult dependent relative the applicant must in addition provide details of the care arrangements in the UK planned for them by their sponsor (which can involve other family members in the UK), of the cost of these arrangements and of how that cost will be met by the sponsor.

12B. Where the financial requirement an applicant must meet under Part 8 (excluding an applicant who is a family member of a Relevant Points Based System Migrant); under Appendix FM or under Appendix Adult Dependent Relative, Appendix HM Armed Forces, , Appendix International Armed Forces and International Civilian Employees, or Appendix Adoption relates to adequate maintenance and where cash savings are relied upon to meet the requirement in full or in part, the decision-maker will:

(a) Establish the total cash savings which meet the requirements of paragraphs 11 and 11A;

(b) Divide this figure by the number of weeks of limited leave which would be issued if the application were granted, or by 52 if the application is for indefinite leave to enter or remain;

(c) Add the figure in sub-paragraph 12B(b) to the weekly net income (before the deduction of housing costs) available to meet the requirement.

Calculating Gross Annual Income under Appendix FM

13. Based on evidence that meets the requirements of this Appendix, and can be taken into account with reference to the applicable provisions of Appendix FM, gross annual income under paragraphs E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7., E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1. and E-LTRC.2.5. will, subject to paragraph 21A of this Appendix, be calculated in the following ways:

(a) Where the person is in salaried employment in the UK at the date of application, has been employed by their current employer for at least 6 months and has been paid throughout the period of 6 months prior to the date of application at a level of gross annual salary which equals or exceeds the level relied upon in paragraph 13(a)(i), their gross annual income will be (where paragraph 13(b) does not apply) the total of:

(i) The level of gross annual salary relied upon in the application;
(ii) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application; and
(iii) The gross annual income from a UK or foreign State pension or a private pension received by them or their partner.

(b) Where the person is in salaried employment in the UK at the date of application and has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)), their gross annual income will be the total of:

(i) The gross annual salary from employment as it was at the date of application;
(ii) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application; and
(iii) The gross annual income from a UK or foreign State pension or a private pension received by them or their partner.

In addition, the requirements of paragraph 15 must be met.

(c) Where the person is the applicant's partner, is in salaried employment outside of the UK at the date of application, has been employed by their current employer for at least 6 months, and is returning to the UK to take up salaried employment in the UK starting within 3 months of their return, the person's gross annual income will be calculated:

(i) On the basis set out in paragraph 13(a); and also
(ii) On that basis but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment in the UK to which they are returning.

(d) Where the person is the applicant's partner, has been in salaried employment outside of the UK within 12 months of the date of application, and is returning to the UK to take up salaried employment in the UK starting within 3 months of their return, the person's gross annual income will be calculated:

(i) On the basis set out in paragraph 13(a) but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment in the UK to which they are returning; and also
(ii) On the basis set out in paragraph 15(b).

(e) Where the person is self-employed, their gross annual income will be the total of their gross income from their self-employment (and that of their partner if that person is in the UK with permission to work), from any salaried or non-salaried employment they have had or their partner has had (if their partner is in the UK with permission to work), from specified non-employment income received by them or their partner, and from income from a UK or foreign State pension or a private pension received by them or their partner, in the last full financial year or as an average of the last two full financial years. The requirements of this Appendix for specified evidence relating to these forms of income shall apply as if references to the date of application were references to the end of the relevant financial year(s). The relevant financial year(s) cannot be combined with any financial year(s) to which paragraph 9 applies and vice versa.

(f) Where the person is self-employed, they cannot combine their gross annual income at paragraph 13(e) with specified savings in order to meet the level of income required under Appendix FM.

(g) Where the person is not relying on income from salaried employment or self-employment, their gross annual income will be the total of:

(i) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application; and
(ii) The gross annual income from a UK or foreign State pension or a private pension received by them or their partner.

(h) Where the person is the applicant's partner and is in self-employment outside the UK at the date of application and is returning to the UK to take up salaried employment in the UK starting within 3 months of their return, the person's gross annual income will be calculated:

(i) On the basis set out in paragraph 13(a) but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment

in the UK to which they are returning; and also
(ii) On the basis set out in paragraph 13(e).

(i) Any period of unpaid maternity, paternity, adoption, parental or sick leave in the 12 months prior to the date of application will not be counted towards any period relating to employment, or any period relating to income from employment, for which this Appendix provides.

(j) The provisions of paragraph 13 which apply to self-employment and to a person who is self-employed also apply to income from employment and/or shares in a limited company based in the UK of a type to which paragraph 9 applies and to a person in receipt of such income.

(k) Where the application relies on the employment income of the applicant and the sponsor, all of that income must be calculated either under subparagraph 13(a) or under sub-paragraph 13(b) and paragraph 15, and not under a combination of these methods.

14. Where the requirements of this Appendix and Appendix FM are met by the combined income or cash savings of more than one person, the income or the cash savings must only be counted once unless stated otherwise.

15. In respect of paragraph 13(b) and paragraph 13(d), the provisions in this paragraph also apply:

(a) In order to evidence the level of gross annual income required by Appendix FM, the person must meet the requirements in paragraph 13(b) or paragraph 13(d)(i); and
(b) The person must also meet the level of gross annual income required by Appendix FM on the basis that their income is the total of:

(i) The gross income from salaried employment in the UK or overseas earned by the person in the 12 months prior to the date of application;
(ii) The gross amount of any specified non-employment income (other than pension income) received by the person or their partner in the 12 months prior to the date of application;
(iii) The gross amount received from a UK or foreign State pension or a private pension by the person or their partner in the 12 months prior to the date of application; and
(iv)The person cannot combine the gross annual income at paragraph 15(b)(i)-(iii) with specified savings in order to meet the level of income required.

16. Where a person is in receipt of maternity, paternity, adoption or sick pay or has been so in the 6 months prior to the date of application, this paragraph applies:

(a) the relevant date for considering the length of employment with their current employer will be the date that the maternity, paternity, adoption or sick leave commenced or the date of application; and

(b) the relevant period for calculating income from their salaried employment will be the period prior to the commencement of the maternity, paternity, adoption or sick pay or to the date of application.

17. If a person is an equity partner, for example in a law firm, the income they draw from the partnership (including where this is in the form of a profit share) will be treated as salaried employment for the purposes of this Appendix and Appendix FM.

17A. Where a person is a subcontractor under the Construction Industry Scheme administered by HMRC and does not rely on paragraph 13(e), the income they receive as a subcontractor under the Construction Industry Scheme may be treated as income from salaried employment for the purposes of this Appendix and Appendix FM. In that case, the requirements for specified evidence in paragraph 2 must be met, subject to applying those requirements so as to reflect the person's status as a subcontractor under the Construction Industry Scheme.

18. When calculating income from salaried employment under paragraphs 12A and 13 to 16, this paragraph applies:

(a) Basic pay, skills-based allowances, and UK location-based allowances will be counted as income provided that:

(i) They are contractual; and
(ii) Where these allowances make up more than 30% of the total salary, only the amount up to 30% is counted.

(b) Overtime, payments to cover travel time, commission-based pay and bonuses (which can include tips and gratuities paid via a tronc scheme registered with HMRC) will be counted as income, where they have been received in the relevant period(s) of employment or self-employment relied upon in the application.

(bb) In respect of a person in salaried employment at the date of application, the amount of income in sub-paragraph (b) which may be added to their gross annual salary, and counted as part of that figure for the purposes of paragraph 13(a)(i) or 13(b)(i), is the annual equivalent of the person's average gross monthly income from that income in their current employment in the 6 months prior to the date of application.

(c) Payments relating to the costs of UK or overseas travel, including (for example) travelling or relocation expenses and subsistence or accommodation allowances, and payments made towards the costs of living overseas, will not be counted as income.

(d) Gross income from non-salaried employment will be calculated on the same basis as income from salaried employment, except as provided in paragraph 18(e) and 18(f), and the requirements of this Appendix for specified evidence relating to salaried employment shall apply as if references to salary were references to income from non-salaried employment. Non-salaried employment includes that paid at an hourly or other rate (and the number and/or pattern of hours required to be worked may vary), or paid an amount which varies according to the work undertaken, whereas salaried employment includes that paid at a minimum fixed rate (usually annual) and is subject usually to a contractual minimum number of hours to be worked.

(e) For the purpose of paragraph 13(a)(i), in respect of a person in non-salaried employment at the date of application "the level of gross annual salary relied upon in the application" shall be no greater than the annual equivalent of the person's average gross monthly income from non-salaried employment in the 6 months prior to the date of application, where that employment was held throughout that period.

(f) For the purpose of paragraph 13(b)(i), “the gross annual salary from employment as it was at the date of application” of a person in non-salaried employment at the date of application shall be considered to be the annual equivalent of:

(aa) the person’s gross income from non-salaried employment in the period immediately prior to the date of application, where the employment has been held for a period of no more than one month at the date of application; or

(bb) the person’s average gross monthly income from non-salaried employment, where the employment has been held for a period of more than one month at the date of application.

(g) For the purpose of paragraphs 13(c)(ii) and 13(d)(i), "the gross annual salary in the salaried employment in the UK to which they are returning" of a person who is returning to the UK to take up non-salaried employment in the UK starting within 3 months of their return is the gross annual income from that employment, based on the rate or amount of pay, and the standard or core hours of work, set out in the document(s) from the employer provided under paragraph 4. Notwithstanding paragraph 18(b), this may include the gross "on-target" earnings which may be expected from satisfactory performance in the standard or core hours of work.

19. When calculating income from self-employment under paragraphs 12A and 13(e), and in relation to income from employment and/or shares in a limited company based in the UK of a type to which paragraph 9 applies, this paragraph applies:

(a) There must be evidence of ongoing self-employment, and (where income from salaried employment is also relied upon or where paragraph 9(c) applies) ongoing employment, at the date of application.
(b) Where the self-employed person is a sole trader or is in a partnership or franchise agreement, the income will be the gross taxable profits from their share of the business in the relevant financial year(s), not including any deductable allowances, expenses or liabilities which may be applied to the gross taxable profits to establish the final tax liability.

(c) Where income to which paragraph 19 applies is being used to meet the financial requirement for an initial application for leave to remain as a partner under Appendix FM by an applicant who used such income to meet that requirement in an application for entry clearance as a fiancé(e) or proposed civil partner under that Appendix in the last 12 months, the Secretary of State may continue to accept the same level and evidence of income to which paragraph 19 applies that was accepted in granting the application for entry clearance, provided that there is evidence of ongoing self-employment, and (where income from salaried employment is also relied upon or where paragraph 9(c) applies) ongoing employment, at the date of the application for leave to remain.

(d) The financial year(s) to which paragraph 7 refers is the period of the last full financial year(s) to which the required Statement(s) of Account (SA300 or SA302) relates.

(e) The financial year(s) to which paragraph 9 refers is the period of the last full financial year(s) to which the required Company Tax Return(s) CT600 relates.

20. When calculating income from specified non-employment sources under paragraphs 12A and 13 to 15, this paragraph applies:

(a) Assets or savings must be in the name of the person, or jointly with their partner.

(b) Any asset or savings on which income is based must be held or owned by the person at the date of application.

(c) Any rental income from property, in the UK or overseas, must be from a property that is:

(i) owned by the person;
(ii) not their main residence and will not be so if the application is granted, except in the circumstances specified in paragraph 20(e); and

(iii) if ownership of the property is shared with a third party, only income received from their share of the property can be counted.

(cc) The amount of rental income from property received before any management fee was deducted may be counted.

(d) Equity in a property cannot be used to meet the financial requirement.

(e) Where the applicant and their partner are resident outside the UK at the date of application, rental income from a property in the UK that will become their main residence if the application is granted may only be counted under paragraph 13(c)(i) and paragraph 13(d)(ii).

(f) Any future entitlement to a maintenance grant or stipend of the type specified in paragraph 10(g) may be counted as though the person had received the annual amount of that grant or stipend in the 12 months prior to the date of application.

20A. When calculating the gross annual income from pension under paragraph 13, the gross annual amount of any pension received may be counted where the pension has become a source of income at least 28 days prior to the date of application.

21. When calculating income under paragraphs 13 to 16, the following sources will not be counted:

(a) Loans and credit facilities.

(b) Income-related benefits: Income Support, income-related Employment and Support Allowance, Pension Credit, Housing Benefit, Council Tax Benefit or Support (or any equivalent) and income-based Jobseeker's Allowance.

(c) The following contributory benefits: contribution-based Jobseeker's Allowance, contribution-based Employment and Support Allowance and Incapacity Benefit.

(cc) Unemployability Allowance, Allowance for a Lowered Standard of Occupation and Invalidity Allowance under the War Pension Scheme.

(d) Child Benefit.

(e) Working Tax Credit.

(f) Child Tax Credit.

(ff) Universal Credit.

(g) Any other source of income not specified in this appendix.

Other sources of income, financial support or funds in exceptional circumstances

21A(1). Where paragraph GEN.3.1.(1) of Appendix FM applies, the decision-maker is required to take into account the sources of income, financial support or funds specified in sub-paragraph (2).

(2) Subject to sub-paragraphs (3) to (8), the following sources of income, financial support or funds will be taken into account (in addition to those set out in, as appropriate, paragraph E-ECP.3.2., E-LTRP.3.2., E-ECC.2.2. or E-LTRC.2.2. of Appendix FM):

(a) a credible guarantee of sustainable financial support to the applicant or their partner from a third party;

(b) credible prospective earnings from the sustainable employment or self-employment of the applicant or their partner; or

(c) any other credible and reliable source of income or funds for the applicant or their partner, which is available to them at the date of application or which will become available to them during the period of limited leave applied for.

(3) Where the applicant is a child:

(a) other references in this paragraph to “applicant” mean the “applicant’s parent” under paragraph E-ECC.1.6. or E-LTRC.1.6. of Appendix FM; and

(b) references in this paragraph to “partner” refer to the “applicant’s parent’s partner” under those paragraphs.

(4) The onus is on the applicant to satisfy the decision-maker of the genuineness, credibility and reliability of the source of income, financial support or funds relied upon, on the basis of the information and evidence provided, having regard (in particular, but without limitation) to the factors set out below.

(5) The source of income, financial support or funds must not be a loan, unless evidence submitted with the application shows that:

(a) the source is a mortgage on a residential or commercial property in the UK or overseas which at the date of application is owned by the applicant, their partner or both, or by the third party to whom sub-paragraph (2)(a) refers;

(b) the mortgage is provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating; and

(c) the mortgage payments are reasonably affordable by the person(s) responsible for them and are likely to remain so for the period of limited leave applied for.

(6) Any cash savings or any current financial investment or product relied upon by the applicant under sub-paragraph (2)(c) must at the date of application be in the name(s), and under the control, of the applicant, their partner or both.

(7) Any cash savings relied upon by the applicant must enable the financial requirement in paragraph E-ECP.3.1.(b), E-LTRP.3.1.(b), E-LTRP.3.7.(b), E-ECC.2.1.(b), E-ECC.2.5.(b), E-LTRC.2.1.(b) or E-LTRC.2.5.(b) of Appendix FM (as applicable) to be met, except that the criteria in sub-paragraph (8)(c) apply in place of the requirements in paragraphs 11 and 11A of this Appendix.

(8) In determining the genuineness, credibility and reliability of the source of income, financial support or funds relied upon under sub-paragraph (2), the decision-maker will take into account all the information and evidence provided, and will consider (in particular):

(a) in respect of a guarantee of sustainable financial support from a third party:

(i) whether the applicant has provided verifiable documentary evidence from the third party in question of their guarantee of financial support;

(ii) whether that evidence is signed, dated and witnessed or otherwise independently verified;

(iii) whether the third party has provided sufficient evidence of their general financial situation to enable the decision-maker to assess the likelihood of the guaranteed financial support continuing for the period of limited leave applied for;

(iv) whether the third party has provided verifiable documentary evidence of the nature, extent and duration of any current or previous financial support which they have provided to the applicant or their partner;

(v) the extent to which this source of financial support is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7., E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1. or E-LTRC.2.5. of Appendix FM (as applicable); and

(vi) the likelihood of a change in the third party’s financial situation or in their relationship with the applicant or the applicant’s partner during the period of limited leave applied for.

(b) in respect of prospective earnings from sustainable employment or self-employment of the applicant or their partner:

(i) whether, at the date of application, a specific offer of employment has been made, or a clear basis for self-employment exists. In either case, such employment or self-employment must be expected to commence within three

months of the applicant's arrival in the UK (if the applicant is applying for entry clearance) or within three months of the date of application (if the applicant is applying for leave to remain);

(ii) whether the applicant has provided verifiable documentary evidence of the offer of employment or the basis for self-employment, and, if so, whether that evidence:

(aa) is on the headed notepaper of the company or other organisation offering the employment, or of a company or other organisation which has agreed to purchase the goods or services of the applicant or their partner as a self-employed person;

(bb) is signed, dated and witnessed or otherwise independently verified;

(cc) includes (in respect of an offer of employment) a signed or draft contract of employment;

(dd) includes (in respect of self-employment) any of a signed or draft contract for the provision of goods or services; a signed or draft partnership or franchise agreement; an application to the appropriate authority for a licence to trade; or details of the agreed or proposed purchase or rental of business premises;

(iii) whether, in respect of an offer of employment in the UK, the applicant has provided verifiable documentary evidence:

(aa) of a relevant employment advertisement and employment application;

(bb) of the hours to be worked and the rate of gross pay, which that evidence must establish equals or exceeds the National Living Wage or the National Minimum Wage (as applicable, given the age of the person to be employed) and equals or exceeds the going rate for such work in that part of the UK; and

(cc) which enables the decision-maker to assess the reliability of the offer of employment, including in light of the total size of the workforce and the turnover (annual gross income or sales) of the relevant company or other organisation;

(iv) whether the applicant has provided verifiable documentary evidence that at the date of application, the person to be employed or self-employed is in, or has recently been in, sustained employment or self-employment of the same or a similar type, of the same or a similar level of complexity and at the same or a similar level of responsibility;

(v) whether the applicant has provided verifiable documentary evidence that the person to be employed or self-employed has relevant professional, occupational or educational qualifications and that these are recognised in the UK;

(vi) whether the applicant has provided verifiable documentary evidence that the person to be employed or self-employed has the level of English language skills such prospective employment or self-employment is likely to require;

(vii) the extent to which this source of income is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7., E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1. or E-LTRC.2.5. of Appendix FM (as applicable); and

(viii) where an offer of employment is relied upon, and where the proposed employer is a family member or friend of the applicant or their partner, the likelihood of a relevant change in that relationship during the period of limited leave applied for.

(c) in respect of any other credible and reliable source of income or funds for the applicant or their partner:

(i) whether the applicant has provided verifiable documentary evidence of the source;

(ii) whether that evidence is provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating, and is signed, dated and witnessed or otherwise independently verified;

(iii) where the income is or the funds are based on, or derived from, ownership of an asset, whether the applicant has provided verifiable documentary evidence of its current or previous ownership by the applicant, their partner or both;

(iv) whether the applicant has provided sufficient evidence to enable the decision-maker to assess the likelihood of the source of income or funds being available to them during the period of limited leave applied for; and

(v) the extent to which this source of income or funds is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-LTRP.3.7., E-ECC.2.1., E-ECC.2.5., E-LTRC.2.1. or E-LTRC.2.5. of Appendix FM (as applicable).

Evidence of Marriage or Civil Partnerships

22. A marriage in the United Kingdom must be evidenced by a valid marriage certificate recognised under the laws of England and Wales, Scotland or Northern Ireland.

23. A divorce in the United Kingdom must be evidenced by a decree absolute from a civil court.

24. A civil partnership in the United Kingdom must be evidenced by a civil partnership certificate.

25. The dissolution of a civil partnership in the UK must be evidenced by a final order of civil partnership dissolution from a civil court.

26. Marriages, civil partnerships or evidence of divorce or dissolution from outside the UK must be evidenced by a reasonable equivalent to the evidence detailed in paragraphs 22 to 25, valid under the law in force in the relevant country.

Evidence of the Applicant Living Overseas with a Crown Servant

26A. Where

(a) An applicant for entry clearance, limited leave to enter or remain or indefinite leave to remain as a partner under Appendix FM (except as a fiancé(e) or proposed civil partner) or Appendix Settlement Family Life intends to enter or remain in the UK to begin their probationary period (or has done so) and then to live outside the UK for the time being with their sponsor (or is doing so or has done so) before the couple live together permanently in the UK; and

(b) the sponsor, who is a British Citizen or settled in the UK, is an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government, or a permanent member of the British Council on a tour of duty outside the UK,

the applicant must provide a letter on official stationery from the sponsor's head of mission confirming the information at (a) and (b) and confirming the start date and expected end date of the sponsor's tour of duty outside the UK.

Evidence of English Language Requirements

27. The evidence required of passing an English language test in speaking and listening (at a minimum of level A1 or A2 (as the case may be) of the Common European Framework of Reference for Languages) with a provider approved by the Secretary of State, where the applicant relies on that pass to meet an English language requirement, is confirmation on the

on-line verification system operated by an approved English language test provider and at an approved Secure English Language Test centre that:

(i) the applicant has passed such a test; and

(ii) that test was an English language test in speaking and listening which is approved by the Secretary of State and was taken no more than two years before the date of application and at a test centre approved by the Secretary of State as a Secure English Language Test Centre or if they have already shown they met the requirement in this manner at the level required for their current application, in a previous successful application for entry clearance or permission to stay.

28. The evidence required to show that a person is a citizen or national of a majority English speaking country is a valid passport or travel document, unless paragraphs 29 and 30 apply. A dual national may invoke either of their nationalities.

29. If the applicant has not provided their passport or travel document other evidence of nationality can be supplied in the following circumstances only (as indicated by the applicant on their application form):

(a) where the passport or travel document has been lost or stolen;

(b) where the passport or travel document has expired and been returned to the relevant authorities; or

(c) where the passport or travel document is with another part of the Home Office.

30. Alternative evidence as proof of nationality, if acceptable, must be either:

(a) A current national identity document; or

(b) A letter from the applicant's national government, Embassy or High Commission confirming the applicant's full name, date of birth and nationality.

31. Evidence of an academic qualification under paragraphs 284(ix)(c), (d) and (e), 290(vii)(c), (d) and (e) and 295D(xi)(c), (d) and (e) of Part 8, Appendix HM Armed Forces, paragraph 68(c) of Appendix Armed Forces, and paragraphs E-ECP.4.1.(c), E-LTRP.4.1.(c), E-LTRP.4.1A.(c), E-ECPT.4.1.(c), E-LTRPT.5.1.(c) and E-LTRPT.5.1A.(c) of Appendix FM must be:

(a) a certificate issued by the relevant institution confirming the award of the academic qualification showing:

(i) the applicant’s name;

(ii) the title of award;

(iii) the date of award; and

(iv) the name of the awarding institution; or

(b) if the applicant is awaiting graduation or no longer has the certificate and cannot obtain a new one, either:

(i) an academic reference from the institution awarding the academic qualification that:

(1) is on official letter headed paper;

(2) shows the applicant's name;

(3) shows the title of award;

(4) explains when the academic qualification has been, or will be, awarded; and

(5) confirms either the date that the certificate will be issued (if the applicant has not yet graduated) or that the institution is unable to re-issue the certificate of award; or

(ii) an academic transcript that:

(1) is on official letter headed paper;

(2) shows the applicant's name;

(3) shows the name of the academic institution;

(4) shows the course title; and

(5) confirms either the date that the certificate will be issued (if the applicant has not yet graduated) or that the institution is unable to re-issue the certificate of award; and

(c) if the qualification was awarded by an educational establishment outside the UK, a document from Ecctis which confirms that the qualification meets or exceeds the recognised standard of a Bachelor's or Master's degree or PhD in the UK and was taught or researched in English to level A1 or A2 (as the case may be) of the Common Framework of Reference for Languages or above.

32. If the qualification was taken in one of the following countries, it will be assumed for the purpose of paragraph 31 that it was taught or researched in English: Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, the British Overseas Territories, Dominica, Grenada, Guyana, Ireland, Jamaica, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago, the UK, the USA; Malta.

32A. For the avoidance of doubt paragraphs 27 to 32D of this Appendix apply to fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner and same sex partner applications for limited leave to enter or remain made under Part 8 of these Rules where English language requirements apply, regardless of the date of application. Paragraphs 27 to 32D of this Appendix also apply to spouse, civil partner, unmarried partner and same sex partner applications which do not meet the requirements of Part 8 of these Rules for

indefinite leave to remain (where the application is for indefinite leave to remain) and are being considered for a grant of limited leave to remain where paragraph A277A(b) of these Rules applies. Any references in paragraphs 27 to 32D of this Appendix to “limited leave to enter or remain” shall therefore be read as referring to all applicants referred to in this paragraph.

32B. Where the decision-maker has:

(a) reasonable cause to doubt that an English language test in speaking and listening at a minimum of level A1 or A2 (as the case may be) of the Common Framework of Reference for Languages relied on at any time to meet a requirement for limited leave to enter or remain in Part 8 or Appendix FM was genuinely obtained; or

(b) information that the test certificate or result awarded to the applicant has been withdrawn by the test provider for any reason, or

(c) from an approved test centre,

the decision-maker may discount the test certificate or result and require the applicant to provide a new test certificate or result from an approved provider which shows that they meet the requirement, if they are not exempt from it.

32C. If an applicant applying for limited leave to enter or remain under Part 8 or Appendix FM submits an English language test certificate or result which has ceased by the date of application to be:

(a) from an approved test provider, or

(b) in respect of an approved test, or

(c) from an approved test centre,

the decision-maker will not accept that certificate or result as valid, unless the decision-maker does so in accordance with paragraph 32D of this Appendix and subject to any transitional arrangements made in respect of the test provider, test or test centre in question.

32D. If an applicant applying for limited leave to enter or remain under Part 8 or Appendix FM submits an English language test certificate or result and the Home Office has already accepted it as part of a successful previous partner or parent application (but not where the application was refused, even if on grounds other than the English language requirement), the decision-maker will accept that certificate or result as valid if it is:

(a) from a provider which is no longer approved, or

(b) from a provider who remains approved but the test the applicant has taken with that provider is no longer approved, or

(c) from a test centre which is no longer approved, or

(d) past its validity date (if a validity date is required), provided that it is at or above the requisite level of the Common European Framework of Reference for Languages and when the subsequent application is made the award to the applicant does not fall within the circumstances set out in paragraph 32B of this Appendix.

Adult dependent relatives

33. DELETED.

34. DELETED.

35. DELETED.

36. DELETED.

37. DELETED.

Back to top

Immigration Rules

Appendix KoLL

Knowledge of language and life

This is a consolidated version of the Immigration Rules

Part 1 – general

1.1

Purpose

This Appendix sets out how an applicant for indefinite leave to enter or remain must demonstrate sufficient knowledge of the English language and about life in the United Kingdom where it is a requirement of the Rules to demonstrate this for the purposes of an application for indefinite leave to enter or remain. It also sets out general exemptions to the requirement on grounds of age and enables the decision maker to waive the requirement in light of special circumstances in any particular case

"Specified" in this Appendix means "specified in Part 4 of this appendix"

Part 2 - knowledge of language and life

2.1 An applicant for indefinite leave to enter or remain has sufficient knowledge of the English language and about life in the United Kingdom if they meet the requirements set out in paragraphs 2.2 and 2.3. They do not need to satisfy the requirements in 2.2 and 2.3 where the exceptions set out in Part 3 apply of this Appendix

2.2 For the purposes of paragraph 2.1, an applicant demonstrates sufficient knowledge of the English language if:

(a) the applicant has provided specified documentary evidence that:

i) the applicant is a national or citizen of one of the following countries:

- Antigua and Barbuda
- Australia
- The Bahamas
- Barbados
- Belize
- The British Overseas Territories
- Canada
- Dominica
- Grenada

- Guyana
- Jamaica
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- USA
- Malta.

or

iii) the applicant has obtained an academic qualification (not a professional or vocational qualification) which either:

(1) is a UK Bachelor’s degree, Master’s degree or PhD; or

(2) is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; The British Overseas Territories; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; Malta; and provides the specified documents;

or

iv) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

(1) provides the specified documentary evidence to show he has the qualification, and

(2) Ecctis has confirmed that the qualification was taught or researched in English; or

v) DELETED

or

(b) the applicant-

(i) has limited leave to enter or remain in the UK, and

(ii) that leave (or a grant of leave which preceded it provided any periods of leave since have been unbroken) was given on the basis that the applicant had an English language qualification at a minimum level of B1 on the Common European Framework of Reference for Languages.

(iii) at the date of application, the provider of that qualification continues to be approved by the Secretary of State.

or

(c) the on line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level B1 of the Common European Framework of Reference for Languages, which is approved by the Secretary of State, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application.

2.3 For the purposes of sub-paragraph (1), an applicant demonstrates sufficient knowledge about life in the United Kingdom if:

(a) the applicant has passed the test known as the "Life in the UK test" administered by an educational institution or other person approved for this purpose by the Secretary of State; or

(b) in respect of an applicant who was resident in the Isle of Man, the applicant took and passed the test in the Isle of Man known as the "Life in the UK test" and which was administered by an educational institution or other person approved for that purpose by the Lieutenant Governor; or

(c) in respect of an applicant who was resident in the Bailiwick of Guernsey or in the Bailiwick of Jersey, the applicant took and passed the test known as the "Citizenship Test" and which was administered by an educational institution or other person approved for that purpose by the Lieutenant Governor of Guernsey or Jersey (as the case may be).

Part 3 - exceptions

3.1 Notwithstanding any requirement to the contrary in these Rules, for the purposes of this appendix, an applicant will not be required to demonstrate sufficient knowledge of the English language and about life in the UK where:

(a) the applicant is under 18 years of age at the date of his or her application, or

(b) the applicant is at least 65 years of age at the date of his or her application, or

(c) in all the circumstances of the case, the decision maker considers that, because of the applicant's mental or physical condition, it would be unreasonable to expect the applicant to fulfil either or both parts of that requirement.

3.2 In the following circumstances an applicant will be deemed to have demonstrated sufficient knowledge of the English language and about life in the UK:

(a) Where the application for indefinite leave to enter or remain in the United Kingdom is made under:

(i) paragraph 196D, as a dependent partner under Appendix UK Ancestry or Appendix Representative of an Overseas Business and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years as the spouse or civil partner of a person who has or has had leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I -135K), or

(ii) paragraph 199, as a dependent child under Appendix UK Ancestry or Appendix Representative of an Overseas Business and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the United Kingdom for at least 15 years as the child of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128–193 (but not paragraphs 135l-135K), or

(iii) paragraph 248D and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the United Kingdom for at least 15 years as a person exercising rights of access to a child resident in the United Kingdom and that child is under the age of 18 at the day on which the applicant's application for indefinite leave is made under paragraph 248D, or

(iv) paragraph 273D and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years as a spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means, or

(v) paragraph 275A and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the United Kingdom for at least 15 years as the child of a person who has or has had leave to enter or remain in the United Kingdom as a retired person of independent means, or

(vi) paragraph 287 and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years under paragraph 281 or paragraph 284,

or

(vii) paragraph 295G and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years under paragraph 295B or paragraph 295D, or

(viii) paragraph 298 and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years under paragraph 302 or Appendix FM or paragraph 319R or paragraph 319X and Appendix Child joining a Non-Parent Relative (Protection), or

(ix) paragraph 319E, a dependent partner under Appendix Skilled Worker, Appendix Global Talent, Appendix Innovator Founder, Appendix T2 Minister of Religion, or Appendix T2 Sportsperson and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years as the partner of a relevant points based system migrant

(x) paragraph 319J, a dependent child under Appendix Skilled Worker, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, or Appendix T2 Sportsperson and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years as the child of a relevant points based system migrant

(xi) section E-ILRP of Appendix FM and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years on the day on which the application is made as a partner (except where leave is as a fiancé or proposed civil partner) under section D-LTRP of Appendix FM; or

(xii) section E-ILRPT of Appendix FM and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the United Kingdom for at least 15 years on the day on which the application is made as a parent under section D-ILRPT of Appendix FM, or

(xiii) paragraph 25 or 31 of Appendix Armed Forces and the applicant has completed, on the date on which the application is made, a continuous period of leave to enter or remain in the United Kingdom of at least 15 years as the partner of a member of HM Forces under that Appendix, or

(xiv) paragraph 45 or 49 of Appendix Armed Forces and the applicant has completed, on the date on which the application is made, a continuous period of leave to enter or remain in the United Kingdom of at least 15 years as the child of a member of HM Forces under that Appendix, and

(b)(i) the applicant has provided specified documentary evidence of an English language speaking and listening qualification at A2 CEFR or ESOL entry level 2 or Scottish Credit and Qualification Framework level 3; or

(ii) where paragraph 39C(c) of these Rules applies, the on-line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level A2 of the Common European Framework of Reference for Languages, which is approved by the Secretary of State, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application.

and

(c) the applicant has provided specified documentary evidence from a qualified English language teacher that the applicant has made efforts to learn English but does

not yet have sufficient knowledge of the English language to pass a qualification at B1 CEFR.

and

(d) the applicant is not a national or a citizen of one of the following countries:

- Antigua and Barbuda
- Australia
- The Bahamas
- Barbados
- Belize
- The British Overseas Territories
- Canada
- Dominica
- Grenada
- Guyana
- Jamaica
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- USA
- Malta.

3.3 Where paragraph 39C(c) of these Rules applies, subject to paragraph 3.2 of this Appendix, an applicant demonstrates sufficient knowledge of the English language and about life in the UK where:

(i) in cases where the applicant failed to satisfy paragraph 2.2 of this Appendix, the on-line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level B1 of the Common European Framework of Reference for Languages, which is approved by the Secretary of State, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application; or

(ii) in cases where the applicant failed to satisfy paragraph 2.3 of this Appendix, he or she has provided specified evidence that he or she has passed the test known as the “Life in the UK test” administered by an educational institution or other person approved for this purpose by the Secretary of State under arrangements approved by the decision-maker or

(iii) in cases where the applicant failed to satisfy paragraphs 2.2 and 2.3 of this Appendix, the requirements set out in sub-paragraphs (i) and (ii) are met.

Part 4 - specified documents

4.1 Where these Rules require an applicant to demonstrate sufficient knowledge of the English language and of life in the United Kingdom, the applicant must supply the documents or information specified in paragraphs 4.6 to 4.14 below.

4.2 The decision maker will only consider evidence submitted after the date on which an application is made where the circumstances in paragraph 39(C)(c) of these Rules or paragraphs 4.3 or .4.6 of the Appendix apply.

4.3 Where an applicant has submitted:

(i) a document in the wrong format (for example, if a letter is not on letterhead paper as specified); or

(ii) DELETED

(iii) a document which does not contain all of the specified information,

or

(iv) fails to submit a specified document,

the decision-maker may contact the applicant or his or her representative (in writing or otherwise), and request the document or the correct version of the document. The document must be received by the Home Office at the address specified in the request within such timescale (which will not be unreasonable) as is specified.

4.4 A decision-maker may decide not to request a document under paragraph 4.3 where he or she does not anticipate that the supply of that document will lead to a grant of leave to enter or remain in the United Kingdom because the application may be refused for other reasons.

4.5 Without prejudice to the decision maker's discretion under paragraph 4.2 and also his or her right in all cases to request the original or specified document and refuse an application in circumstances in which they are not provided, where an applicant submits a specified document:

(i) in the wrong format, or

(ii) DELETED

(iii) which does not contain all of the specified information but the missing information is verifiable from,

(aa) other documents submitted with the application,

(bb) the website of the organisation which issued the document,

or

(cc) the website of the appropriate regulatory body;

the application for leave to enter or remain in the United Kingdom may be granted exceptionally providing the decision-maker is satisfied that the specified documents are genuine and that the applicant meets all the other requirements.

4.6 Where the decision-maker is satisfied that there is a valid reason why a document has not been and cannot be supplied, (for example, because the document has been permanently lost or destroyed), he or she may waive the requirement for the document to be provided or may instead request alternative or additional evidence (which may include confirmation of evidence from the organisation which issued the original document).

4.7 The information specified for the purposes of paragraph 2.2(c) of this Appendix is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.8 Subject to paragraphs 4.9 and 4.10 the documentary evidence specified for the purposes of paragraph 2.2 of this Appendix as showing that a person is a national or a citizen of one of the countries listed in paragraph 2.2 is a valid passport or travel document which satisfactorily establishes the applicant's nationality.

4.9 If the applicant cannot provide their passport or travel document other evidence of nationality of the type described in paragraph 4.10 may exceptionally be supplied in the following circumstances (the reason for which must be indicated by the applicant on their application form), where:

(a) the applicant's passport has been lost or stolen, or

(b) the applicant's passport has expired and has been returned to the relevant authorities, or

(c) the applicant's passport is with another part of the Home Office.

4.10 Where paragraph 4.9 applies, the alternative evidence specified for the purposes of establishing the applicant's nationality is:

(a) a valid national identity document; or

(b) a letter from the applicant's Home Government or Embassy confirming the applicant's full name, date of birth and nationality.

4.10A The evidence specified for the purposes of paragraph 2.2(a)(iii)(1) is:
(a) a certificate issued by the relevant institution confirming the award of the academic qualification and showing:

(i) the applicant’s name,
(ii) the title of the award,

(iii) the date of the award,
(iv) the name of the awarding institution or,

(b) where an applicant has not, at the date of application, formally graduated or no longer has his or her certificate and is unable to obtain a duplicate certificate:

(i) an academic reference from the institution awarding the academic qualification that:

(a) is on official letter headed paper,
(b) shows the applicant's name,
(c) shows the title of the award,
(d) states when the academic qualification was (or as the case may be, will be) awarded, and (e) confirms that the institution is unable to issue a duplicate certificate of award or (as the case may be in respect of an applicant who has not yet graduated) the date on which the certificate will be issued,

or

(ii) an academic transcript that;

(a) is on official letter headed paper,
(b) shows the applicant's name,
(c) shows the name of the academic institution,
(d) shows the course title, and
(e) confirms the award given

4.11. The evidence specified for the purposes of paragraph 2.2(a)(iii)(2) to 2.2(a)(v) (academic qualification recognised by Ecctis) is:

(a) a certificate issued by the relevant institution confirming the award of the academic qualification and showing:

(i) the applicant's name,

(ii) the title of the award,

(iii) the date of the award,

(iv) the name of the awarding institution, and,

(v) for paragraph 2.2(a)(iii) that the qualification was taught in English

or,

(b) where an applicant has not, at the date of application, formally graduated or no longer has his or her certificate and is unable to obtain a duplicate certificate:

(i) an academic reference from the institution awarding the academic qualification that:

(aa) is on official letter headed paper,

(bb) shows the applicant's name,

(cc) shows the title of the award,

(dd) confirms that the qualification was taught in English,

(ee) states when the academic qualification was (or as the case may be, will be) awarded,

and

(ff) confirms that the institution is unable to issue a duplicate certificate of award or (as the case may be in respect of an applicant who has not yet graduated) the date on which the certificate will be issued.

or

(ii) an academic transcript that;

(aa) is on official letter headed paper,

(bb) shows the applicant's name,

(cc) shows the name of the academic institution,

(dd) shows the course title,

(ee) confirms that the qualification was taught in English, and,

(ff) confirms the award given.

4.12 In the absence of any evidence to the contrary, a qualification obtained in one of the following countries will be assumed for the purposes of this Appendix to have been taught in English: Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, The British Overseas Territories, Dominica, Grenada, Guyana, Ireland, Jamaica, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago, the UK or the USA, Malta.

4.13 The information or evidence specified for the purposes of paragraph 3.2(b)(i) (evidence of English language speaking and listening) is:

(a) the unique reference number assigned by the provider to the English language test taken by the applicant; or

(b) a certificate or other document issued by an awarding organisation that is recognised either by Ofqual, the Welsh Government, or CCEA that:

(i) is issued in England, Wales or Northern Ireland in respect of a qualification listed as an ESOL qualification in the OFQUAL Register of Regulated Qualifications, and

(ii) shows that the level of speaking and listening skills attained by the applicant met ESOL entry level 2; or

c) a certificate that:

(i) is issued in Scotland in respect of a National Qualification in English for Speakers of Other Languages awarded by the Scottish Qualifications Authority, and

(ii) shows that the level of speaking and listening skills attained by the applicant met Scottish Credit and Qualifications Framework level 3.

4.13ZA The information or evidence specified for the purposes of requesting an exception under Paragraph 3.1(c) of this appendix is to be provided on a copy of the form published on GOV.UK for this purpose which must be completed by a professional who is either:

(a) the applicant's GP or a GP based in the practice with which the applicant is normally registered; or

(b) a General Medical Council (GMC) registered consultant

who has met with the applicant in person, assessed their ability to fulfil the requirements set out in this appendix, and supports their request for an exception from either or both elements of KOLL on the basis that they have a condition which would prevent them from satisfying the requirements for the foreseeable future.

4.13A The information specified for the purposes of paragraph 3.2(b)(ii) (evidence of English language speaking and listening) is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.14 a) The evidence specified for the purposes of paragraph 3,2(c) (evidence from qualified English teacher) is a letter from the teacher which is signed by him or her and dated no more than 3 months before the date on which the application for indefinite leave to remain is made and which includes the following information:

(i) the applicant's name,

(ii) confirmation that the applicant has attended an English language class taught by that teacher for at least 75 guided learning hours and which was taught during the period of 12 months immediately preceding the date on which the application for indefinite leave to remain was made,

(iii) confirmation that the teacher has assessed that the speaking and listening level attained by the applicant is not at B1 level or above,

(iv) confirmation that the applicant is considered unlikely to attain B1 level through further study

(v) confirmation of the teacher's qualifications as an English language teacher within the meaning of this Appendix.

(b) For the purposes of paragraph (a)(ii) "guided learning hours" means the time during which a person is taught or given instruction and does not include any time spent on unsupervised preparation or study.

4.15 The information specified for the purposes of paragraph 2.3 of this Appendix is a unique reference number issued to the applicant by the provider of the “Life in the UK” test.

4.16 The information specified for the purposes of paragraph 3.3(i) of this Appendix (evidence of English language speaking and listening) is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.17 The evidence specified for the purposes of paragraph 3.3(ii) of this Appendix (evidence of knowledge about life in the UK) is the same as that specified at paragraph 4.15(a) of this Appendix.

Part 5 - interpretation

5.1 For the purposes of this Appendix "decision maker" means an Entry Clearance Officer or the Secretary of State.

5.2 For the purposes of this Appendix, "qualified English language teacher" means a person who holds a qualification in teaching English as a foreign language or in teaching English to speakers of other languages which was awarded by an awarding organisation regulated by OFQUAL or the Welsh Government or the CCEA or the Scottish Qualification Authority.

Back to top

Immigration Rules

Appendix O

List of English language tests that have been approved by the Home Office for English language requirements for limited leave to enter or remain under the Immigration Rules

This is a consolidated version of the Immigration Rules

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Back to top

Immigration Rules

Appendix SN

Service of notices

Introduction

Notices of appealable immigration decisions are served under the Immigration (Notices) Regulations 2003.

Notices of non-appealable immigration decisions which grant or refuse leave to remain, vary leave to remain or refuse to vary leave to remain are served under the Immigration (Leave to Enter and Remain) Order 2000.

Notices falling within paragraph SN1.2 of this Appendix to the Immigration Rules are to be served in accordance with this Appendix.

Definitions

SN1.1 For the purpose of this Appendix the following definitions apply:

Administrative review	as defined in Appendix AR or Appendix AR (EU).
business day	any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of the United Kingdom to which the notice is sent.
decision-maker	(a) the Secretary of State; (b) an immigration officer; (c) an entry clearance officer;
representative	a person who appears to the decision-maker: (a) to be the representative of a person referred to in paragraph SN1.2 below; and (b) not to be prohibited from acting as a representative by section 84 of the 1999 Act.

Service of notices

SN1.2 A notice in writing:

(a) that an application for entry clearance, leave to enter or leave to remain in the United Kingdom is invalid;

(b) that an application for entry clearance, leave to enter or leave to remain in the United Kingdom is void;

(c) that an application for administrative review is invalid; or

(d) notifying a person of the outcome of an administrative review application,

may be given to the person affected as follows.

SN1.3 The notice may be:

(a) given by hand;

(b) sent by fax;

(c) sent by postal service to a postal address provided for correspondence by the person or the person's representative;

(d) sent electronically to an e-mail address provided for correspondence by the person or the person's representative;

(e) sent by document exchange to a document exchange number or address; or

(f) sent by courier.

SN1.4 Where no postal or e-mail address for correspondence has been provided, the notice may be sent:

(a) by postal service to:

(i) the last-known or usual place of abode, place of study or place of business of the person; or

(ii) the last-known or usual place of business of the person's representative; or

(b) electronically to:

(i) the last-known e-mail address for the person (including at the person's last-known place of study or place of business); or

(ii) the last-known e-mail address of the person's representative.

SN1.5 For the purposes of paragraphs SN1.3 or SN1.4, a postal address outside the UK is not a postal address for correspondence where the person affected by the notice is in the UK.

SN1.6 Where it is not possible to give notice in accordance with paragraphs SN1.3 and SN1.4 or where an attempt to do so has failed, and the decision-maker records the reason for this and places the notice on file, the notice shall be deemed to have been given on the day that it is placed on file.

SN1.7 Where a notice is deemed to have been given in accordance with paragraph SN1.6 and subsequently the person is located, the person shall as soon as is practicable be given a copy of the notice and details of when and how it was given.

SN1.8 A notice given under this appendix may, in the case of a person who is under 18 years of age and does not have a representative, be given to the parent, guardian or another adult who for the time being takes responsibility for the child.

Presumptions about date of receipt of notice

SN1.9 Where a notice is sent in accordance with paragraphs SN1.2 to SN1.4, it shall be deemed to have been given to the person affected, unless the contrary is proved:

(a) where the notice is sent by postal service:

(i) on the second day after it was sent by postal service in which delivery or receipt is recorded if sent to a place within the United Kingdom;

(ii) on the 28th day after it was posted if sent to a place outside the United Kingdom;

(b) where the notice is sent by fax, e-mail, document exchange or courier, on the day it was sent.

SN1.10 For the purposes of paragraph SN1.9(a) the period is to be calculated excluding the day on which the notice is posted.

SN1.11For the purposes of paragraph SN1.9(a)(i) the period is to be calculated excluding any day which is not a business day.

Back to top

Immigration Rules

Appendix Settlement Protection

A person who has been on a protection route for at least five years may be eligible for settlement on this route.

Only those granted refugee status or humanitarian protection as a result of asylum applications made before 28 June 2022 or granted refugee status and refugee permission to stay on asylum applications made on or after 28 June 2022, are eligible to apply on the settlement protection route.

Individuals who were granted refugee status and temporary refugee permission to stay or humanitarian protection and temporary humanitarian permission to stay following asylum applications made on or after 28 June 2022 are ineligible to apply on the settlement protection route

Partners and children of a person with refugee status or humanitarian protection who is eligible to apply on the settlement protection route may also apply on this route if they have been granted permission to stay as the dependant partner or child of such a person.

Validity requirements for settlement on a protection route

STP 1.1. A person granted permission on a protection route who is applying for settlement must apply online on the gov.uk website on the specified form as follows:

(a) form: 'Apply to settle in the UK – refugee or humanitarian protection'; or

(b) form, 'Settlement Protection' where available.

STP 1.2. The application for settlement must meet all the following requirements:

(a) the applicant must have provided any required biometrics; and

(b) the applicant must satisfactorily establish their identity and nationality; and

(c) the applicant must be in the UK on the date of application.

STP 1.3. The applicant must have, or have last been granted:

(a) permission to stay as a refugee or as a person granted humanitarian protection following an asylum application made before 28 June 2022; or

(b) refugee permission to stay following an asylum application made on or after 28 June 2022.

STP 1.4. An application which does not meet all the validity requirements for settlement for a person on a protection route may be rejected as invalid and not considered.

Suitability requirements for settlement by a person on a protection route

STP 2.1. An application for settlement on a protection route must be refused where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of four years or more; or

(b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of at least 12 months but less than four years, unless a period of 15 years has passed since the end of their sentence; or
(c) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of seven years has passed since the end of their sentence; or
(d) within the 24 months before the date on which the application for settlement is decided, has been convicted of, or admitted to an offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record; or
(e) is a persistent offender who shows a particular disregard for the law; or
(f) has committed a criminal offence, or offences, which caused serious harm; or
(g) where a grant of settlement is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds) or because they represent a threat to national security.

Eligibility requirements for settlement for a person on a protection route

Qualifying period requirement for settlement for a person on a protection route

STP 3.1. The applicant must have spent a continuous period of at least five years in the UK with either:
(a) refugee status; or
(b) humanitarian protection.

Continuing status requirement for settlement for a person on a protection route

STP 4.1. The applicant's refugee status or humanitarian protection must not have been revoked or renounced.

Decision on an application for settlement for a person on a protection route

STP 5.1. If the decision maker is satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route are met, the applicant will be granted settlement.

STP 5.2. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route, but is satisfied that the applicant is still entitled to refugee status or humanitarian protection, the applicant will be granted a further period of permission to stay on a protection route for at least 30 months.

STP 5.3. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route, or for permission to stay on a protection route, the application for settlement will be refused.

Settlement as a partner or child of a person on a protection route

Validity requirements for settlement as a partner or child of a person on a protection route

STP 6.1. An applicant who is applying for settlement as a partner or child of a person on a protection route must apply online on the gov.uk website on the specified form as follows:

Applicant	**Form**
Partner	Either: 'Apply to settle in the UK – refugee or humanitarian protection'; or 'Settlement as a partner or parent' (where available).
Child	Either: 'Apply to settle in the UK – refugee or humanitarian protection'; or 'Settlement as a child (including a child aged over 18 already in the UK as a dependent)' (where available).

STP 6.2. An application for settlement as a partner or child on a person on a settlement route must meet all the following requirements:

(a) the applicant must have provided any required biometrics; and
(b) the applicant must satisfactorily establish their identity and nationality; and
(c) the applicant must be in the UK on the date of application.

STP 6.3. (a) Unless the applicant is a child born in the UK while their parent had refugee status or humanitarian protection, the applicant must have, or have last been granted permission as the child of a person granted refugee status or humanitarian protection following an asylum application made before 28 June 2022.
(b) Unless the applicant is a child born in the UK while their parent had refugee permission to stay, the applicant must have, or have last been granted permission to stay under paragraph 339QC, 352B-BA, 352E, 352FB or 352FH of these rules.

STP 6.4. An application which does not meet all the validity requirements for settlement as a partner or child of a person on a protection route may be rejected as invalid and not considered.

Suitability requirements for settlement as a partner or child of a person on a protection route

STP 7.1. An application for settlement as a partner or child of a person on a settlement route must be refused where the applicant:
(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of four years or more; or
(b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of at least 12 months but less than four years, unless a period of 15 years has passed since the end of their sentence; or
(c) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of seven years has passed since the end of their sentence; or
(d) within the 24 months prior to the date on which the application for settlement is decided, has been convicted of or admitted to an office in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record; or
(e) is a persistent offender who shows a particular disregard for the law; or
(f) has committed a criminal offence, or offences, which caused serious harm; or

(g) where a grant of settlement is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds) or the fact they represent a threat to national security.

Eligibility requirements for settlement as a partner or child of a person on a protection route.

Relationship requirement for settlement as the partner of a person on a protection route.

STP 8.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has refugee status or humanitarian protection and is, at the same time as the applicant, being granted settlement; or

(b) P has refugee status or humanitarian protection, is settled on the protection route and the applicant had permission to stay as P's partner when P settled.

STP 8.2. The requirements of Appendix Relationship with Partner must be met.

STP 8.3. DELETED.

Requirements for settlement as a child of a person on a protection route

STP 8A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age requirement; and

(b) care requirement; and

(c) relationship requirement: settlement.

Relationship requirement for settlement as a child of a person on a protection route

STP 9.1. DELETED.

STP 9.2. DELETED.

Age requirement for settlement as a child of a person on a protection route

STP 10.1. DELETED.

Decision on an application for settlement as a partner or child of a person on a protection route

STP 11.1. If the decision maker is satisfied that the applicant meets all the suitability and eligibility requirements for settlement as a partner or child of a person on a protection route, the applicant will be granted settlement.

STP 11.2. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement as a partner or child of a person on a protection route, but is satisfied that the applicant continues to qualify as a partner or child of a person on a protection route, the applicant will be granted permission to stay for at least 30 months.

STP 11.3. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement as a partner or child of a person on a protection route, or for permission to stay as a partner or child of a person on a protection route, the application for settlement will be refused.

Back to top

Immigration Rules

Appendix V: Visitor

This route is for a person who wants to visit the UK for a temporary period, (usually for up to 6 months), for purposes such as tourism, visiting friends or family, carrying out a business activity, or undertaking a short course of study.

Each Visitor must meet the requirements of the Visitor route, even if they are travelling as, for example, a family group, a tour group or a school party.

A visa national as set out in Appendix Visitor: Visa National list must obtain entry clearance as a Visitor (a visit visa) before arrival in the UK.

A non-visa national can normally seek entry on arrival in the UK.

There are 3 types of Visitor:

- Standard Visitor: for those seeking to undertake the activities set out in Appendix Visitor: Permitted Activities, for example tourism and visiting family, usually for up to 6 months. A Standard Visitor may apply for a visit visa of six months, two, five or 10 years validity, however each stay in the UK must not exceed the permitted length of stay endorsed on the visit visa (usually six months).
- Marriage/Civil Partnership Visitor: for those seeking to come to the UK to marry or form a civil partnership, or give notice of marriage or civil partnership.
- DELETED
- Transit Visitor: for those who want to transit the UK on route to another country outside the Common Travel Area and who will enter the UK for up to 48 hours by crossing the UK border unless Appendix Visitor: Transit Without Visa Scheme applies.

Visitors cannot work in the UK unless this is expressly allowed under the permitted activities set out in Appendix Visitor: Permitted Activities.

Further information of how long each Visitor can stay and what they can and cannot do in the UK is set out at V 17.2 and Appendix Visitor: Permitted Activities.

Entry requirements for Visitors

V 1.1. A person seeking to come to the UK as a Visitor must apply for and obtain entry clearance before they arrive in the UK if they are:

(a) a visa national, unless V 1.3. (b) applies; or

(b) seeking to marry or form a civil partnership, or give notice of marriage or civil partnership, in the UK unless they are a “relevant national” as defined in section 62 of the Immigration Act 2014; or

(c) seeking to come to the UK as a Visitor for more than 6 months.

V 1.2. Within the period for which the entry clearance is valid, a Visitor may enter and leave the UK multiple times, unless the entry clearance is endorsed as single or dual entry.

V 1.3. A person seeking to come to the UK as a Visitor may apply for permission to enter on

arrival in the UK where they are:

(a) a non-visa national, unless V 1.1. (b) or (c) apply; or
(b) a visa national and an exception applies as set out in Appendix Visitor: Visa National list or Appendix Visitor: Transit Without Visa Scheme.

V 1.4. A person seeking to enter the UK as a Visitor must, where required, under Appendix Electronic Travel Authorisation, obtain an Electronic Travel Authorisation before travelling to the UK.

V 1.5. A child who holds entry clearance as a Visitor on arrival in the UK must either:

(a) hold a valid entry clearance that states they are accompanied and will be travelling with an adult identified on that entry clearance; or
(b) hold an entry clearance which states they are unaccompanied; otherwise

the child may be refused entry to the UK, unless they meet the requirements of V 5.1. and V 5.2.

Validity requirements for entry clearance or permission to stay as a Visitor

V 2.1. A person applying for entry clearance as a Visitor must apply online on the gov.uk website on the specified form “Apply for a UK visit visa”.

V 2.2. A person applying for permission to stay as a Visitor must apply online on the gov.uk website on the specified form “Application to extend stay in the UK: FLR(IR)”.

V 2.3. An application for entry clearance or permission to stay as a Visitor must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

V 2.4. An application for entry clearance as a Visitor must be made while the applicant is outside the UK and to a post designated to accept such applications.

V 2.5. An application for permission to stay as a Visitor must be made by a person:

(a) in the UK; and
(b) with permission as a Standard visitor or Marriage/Civil Partnership Visitor.

V 2.6. An application which does not meet all the validity requirements for a Visitor may be rejected as invalid and not considered.

Suitability requirements for all Visitors

V 3.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

V 3.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for Visitors

V 4.1. The decision maker must be satisfied that the applicant (unless they are applying for entry clearance or permission to enter as a Transit Visitor) meets all of the eligibility requirements in V 4.2. to V 4.6. and that they meet the specified additional eligibility requirements where the applicant:

(a) is a child at the date of application, they must also meet the additional requirements at V 5.1. and V 5.2; or
(b) is coming to the UK under the Approved Destination Status Agreement, they must also meet the requirements at V 6.1; or
(c) is coming to the UK to receive private medical treatment, they must also meet the additional requirements at V 7.1. to V 7.3; or
(d) is coming to the UK as an organ donor, they must also meet the additional requirements at V 8.1. to V 8.4; or
(e) is coming to the UK to study as a Visitor, they must also meet the additional requirements at V 9.1. to V 9.5; or
(f) is an academic seeking a 12-month entry clearance, they must also meet the additional requirements at V 10.1; or
(g) is coming to the UK to undertake work related training, they must also meet the additional requirements at V 11.1. to V 11.3; or
(h) is coming to the UK to marry or form a civil partnership, or give notice of intention to marry or form a civil partnership, they must also meet the additional requirements at V 12.1. and V 12.2; or
(i) is coming to the UK to undertake permitted paid engagements, they must also meet the additional requirements in V 13.1. to V 13.3; or
(j) is applying for permission to stay as a visitor, they must also meet the additional requirements at V 15.1. to V 15.4.

Genuine visitor requirement

V 4.2. The applicant must satisfy the decision maker that they are a genuine visitor, which means the applicant:

(a) will leave the UK at the end of their visit; and
(b) will not live in the UK for extended periods through frequent or successive visits, or make the UK their main home; and
(c) is genuinely seeking entry or stay for a purpose that is permitted under the Visitor route as set out in Appendix Visitor: Permitted Activities and at V 13.3; and
(d) will not undertake any of the prohibited activities set out in V 4.4. to V 4.6; and

must have sufficient funds to cover all reasonable costs in relation to their visit without working or accessing public funds, including the cost of the return or onward (e) journey, any costs relating to their dependants, and the cost of planned “activities such as private medical treatment. The applicant must show that any funds they rely upon are held in a financial institution permitted under FIN 2.1 in Appendix Finance

V 4.3. In assessing whether an applicant has sufficient funds under V 4.2.(e), the applicant’s travel, maintenance and accommodation may be provided by a third party only if that third party:

(a) has a genuine professional or personal relationship with the applicant; and
(b) is not, or will not be, in breach of immigration laws at the time of the decision or the applicant’s entry to the UK as a Visitor; and
(c) can and will provide support to the applicant for the intended duration of the applicant’s stay as a Visitor.

Prohibited activities and payment requirements for Visitors

V 4.4. The Visitor must not intend to:

(a) work in the UK, which includes:

(i) taking employment in the UK; and

(ii) doing work for an organisation or business in the UK; and

(iii) establishing or running a business as a self-employed person; and

(iv) doing a work placement or internship; and

(v) direct selling to the public; and

(vi) providing goods and services,

unless expressly allowed by the permitted activities in Appendix Visitor: Permitted Activities or Appendix Visitor: Permit Free Festival List; or

(b) study in the UK, except as permitted by Appendix Visitor: Permitted Activities (and provided they meet the relevant additional requirements for study); or

(c) access medical treatment, other than private medical treatment or to donate an organ (for either of these activities they must meet the relevant additional eligibility requirements); or

(d) get married or form a civil partnership, or give notice of intention to marry or form a civil partnership, unless they are applying for entry clearance as a Marriage/Civil Partnership Visitor or are a relevant national as defined in section 62 of the Immigration Act 2014.

V 4.5. Permitted activities must not amount to the Visitor undertaking employment, or doing work which amounts to them filling a role or providing short-term cover for a role within a UK based organisation and where the Visitor is already paid and employed outside of the UK they must remain so.

V 4.6. The Visitor must not receive payment from a UK source for any activities undertaken in the UK, except for the following:

(a) reasonable expenses to cover the cost of their travel and subsistence, including fees for directors attending board-level meetings; or

(b) international drivers or Seafarers undertaking activities permitted under PA 9.2 to PA 9.4; or

(c) prize money; or

(d) billing a UK client for their time in the UK, where the Visitor's overseas employer is contracted to provide services to a UK company, and the majority of the contract work is carried out overseas (payment must be lower than the amount of the Visitor's salary); or

(e) multi-national companies who, for administrative reasons, handle payment of their employees' salaries from the UK; or

(f) paid performances at a permit free festival as listed in Appendix Visitor: Permit Free Festival List, where the Visitor is an artist, entertainer or musician; or

(g) the permitted paid engagements listed in V 13.3, providing the requirements in V 13.1 and V 13.2 are met.

Additional eligibility requirements for children

V 5.1. Adequate arrangements must have been made for a child's travel to, reception and care in the UK.

V 5.2. If the child is not travelling with a parent or legal guardian, based in their home country or country of ordinary residence, who is responsible for their care, that parent or legal guardian must consent to the child's travel to, reception and care in the UK and, where requested, this consent must be given in writing.

Additional eligibility requirement for Visitors under the Approved Destination Status Agreement

V 6.1. A person applying for entry clearance as a Visitor under the Approved Destination Status Agreement must:

(a) be a national of the People's Republic of China; and

(b) intend to enter, leave and travel within the UK as a member of a tourist group under the Approved Destination Status Agreement.

Additional eligibility requirements for Visitors coming to the UK to receive private medical treatment

V 7.1. If the applicant is suffering from a communicable disease they must have satisfied the medical inspector that they are not a danger to public health.

V 7.2. The applicant must have arranged their private medical treatment before they travel to the UK, and must provide either:

(a) a letter from their doctor or consultant in the UK detailing:

(i) the medical condition requiring consultation or treatment; and

(ii) the estimated costs and likely duration of any treatment, which must be of a finite duration; and

(iii) where the consultation or treatment will take place; or

(b) if the applicant intends to receive NHS treatment under a reciprocal healthcare arrangement between the UK and another country, an authorisation form issued by the government of that country.

V 7.3. If the applicant is applying for an 11-month entry clearance for the purposes of private medical treatment they must also:

(a) provide either:

(i) evidence from their doctor or consultant in the UK that the proposed treatment is likely to exceed 6 months, but not more than 11 months; or

(ii) if the applicant intends to receive NHS treatment under a reciprocal healthcare arrangement between the UK and another country, an authorisation form issued by the government of that country which clearly states that the proposed treatment is likely to exceed 6 months, but not more than 11 months; and

(b) if Appendix Tuberculosis applies, provide a valid medical certificate, confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Additional eligibility requirements for Visitors coming to the UK to donate an organ

V 8.1. The applicant must satisfy the decision maker that they genuinely intend to donate an organ to, or be assessed as a potential organ donor for, an identified recipient in the UK with whom they have a genetic or close personal relationship.

V 8.2. The applicant must provide written confirmation of medical tests to show that they are a donor match to the identified recipient, or that they are undergoing further tests to be assessed as a potential donor to the identified recipient.

V 8.3. The applicant must provide a letter, dated no more than 3 months before the applicant's intended date of arrival in the UK from either:

(a) the lead nurse or coordinator of the UK NHS Trust's Living Donor Kidney Transplant team; or

(b) a UK registered medical practitioner who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council;

which confirms that the applicant meets the requirements in V 8.1. and V 8.2. and confirms when and where the planned organ transplant or medical tests will take place.

V 8.4. The applicant must be able to show, if required to do so, that the identified recipient is lawfully present in the UK, or will be at the time of the planned organ transplant.

Additional eligibility requirements for Visitors coming to the UK to study for up to six months

V 9.1 Where the applicant is seeking to come to the UK to study, they must have been accepted onto a course of study that is to be provided by an Accredited Institution that is not a State Funded School or Academy.

V 9.2. The course of study referred to in V 9.1. must last no longer than six months unless the course is being undertaken from outside the UK as a Distance Learning Course.

V 9.3. Where the applicant is seeking to come to the UK for up to six months to undertake electives relevant to a course of study abroad, they must:

(a) be aged 16 or over; and

(b) be enrolled on a course of study abroad equivalent to at least degree level study in the UK; and

(c) be studying medicine, veterinary medicine and science, nursing, midwifery, or dentistry as their principle course of study; and

(d) have been accepted by a UK Higher Education Provider to undertake electives relevant to their course of study provided these are unpaid and involve no treatment of patients; and

(e) provide written confirmation from the UK Higher Education Provider.

V 9.4. Where the applicant is seeking to come to the UK to undertake research or be taught about research (research tuition) for up to six months:

(a) they must be aged 16 or over; and

(b) they must be enrolled on a course of study abroad equivalent to at least degree level study in the UK; and

(c) they must have been accepted by a UK Higher Education Provider to undertake research or be taught about research (research tuition); and

(d) the overseas course provider must confirm that the research or research tuition is part of or relevant to the course of study that they are enrolled on overseas; and

(e) this must not amount to the Visitor being employed at the UK institution.

V 9.5. The research or research tuition referred to in V 9.4. may be undertaken at a UK research institute, providing a formal partnership exists between the research institute and the UK Higher Education Provider for this purpose.

Additional eligibility requirements for academics seeking to come to the UK for more than 6 months

V 10.1. An academic applying for a 12-month entry clearance must:

(a) intend to undertake one (or more) of the following activities for up to 12 months: be highly qualified within their own field of expertise; and

(i) take part in formal exchange arrangements with UK counterparts (including doctors); or

(ii) carry out research for their own purposes, if they are on sabbatical leave from their home institution; or
(iii) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice, provided this does not amount to filling a permanent teaching post; and

(b) currently be working in that field at an academic institution or institution of higher education overseas; and
(c) if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Additional eligibility requirements for Visitors coming to the UK for work related training

V 11.1. Where the applicant is seeking to come to the UK to undertake a clinical attachment or dental observer post as an overseas graduate from a medical, dental or nursing school, they must provide written confirmation of their offer to take up this post and confirm they have not previously undertaken this activity in the UK.

V 11.2. Where the applicant is seeking to come to the UK to take the Professional and Linguistic Assessment Board test, they must provide written confirmation of this from the General Medical Council.

V 11.3. Where the applicant is seeking to come to the UK to take the Objective Structured Clinical Examinations for overseas, they must provide written confirmation of this from the Nursing and Midwifery Council.

Additional eligibility requirement for Visitors coming to the UK for purpose of marriage or civil partnership

V 12.1. The applicant must be aged 18 or over on the date of application.

V 12.2. The applicant must, within the period for which they are seeking permission as a Visitor:

(a) intend to give notice of marriage or civil partnership in the UK; or
(b) intend to marry or form a civil partnership in the UK;

which is not a sham marriage or sham civil partnership.

Additional eligibility requirement for Visitors coming to the UK for Permitted Paid Engagements

V 13.1. Where the applicant is seeking to come to the UK to undertake a permitted paid engagement, they must be aged 18 or over when they enter the UK.

V 13.2. The applicant must intend to do one (or more) of the permitted paid engagements set out in V 13.3. which must be:

(a) arranged before the applicant travels to the UK; and
(b) declared as part of the application for entry clearance or permission to enter the UK; and
(c) evidenced by a formal invitation, as required by V 13.3; and
(d) relate to the applicant's area of expertise and occupation overseas.

V 13.3. The following are permitted paid engagements:

(a) an academic who is highly qualified within their field of expertise, coming to examine students and/or participate in or chair selection panels, and have been invited by a UK

higher education institution, or a UK-based research or arts organisation as part of that institution or organisation's quality assurance processes; and

(b) an expert coming to give lectures in their subject area, where they have been invited by a higher education institution, or a UK-based research or arts organisation, and this does not amount to filling a teaching position for the host organisation; and

(c) an overseas designated pilot examiner coming to assess UK-based pilots to ensure they meet the national aviation regulatory requirements of other countries, where they have been invited by an approved training organisation based in the UK that is regulated by the UK Civil Aviation Authority for that purpose; and

(d) a qualified lawyer coming to provide advocacy for a court or tribunal hearing, arbitration or other form of dispute resolution for legal proceedings within the UK, where they have been invited by a client; and

(e) a professional artist, entertainer, or musician coming to carry out an activity directly relating to their profession, where they have been invited by a creative (arts or entertainment) organisation, agent or broadcaster based in the UK; and

(f) a Professional Sportsperson coming to carry out an activity directly relating to their profession, where they have been invited by a sports organisation, agent, or broadcaster based in the UK; and

(g) a speaker coming to the UK to give a one-off or short series of talks and speeches, where they have been invited to a conference or other event.

Eligibility requirement for Visitors coming to the UK to transit

V 14.1. A visa national must hold entry clearance as a Standard Visitor, Marriage/Civil Partnership Visitor or Transit Visitor, unless they meet the requirements for admission under Appendix Visitor: Transit Without Visa Scheme, in which case they may apply for permission to enter on arrival in the UK.

V 14.2. An applicant applying for entry clearance or permission to enter as a Transit Visitor must satisfy the decision maker that they:

(a) are genuinely in transit to another country outside the Common Travel Area, meaning the main purpose of their visit is to transit the UK (passing through immigration control) and that the applicant is taking a reasonable transit route; and

(b) will not access public funds or medical treatment, work or study in the UK; and

(c) genuinely intend and are able to leave the UK within 48 hours after their arrival; and

(d) are assured entry to their country of destination and any other countries they are transiting on their way there.

Additional eligibility requirements for permission to stay as a Visitor

V 15.1. Where the applicant is applying for permission to stay as a Visitor for the purpose of receiving private medical treatment they must also:

(a) satisfy the decision maker that the costs of any medical treatment already received have been met; and

(b) provide either:

(i) a letter from a registered medical practitioner, at a private practice or NHS hospital, who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council, detailing the medical condition requiring further treatment; or

(ii) if the applicant intends to continue to receive NHS treatment under a reciprocal healthcare arrangement between the UK and another country, an authorisation form issued by the government of that country which authorises further treatment.

V 15.2. Where the applicant applying for permission to stay is an academic (or the accompanying partner or child of such an academic) they must:

(a) continue to intend to:

(i) take part in formal exchange arrangements with UK counterparts (including doctors); or

(ii) carry out research for their own purposes, if they are on sabbatical leave from their home institution; or

(iii) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice, provided this does not amount to filling a permanent teaching post; and

(b) be highly qualified within their own field of expertise; and

(c) have been working in that field at an academic institution or institution of higher education overseas prior to their arrival in the UK.

V 15.3. Where the applicant is applying for permission to stay as a Visitor to resit the Professional and Linguistic Assessment Board Test, they must provide written confirmation of this from the General Medical Council.

V 15.4. Where the applicant is applying for permission to stay as a Visitor and they are an overseas graduate of a medical, dental or nursing school intending to undertake an unpaid clinical attachment or dental observer post, they must have been successful in the Professional and Linguistic Assessment Board test.

Decision

V 16.1. If the decision maker is satisfied that all the suitability requirements are met, and that the relevant eligibility requirements for a Visitor are met, the application will be granted, otherwise the application will be refused.

Period and conditions of grant for Visitors

V 17.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) no work (which does not prohibit the permitted activities in Appendix Visitor: Permitted Activities or Appendix Visitor: Permit Free Festival List); and

(c) no study except where permitted by Appendix Visitor: Permitted Activities at PA 2. and PA 17.

(d) study or research as part of a permitted activity is subject to the ATAS condition in Appendix ATAS.

V 17.2. Entry clearance and permission to enter as a Visitor will be granted for the periods set out in the following table:

	Visitor type	**Maximum initial length of stay in UK**
(a)	Standard Visitor	up to 6 months, except: (i) a Visitor who is coming to the UK for private medical treatment may be granted entry clearance for up to 11 months; (ii) an academic (or the accompanying partner or child

		of such an academic), who is employed by an overseas institution and is carrying out the specific permitted activities at V 10.1(a), may be granted entry clearance for up to 12 months; (iii) a Visitor under the Approved Destination Status Agreement may be granted entry clearance for up to 30 days.
(b)	Marriage/Civil Partnership Visitor	up to 6 months
(c)	Transit Visitor	up to 48 hours, except for permission to enter as a Transit Visitor under the Transit Without Visa Scheme which may be granted until 23:59 hours on the next day after the day the applicant arrived in the UK.

V 17.3. Permission to stay will be granted for the following periods:

(a) a Standard Visitor or a Marriage/Civil Partnership Visitor, who was granted permission for less than 6 months may be granted permission to stay for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 6 months; and

(b) a Standard Visitor who is in the UK for private medical treatment may be granted permission to stay as a Visitor for a further 6 months, provided the purpose is for private medical treatment; and

(c) a Standard Visitor who is in the UK to undertake the activities in V 10.1 (a), or the accompanying partner or child of such a Standard Visitor, may be granted permission to stay for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 12 months; and

(d) a Standard Visitor may be granted permission to stay as a visitor for up to 6 months in order to resit the Professional and Linguistic Assessment Board Test; and

(e) a Standard Visitor who is successful in the Professional and Linguistic Assessment Board Test may be granted permission to stay as a Visitor to undertake the activities in PA 10.1. (a) for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 18 months.

Back to top

Immigration Rules

Appendix Visitor: Permitted Activities

Permitted Activities for Visitors

PA 1. Visitors are permitted to undertake the following activities:

	Visitor type	Visitors of this type can:
(a)	Standard Visitor	do all permitted activities in Appendix Visitor: Permitted Activities, except Visitors under the Approved Destination Status Agreement may only do the activities in PA 2(a).
(b)	Marriage/Civil Partnership Visitor	marry or form a civil partnership, or give notice of marriage or civil partnership and do all permitted activities in Appendix Visitor: Permitted Activities, other than study as described in PA 17 and the permitted paid engagements in PA 19.
(c)	Transit Visitor	transit the UK as described in PA 18.

Tourism and Leisure

PA 2. A Visitor may:

(a) visit friends and family and / or come to the UK for a holiday; and
(b) take part in educational exchanges or visits with a state funded school or academy or independent school; and
(c) attend recreational courses (not English Language training) for a maximum of 30 days.

Volunteering

PA 3. A Visitor may undertake volunteering provided it lasts no more than 30 days in total and is for a charity that is registered with either the Charity Commission for England and Wales; the Charity Commission for Northern Ireland; or the Office of the Scottish Charity Regulator.

General Business Activities

PA 4. A Visitor may:

(a) attend meetings, conferences, seminars, interviews; and
(b) give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser; and
(c) negotiate and sign deals and contracts; and
(d) attend trade fairs, for promotional work only, provided the Visitor is not directly selling; and
(e) carry out site visits and inspections; and
(f) gather information for their employment overseas; and
(g) be briefed on the requirements of a UK based customer, provided any work for the customer is done outside of the UK; and
(h) undertake activities relating to their employment overseas remotely from within the UK, providing this is not the primary purpose of their visit.

Intra-corporate Activities

PA 5.1. An employee of an overseas based company may:

(a) advise and consult; and
(b) trouble-shoot; and
(c) provide training; and
(d) share skills and knowledge;

on a specific internal project with UK employees of the same corporate group.

PA 5.2. An employee of an overseas based company may also undertake the activities in PA 5.1. directly with clients, providing:
(a) the employee's movement is in an intra-corporate setting and any client facing activity is incidental to their employment abroad; and
(b) these activities are required for the delivery of a project or service by the UK branch of the Visitor's employer overseas, and are not part of a project or service that is being delivered directly to the UK client by the Visitor's employer overseas.

PA 6. An internal auditor may carry out regulatory or financial audits at a UK branch of the same group of companies as the Visitor's employer overseas.

Manufacture and supply of goods to the UK

An employee of an overseas company may install, dismantle, repair, service or advise on machinery, equipment, computer software or hardware (or train UK based workers to provide these services) where there is a contract of purchase, supply or lease with a UK company or organisation and either:

(a) the overseas company is the manufacturer or supplier; or
(b) the overseas company is part of a contractual arrangement for after sales services agreed at the time of the sale or lease, including in a warranty or other service contract incidental to the sale or lease.

Clients of UK export companies

PA 8. A client of a UK export company may be seconded to the UK company in order to oversee the requirements for goods and services that are being provided under contract by the UK company or its subsidiary company, provided the two companies are not part of the same group.

Overseas roles requiring specific activities in the UK

PA 9.1. Individuals employed outside the UK may visit the UK to take part in the following activities in relation to their employment overseas:

(a) a translator and/or interpreter may translate and/or interpret in the UK as an employee of an enterprise located overseas; or
(b) personal assistants and bodyguards may support an overseas business person in carrying out permitted activities, provided they will attend the same event(s) as the business person and are employed by them outside the UK. They must not be providing personal care or domestic work for the business person; or
(c) a tour group courier, contracted to a company with its headquarters outside the UK, who is entering and departing the UK with a tour group organised by their company; or
(d) a journalist, correspondent, producer or cameraman gathering information for an overseas publication, programme or film; or

(e) archaeologists taking part in a one-off archaeological excavation; or

(f) a professor from an overseas academic institution accompanying students to the UK as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation providing this does not amount to filling a permanent teaching role for that institution; or

(g) market researchers and analysts may conduct market research or analysis for an enterprise located outside the UK; or

(h) between 01 March and 31 October a pilot or cabin crew member may work in the UK temporarily under the terms of a Civil Aviation Authority approved Wet Lease Agreement, providing they remain employed and renumerated overseas.

PA 9.2. Drivers on a genuine international route between the UK and a country outside the UK may:

(a) deliver or collect goods or passengers from a country outside the UK to the UK; and

(b) undertake cabotage operations.

PA 9.3. Drivers under PA 9.2. must be employed or contracted to an operator registered in a country outside the UK or be a self-employed operator and driver based outside the UK and the operator must hold an International Operators Licence or be operating on an own account basis.

PA 9.4. A Seafarer working on a vessel on a genuine international route between a port in the UK and a port outside the UK may:

(a) deliver or collect goods or passengers from a port outside the UK to bring to the UK port; and

(b) call at up to a further 10 UK ports within a 60-day time period to deliver or collect goods or passengers before travelling to a port outside the UK.

Work-related training

PA 10.1. Overseas graduates from medical, dental or nursing schools may:

(a) undertake clinical attachments or dental observer posts provided these are unpaid and involve no treatment of patients, where the additional requirements of Appendix V: Visitor at V 11.1. are also met; and

(b) take the following test/examination in the UK:

(i) the Professional and Linguistic Assessment Board test, where the additional requirements of Appendix V: Visitor at V 11.2. are also met; or

(ii) the Objective Structured Clinical Examinations for overseas, where the additional requirements of Appendix V: Visitor at V 11.3. are also met.

PA 10.2. Employees of an overseas company or organisation may receive training from a UK based company or organisation in work practices and techniques which are required for the Visitor's employment overseas and not available in their home country.

PA 10.3. An employee of an overseas based training company may deliver a short series of training to employees of a UK based company, where the trainer is employed by an overseas business contracted to deliver global training to the international corporate group to which the UK based company belongs.

Science and academia

PA 11.1. Academics, scientists, and researchers may:

(a) take part in formal exchange arrangements with UK counterparts (including doctors); and
(b) collaborate, gather information and facts, or conduct research, either for a specific project which directly relates to their employment overseas, or independently; and
(c) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice, provided this does not amount to filling a permanent teaching post.

PA 11.2. DELETED.

Legal

PA 12.1. An expert witness may visit the UK to give evidence in a UK court; other witnesses may attend a court hearing in the UK if summoned in person by a UK court.

PA 12.2. An overseas lawyer may provide legal services including:
(a) advice; and
(b) appearing in arbitrations; and
(c) acting as an arbitrator or mediator; and
(d) acting as an expert witness; and
(e) appearing in court in jurisdictions which allow short term call or where qualified in that jurisdiction; and
(f) conferences, teaching; and
(g) providing advocacy for a court or tribunal hearing; and
(h) litigation; and
(i) transactional legal services, including drafting contracts.

Religion

PA 13. Religious workers overseas may visit the UK to preach or do pastoral work.

Creative

PA 14.1. An artist, entertainer, or musician may:
(a) give performances as an individual or as part of a group; and
(b) take part in competitions or auditions; and
(c) make personal appearances and take part in promotional activities; and
(d) take part in one or more cultural events or festivals on the list of permit free festivals in Appendix Visitor: Permit Free Festival List.

PA 14.2. Personal or technical staff or members of the production team of an artist, entertainer or musician may support the activities in PA 14.1. or Appendix V: Visitor at V 13.3. (e) provided they are attending the same event as the artist, entertainer or musician, and are employed to work for them outside of the UK.

PA.14.3. Film crew (actor, producer, director or technician) employed by an overseas company may visit the UK to take part in a location shoot for a film or programme or other media content that is produced and financed overseas.

Sports

PA 15.1. A sports person may:
(a) take part in a sports tournament or sports event as an individual or part of a team; and
(b) make personal appearances and take part in promotional activities; and
(c) take part in trials provided they are not in front of a paying audience; and
(d) take part in short periods of training provided they are not being paid by a UK sporting body; and

(e) join an amateur team or club to gain experience in a particular sport if they are an amateur in that sport.

PA 15.2. Personal or technical staff of the sports person may support the activities in PA 15.1. or in Appendix V: Visitor at V 13.3.(f), if they are attending the same event as the sports person. Personal or technical staff of the sports person must be employed to work for the sports person outside the UK.

PA 15.3. Sports officials may support a sports tournament or sports event, where they have been invited by either:

(a) a sports organisation, agent, or broadcaster based in the UK; or
(b) a sports person with permission as a Visitor undertaking the activities in PA 15.1. or in Appendix V: Visitor at V 13.3.(f), at the same sports tournament or sports event.

Medical treatment and organ donation

PA 16.1. A Visitor may receive private medical treatment provided the additional requirements at Appendix V: Visitor at V 7.1. to V 7.3. are also met.

PA.16.2. A Visitor may act as an organ donor or be assessed as a potential organ donor to an identified recipient in the UK, provided the additional requirements at Appendix V: Visitor at V 8.1. to V 8.4. are also met.

Study as a Visitor

PA 17. A Visitor may study for up to six months providing the requirements of V 9.1. to V 9.5. are met.

Transit

PA 18. A Visitor may transit the UK, provided they meet the requirements of Appendix V: Visitor at V 14.1. and V 14.2.

Permitted Paid Engagements

PA 19. A Visitor may undertake the permitted paid engagements in V 13.3, providing they are completed within 30 days of the Visitor’s entry to the UK, and the requirements of V 13.1. to V 13.2. are met.

Back to top

Immigration Rules

Appendix Visitor: Visa national list

List of nationalities requiring entry clearance prior to travel to the UK as a Visitor, or for any other purpose for less than six months

VN 1.1. “A person who meets one or more of the criteria below needs entry clearance (a visa) in advance of travel to the UK for any purpose, unless they meet one of the exceptions set out in VN2.1 and VN2.2. (subject to VN 2.3.).

(a) Nationals or citizens of the following countries or territorial entities (a “*” indicates there are exceptions in VN 2.2 to VN 6.5):

Afghanistan
Albania
Algeria
Angola
Armenia
Azerbaijan
Bangladesh
Belarus
Benin
Bhutan
Bolivia
Bosnia Herzegovina
Burkina Faso
Burundi
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
People's Republic of China*
Comoros
Congo
Côte d’Ivoire (formerly Ivory Coast)
Cuba
Democratic Republic of the Congo
Djibouti
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Eswatini (formerly Swaziland)
Ethiopia
Fiji
Gabon

Gambia
Georgia
Ghana
Guinea
Guinea Bissau
Haiti
Honduras
India
Indonesia*
Iran
Iraq
Jamaica
Jordan
Kazakhstan
Kenya
Korea (North)
Kosovo
Kyrgyzstan
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malawi
Mali
Mauritania
Moldova
Mongolia
Montenegro
Morocco
Mozambique
Myanmar (formerly Burma)
Namibia
Nepal
Niger
Nigeria
North Macedonia (formerly Macedonia)
Pakistan
Philippines
Russia
Rwanda
São Tomé and Principe
Senegal
Serbia
Sierra Leone
Somalia
South Africa*
South Sudan
Sri Lanka
Sudan
Suriname

Syria
Taiwan*
Tajikistan
Tanzania
Thailand
Timor-Leste
Togo
Tunisia
Turkey *
Turkmenistan
Uganda
Ukraine
Uzbekistan
Vanuatu
Venezuela
Vietnam*
Yemen
Zambia
Zimbabwe

(b) stateless people; and
(c) people travelling on any document other than a national passport, or, in the case of a person to whom paragraphs 11A and 11B of these rules apply, a national identity card, regardless of whether the document is issued by or evidences nationality of a state not listed in VN 1.1. (a), except where that document has been issued by the UK.

Exceptions to the list of visa nationals

Holders of specified travel documents

VN 2.1. It is not necessary for a Transit Visitor to hold an entry clearance before they travel to the UK if they are travelling on an emergency travel document issued by, and evidencing the nationality of, a country not listed in VN 1.1.(a) and the purpose of their transit is to travel to the country in which they are ordinarily resident.

VN 2.2. The following people do not need a visit visa before they travel to the UK as a Visitor, other than where VN 2.3. applies:

(a) nationals or citizens of the People's Republic of China who hold a passport issued by the Hong Kong Special Administrative Region; or
(b) nationals or citizens of the People's Republic of China who hold a passport issued by the Macao Special Administrative Region; or
(c) nationals or citizens of Taiwan who hold a passport issued by Taiwan that includes in it the number of the identification card issued by the competent authority in Taiwan; or
(d) people who hold a Service, Temporary Service or Diplomatic passport issued by the Holy See; or
(e) DELETED.
(f) DELETED.
(g) DELETED.
(h) nationals or citizens of Turkey who hold a diplomatic passport issued by Turkey; or
(i) DELETED.
(j) DELETED.
(k) nationals or citizens of South Africa who hold a diplomatic passport issued by South Africa; or
(l) nationals or citizens of Vietnam who hold a diplomatic passport issued by Vietnam; or

(m) nationals or citizens of Indonesia who hold a diplomatic passport issued by Indonesia.
(n) DELETED
(o) nationals or citizens of Jordan, who hold a valid Electronic Travel Authorisation and a confirmed booking to the UK made before 15:00 BST on 10 September 2024 where arrival in the UK is no later than 15:00 BST on 8 October 2024.

VN 2.3. VN 2.2. does not apply where the person is:
(a) visiting the UK to marry or to form a civil partnership, or to give notice of marriage or civil partnership, unless they are a "relevant national" as defined in section 62 of the Immigration Act 2014; or
(b) seeking to visit the UK for more than 6 months.

Exception where the applicant holds an Electronic Visa Waiver (EVW) Document (Bahrain, Kuwait, Oman, Saudi Arabia and United Arab Emirates nationals or citizens only)
VN 3.1. DELETED.

VN 3.2. DELETED.

VN 3.3. DELETED.

Obtaining an Electronic Visa Waiver Document
VN 4.1. DELETED.

VN 4.2. DELETED.

VN 4.3. DELETED.

Validity Requirements for an Electronic Visa Waiver Document
VN 5.1. DELETED.

VN 5.2. DELETED.

VN 5.3. DELETED.

VN 5.4. DELETED.

VN 5.5. DELETED.

VN 5.6. DELETED.

VN 5.7. DELETED.

Use of the Electronic Visa Waiver Document
VN 6.1. DELETED.

VN 6.2. DELETED.

VN 6.3. DELETED.

VN 6.4. DELETED.

VN 6.5. DELETED.

Exception where the Visitor is a person aged 18 or under on an organised trip from a school in France

VN 7.0. Nationals or citizens of any country who are aged 18 or under, studying at a school or educational institution in France registered with the French Ministry of Education and seeking to enter the UK as part of a school party of 5 or more pupils organised by that school or institution, do not need entry clearance before they travel to the UK as a Visitor.

Back to top

Immigration Rules

Appendix Visitor: Permit Free Festival List

List of Permit Free Festivals

PFF 1. An artist, entertainer or musician visiting the UK to perform at one or more of the following permit free festivals may receive payment to do so:

- Africa Oyé
- Aldeburgh Festival
- All Points East
- American Express presents BST Hyde Park
- Barbican Festivals – Live from the Barbican
- Belfast International Arts Festival
- Belsonic
- Billingham International Folklore Festival of World Dance
- Birmingham Jazz & Blues Festival
- Boomtown Festival
- Bradford Literature Festival
- Brass
- Breakin' Convention
- Brighton Festival
- Brighton Fringe
- Cambridge Folk Festival
- Camp Bestival Dorset
- Camp Bestival Shropshire
- Celtic Connections
- Cheltenham Festivals (Jazz, Science, Music & Literature Festivals)
- Cornwall International Male Choral Festival
- Creamfields North
- Creamfields South
- C2C: Country to Country Festival
- DaDaFest International
- Dance Umbrella
- Download
- Edinburgh Festival Fringe
- Edinburgh International Book Festival
- Edinburgh International Children's Festival
- Edinburgh International Festival
- Edinburgh International Jazz and Blues Festival
- Fierce Festival Ltd
- Flamenco Festival at Sadler's Wells Theatre
- Freedom Festival Arts Trust
- Garsington Opera
- Glasgow International Jazz Festival
- Glastonbury Festival
- Global Streets
- Glyndebourne
- Greenbelt

- Greenwich and Docklands International Festival
- Green Man
- Harrogate International Festivals
- Hay Festival Foundation Ltd
- Huddersfield Contemporary Music Festival
- Isle of Wight Festival
- Latitude
- Leeds Festival
- Llangollen International Musical Eisteddfod
- London International Festival of Theatre (LIFT)
- Love Supreme
- Manchester International Festival
- Meltdown (Southbank Centre)
- Norfolk & Norwich Festival
- Out There Festival
- Parklife
- Reading Festival
- Shubbak
- Sonica
- Southbank Centre Festivals
- SPECTRA Festival of Light
- Summer at Snape
- Terminal V
- The EFG London Jazz Festival
- The Great Escape Festival
- The Royal Edinburgh Military Tattoo
- The Warehouse Project
- VAULT Festival
- Wilderness
- Wireless Festival
- WOMAD
- WWE Live.

Back to top

Immigration Rules

Appendix Visitor: Transit Without Visa Scheme

Immigration rules for Visa Nationals transiting the UK landside without a visa.

TWOV 1. To be granted permission to enter as a Transit Visitor under the Transit Without Visa Scheme a visa national must meet all the requirements at TWOV 2. and one of the requirements at TWOV 3.

TWOV 2. The applicant must:

(a) have arrived in the UK by air and will be departing by air; and
(b) be genuinely in transit to another country, meaning the purpose of their visit is to transit the UK and that the applicant is taking a reasonable transit route; and
(c) not access public funds or medical treatment, work or study in the UK; and
(d) genuinely intend and be able to leave the UK before 23:59 hours on the day after the day when they arrived; and
(e) have a confirmed booking on a flight departing the UK before 23:59 hours on the day after the day when they arrived; and
(f) be assured entry to their country of destination and any other countries they are transiting through on their way there.

TWOV 3. The applicant must also:

(a) be travelling to or from (or on part of a reasonable journey to or from) Australia, Canada, New Zealand or the USA and have a valid visa for that country; or
(b) be travelling from (or on part of a reasonable journey from) Australia, Canada, New Zealand or the USA and it is less than 6 months since he last entered that country with a valid entry visa; or
(c) hold a valid permanent residence permit issued by either:
    (i) Australia; or
    (ii) Canada, issued after 28 June 2002; or
    (iii) New Zealand; or
(d) hold a valid USA, I-551 permanent resident card issued on or after 21 April 1998; or
(e) hold a valid USA I-551 temporary immigrant visa (a wet-ink stamp version will not be accepted); or
(f) hold an expired USA I-551 permanent resident card issued on or after 21 April 1998, provided it is accompanied by a valid I-797 letter authorising extension of the period of permanent residency; or
(g) hold a valid standalone US immigration form 155A/155B attached to a sealed brown envelope; or
(h) hold a valid common format residence permit issued by an EEA state (pursuant to Council Regulation (EC) No. 1030/2002) or Switzerland; or
(i) hold a valid uniform format category D visa for entry to a state in the European Economic Area (EEA) or Switzerland; or
(j) be travelling on to the Republic of Ireland and have a valid Irish biometric visa; or
(k) be travelling from the Republic of Ireland and it is less than three months since the applicant was last given permission to land or be in the Republic by the Irish authorities with a valid Irish biometric visa.

TWOV 4. Paragraph TWOV 3.(a) and (b) do not apply where the transit passenger is a citizen or national of Syria holding a B1 or B2 category visa for entry to the United States of America.

TWOV 5. Electronic versions of any documents listed in TWOV 3. such as electronic visas (including printed versions), will not be accepted.

Back to top

Immigration Rules

Appendix Electronic Travel Authorisation

An Electronic Travel Authorisation (ETA) is required by specified nationals in advance of travel to the UK.

The holder of an ETA will need to obtain permission to enter on arrival in the UK but can be refused entry if they require an ETA and do not have one.

An application for an ETA may be granted through automated processing.
A person who is refused an ETA has not been refused permission to enter the UK and will need to apply for a visa if they wish to come to the UK.

The ETA application process will open on 25 October 2023 only for Qatari nationals who intend to travel to the UK on or after 15 November 2023.

The ETA application process will open on 1 February 2024 only for nationals of Bahrain, Kuwait, Oman, United Arab Emirate or Saudi Arabia who intend to travel to the UK on or after 22 February 2024.

Validity requirements for an Electronic Travel Authorisation

ETA 1.1. An application for an ETA must meet the following requirements:

(a) the application must be made in accordance with the application process on the gov.uk website using either the mobile application ‘UK ETA’ or the specified online form: ‘Apply for an ETA to come to the UK’; and

(b) the applicant must provide an email address which can be used by the Home Office to contact them; and

(c) the required fee must be paid; and

(d) the applicant must provide, in accordance with the application process, a passport which satisfactorily establishes their identity and nationality; and

(e) the applicant must provide a facial image in accordance with the application process and which complies with the rules for digital photos on ‘https://www.gov.uk/photos-for-passports’; and

(f) the applicant must be seeking permission to enter the UK as either:

(i) a Visitor (other than a Marriage/Civil Partnership Visitor), staying in the UK for up to 6 months; or
(ii) a Creative Worker who is seeking entry to the UK pursuant to paragraph Appendix Temporary Work - Creative Worker at CRV 3.2.

ETA 1.2. The applicant must be:

(a) a national of Qatar who intends to travel to the UK on or after 15 November 2023; or
(b) a national of Bahrain, Kuwait, Oman, United Arab Emirates or Saudi Arabia who intends to travel to the UK on or after 22 February 2024.

ETA 1.3. An applicant who is lawfully resident in the Republic of Ireland and is travelling to the UK from elsewhere in the Common Travel Area does not need to obtain an ETA.

ETA 1.4. For the purposes of ETA 1.3, a person is lawfully resident in the Republic of Ireland if they are resident in, and entitled to reside in, the Republic of Ireland under any relevant legislation or rules which apply in the Republic of Ireland at the time of the ETA application, but a person is not lawfully resident if they may not leave or attempt to leave the Republic of Ireland without the consent of an Irish Minister.

ETA 1.5. An application which does not meet the validity requirements for an ETA application is invalid and must be rejected and not considered.

ETA 1.6. A person who is aged 16 or over who is seeking to rely on the exemption in ETA 1.3 must, if required, provide evidence to demonstrate that they are lawfully resident in the Republic of Ireland.

ETA 1.7. A person who is a British Overseas Territory Citizen does not require an ETA.

ETA 1.8. Subject to the conditions of VN 2.2(o) being met, a national of Jordan is permitted to travel using an ETA and arrive in the UK no later than 15:00 BST on 8 October 2024, where an ETA has been granted before 15:00 BST on 10 September 2024.

Suitability requirements for an ETA

Exclusion or deportation order grounds

ETA 2.1. An application for an ETA must be refused where:

(a) the Secretary of State has personally directed that the applicant be excluded from the UK; or
(b) the applicant is the subject of an exclusion order; or
(c) the applicant is the subject of a deportation order, or a decision to make a deportation order.

Criminality grounds

ETA 2.2. An application for an ETA must be refused where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
(b) has been convicted of a criminal offence in the UK or overseas unless more than 12 months have passed since the date of conviction.

Non-conducive grounds

ETA 2.3. An application for an ETA must be refused where the applicant's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).

Previous breach of immigration laws grounds

ETA 2.4. An application for an ETA must be refused if, when they were aged 18 or over, the applicant:

(a) overstayed their permission, unless;

(i) the Home Office holds a record that permission was subsequently granted with knowledge of the overstaying; or

(ii) the person left the UK voluntarily, not at the expense (directly or indirectly) of the Secretary of State; or

(iii) the person overstayed for 90 days or less, where the overstaying began before 6 April 2017; or

(iv) the person overstayed for 30 days or less, where the overstaying began on or after 6 April 2017; or

(v) paragraph 39E applies to the period of overstaying.

or

(b) breached a condition attached to their permission, unless entry clearance or further permission was subsequently granted with knowledge of the breach; or

(c) was (or still is) an illegal entrant; or

(d) used deception in relation to an immigration application (whether or not successfully).

False representations, etc. grounds

ETA 2.5. An application for an ETA must be refused where, in relation to the current or a previous ETA application:

(a) false representations were made, or false documents or false information was submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or

(b) relevant facts were not disclosed.

Debt to the NHS grounds

ETA 2.6. DELETED.

Unpaid litigation costs grounds

ETA 2.7. An application for an ETA must be refused where the applicant has failed to pay litigation costs awarded to the Home Office.

Decision on an ETA application

ETA 3.1. If the Secretary of State is satisfied the validity requirements are met and the application is not refused on suitability grounds the applicant will be granted an ETA; otherwise, the application for an ETA will be refused.

Period of grant of an ETA

ETA 4.1. An ETA will be valid for 2 years from the date of grant or until the expiry of the holder's passport used in the ETA application, whichever is sooner.

ETA 4.2. A person holding a valid ETA may make multiple journeys to the UK, for the purpose of seeking permission to enter on arrival as either:

(a) a Visitor, seeking entry for up to 6 months on each occasion; or
(b) a Creative Worker who is seeking entry to the UK pursuant to Appendix Temporary Work – Creative Worker at CRV 3.2.

ETA 4.3. An ETA will be valid and confer permission to travel only where the holder travels using the passport specified in the ETA application.

Cancellation of an ETA

Cancellation on exclusion or deportation order grounds

ETA 5.1. An ETA held by a person must be cancelled where:

(a) the Secretary of State has personally directed that the applicant be excluded from the UK; or
(b) the applicant is the subject of an exclusion order; or
(c) the applicant is the subject of a deportation order, or a decision to make a deportation order.

Cancellation on criminality grounds

ETA 5.2. An ETA held by a person must be cancelled where the person:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
(b) has been convicted of a criminal offence in the UK or overseas unless more than 12 months has passed since the date of conviction

Cancellation on non-conducive grounds

ETA 5.3. An ETA held by a person must be cancelled where the person's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).

Cancellation on breach of immigration laws grounds

ETA 5.4. An ETA held by a person must be cancelled if, when they were aged 18 or over, the holder:

(a) overstayed their permission, unless;
    (i) the Home Office holds a record that permission was subsequently granted with knowledge of the overstaying; or
    (ii) the person left the UK voluntarily, not at the expense (directly or indirectly) of the Secretary of State; or
    (iii) the person overstayed for 90 days or less, where the overstaying began before 6 April 2017; or

(iv) the person overstayed for 30 days or less, where the overstaying began on or after 6 April 2017; or
(v) paragraph 39E applies to the period of overstaying;
or
(b) breached a condition attached to their permission and entry clearance unless entry clearance or further permission was subsequently granted with knowledge of the breach; or
(c) was (or still is) an illegal entrant; or
(d) used deception in relation to an immigration application (whether or not successfully).

Cancellation on false representations, etc. grounds

ETA 5.5. An ETA held by a person must be cancelled where in relation to an ETA application:

(a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
(b) relevant facts were not disclosed.

Cancellation due to debt to the NHS

ETA 5.6. An ETA held by a person must be cancelled where a relevant NHS body has notified the Secretary of State that the holder has failed to pay charges under relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Cancellation due to unpaid litigation costs

ETA 5.7. An ETA held by a person must be cancelled where the holder has failed to pay litigation costs awarded to the Home Office.

Cancellation of an ETA where validity requirements are not met

ETA 5.8. An ETA held by a person may be cancelled where it has been issued and one or more of the requirements of ETA 1.1. and ETA 1.2. were not met either at the time of the application or subsequently.

Back to top

Immigration Rules

Appendix S2 Healthcare Visitor

This route relates to the UK's exit from the European Union. It is for a person who, before the end of the transition period (11pm on 31 December 2020), had requested authorisation to receive a course of planned healthcare treatment under the S2 route, pursuant to Regulation (EC) No 883/2004.

The person seeking healthcare treatment may be accompanied on this route by another person who is providing care or support during the planned healthcare treatment.

Validity requirements for entry clearance or permission to stay as an S2 Healthcare Visitor

HV 1.1. A person applying for entry clearance as an S2 Healthcare Visitor must apply online on the specified form on the gov.uk website "Apply for an exempt, diplomatic or official visit vignette or S2 Healthcare Visitor visa".

HV 1.2. An application for entry clearance as an S2 Healthcare Visitor must be made while the applicant is outside the UK and to a post designated to accept such applications.

HV 1.3. A person applying for permission to stay as an S2 Healthcare Visitor must apply on form "Application to extend stay in the UK: FLR(IR)" and must have, or have last held, permission as an S2 Healthcare Visitor.

HV 1.4. An application for entry clearance or permission to stay as an S2 Healthcare Visitor must meet all the following requirements:

(a) the applicant must have provided any required biometrics; and
(b) if the applicant is an EEA citizen they must have provided a passport or valid national identity card which satisfactorily establishes their identity and nationality; and
(c) if the applicant is a non-EEA citizen they must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

HV 1.5. A person to whom article 5 of the Immigration (Control of Entry Through Republic of Ireland) 1972 Order ("the 1972 Order") applies, may only apply for permission to stay under this Appendix where that permission is to commence after the end of the 6 month period set out in article 5 of the 1972 Order.

HV 1.6. An application for permission to stay as an S2 Healthcare Visitor must be made by a person:

(a) in the UK; and
(b) who has, or who last had, permission as an S2 Healthcare Visitor.

HV 1.7. An application which does not meet all the validity requirements for an S2 Healthcare Visitor may be rejected as invalid and not considered.

Suitability requirements for an S2 Healthcare Visitor

HV 2.1. Subject to HV 2.2, an application must be refused on grounds of suitability where either of the following apply at the date of the decision:

(a) the applicant is subject to a deportation order or a decision to make a deportation order; or

(b) the applicant is subject to an exclusion order or exclusion decision.

HV 2.2. Where a decision under HV 2.1 relates to conduct committed before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for "an EEA decision" read "a decision under HV 2.1 of Appendix S2 Healthcare Visitor").

HV 2.3. An application may be refused on grounds of suitability if, at the date of decision, the decision maker is satisfied that it is proportionate to refuse the application where:

(a) in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the application; or

(b) in respect of conduct committed on or before 11pm on 31 December 2020, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for "an EEA decision" read "a decision under paragraph HV 2.3 of Appendix S2 Healthcare Visitor".); or

(c) in respect of conduct committed after 11pm on 31 December 2020, on the grounds that the presence of the applicant in the UK is not conducive to the public good; or

(d) subject to HV 2.4, the applicant is the subject of an Islands deportation order as defined by paragraph 3(6) of Schedule 4 to the Immigration Act 1971; or

(e) subject to HV 2.4, the applicant is the subject of an Islands exclusion decision which is a direction given by the relevant Minister or other authority in the Islands concerned that the applicant must be refused entry to the Island concerned on the grounds that their presence there would not be conducive to the public good.

HV 2.4. Where a decision under HV 2.3(d) or (e) relates to conduct at or before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for "an EEA decision" read "a decision under HV 2.3 of Appendix S2 Healthcare Visitor").

Eligibility requirements for an S2 Healthcare Visitor

Entry requirements for an S2 Healthcare Visitor

HV 3.1. A person seeking to come to or stay in the UK as an S2 Healthcare Visitor must be a

person to whom one of the following applies:

(a) Article 32(1)(b) of the withdrawal agreement; or
(b) Article 31(1)(b) of the EEA EFTA separation agreement; or
(c) Article 26a(1)(b) of the Swiss citizens' rights agreement.

HV 3.2. A person seeking to come to the UK as an S2 Healthcare Visitor and who is a visa national must apply for and obtain entry clearance as an S2 Healthcare Visitor before they arrive in the UK.

HV 3.3. A person to whom HV 3.2. applies will be refused permission to enter if they do not hold entry clearance as an S2 Healthcare Visitor on arrival in the UK.

HV 3.4. A person who is a non-visa national seeking to come to the UK as an S2 Healthcare Visitor may apply for permission to enter on arrival in the UK.

Financial requirement for an S2 Healthcare Visitor

HV 4.1. The applicant must have access to sufficient funds to cover all reasonable costs in relation to their visit without working or accessing public funds, including the cost of the return or onward journey.

HV 4.2. The applicant must show funds as specified in Appendix Finance.

HV 4.3. A S2 Healthcare Visitor's travel, maintenance and accommodation may be provided by a third party where the decision maker is satisfied that they can and will provide support to the S2 Healthcare Visitor for the intended duration of their stay.

Treatment requirement for an S2 Healthcare Visitor

HV 5.1. The course of planned healthcare treatment must have been arranged prior to the applicant's travel to the UK.

Patient (P) requirement

HV 6.1. Where the applicant is the patient (P) they must provide their valid S2 certificate of entitlement to scheduled treatment.

HV 6.2. Where P is applying for permission to stay for the purpose of completing the course of planned healthcare treatment detailed on their valid S2 certificate of entitlement to scheduled treatment they must provide documentation in accordance with one of the following;

(a) the valid *S2* certificate of entitlement to scheduled treatment specified in HV 6.1 which demonstrates that the length of treatment extends beyond the entry clearance granted.
(b) a renewed or extended S2 certificate of entitlement to scheduled treatment which covers the period of the extension sought; or
(c) the valid S2 certificate of entitlement to scheduled treatment specified in HV 6.1. and a letter from the doctor or other health professional providing the treatment in the UK

detailing the further treatment required.

Accompanying person (AP) requirement

HV 7.1. Where the applicant is an accompanying person (AP) they must meet one of the following requirements:

(a) AP is, or will be, accompanying the patient (P) to the UK at the time of their entry into the UK, and P is, or will be, an S2 Healthcare Visitor on arrival in the UK; or
(b) P is in the UK as an S2 Healthcare Visitor and AP will be joining P in the UK.

HV 7.2. AP must provide one of the following to demonstrate their relationship with the P:

(a) evidence of P's permission to enter or permission to stay as an S2 Healthcare Visitor; or
(b) P's S2 certificate of entitlement to scheduled treatment; and
(c) if P is an EEA citizen, P's valid national identity card or passport issued by an EEA State and if P is a non-EEA citizen, P's passport.

HV 7.3. AP must provide evidence that they reside in an EEA State or Switzerland.

HV 7.4. Where AP is applying for permission to stay they must also provide the relevant evidence required in HV 6.2.

HV 7.5. Where, in order to meet the requirements of HV 7.2. to HV 7.4., AP submits a copy (and not the original) of a document, the decision maker can require the applicant to submit the original document where the decision maker has reasonable doubt as to the genuineness of the copy submitted.

Consent requirement for child S2 Healthcare Visitor

HV 8.1. If the applicant is a child at the date of application and is not applying or travelling with a parent or legal guardian who is responsible for their care, the applicant must have consent from:

(a) a parent; or
(b) their legal guardian.

HV 8.2. The consent must confirm support for all of the following:

(a) the application; and
(b) the applicant's living and care arrangements in the UK; and
(c) if the application is for entry clearance or permission to enter, the applicant's travel to, and reception arrangements in, the UK.

HV 8.3. If requested, the consent in HV 8.1. must be given in writing.

Decision on application as an S2 Healthcare Visitor

HV 9.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements are met for an S2 Healthcare Visitor, the application will be granted, otherwise the application will be refused.

Period and condition of grant for an S2 Healthcare Visitor

HV 10.1. An S2 Healthcare Visitor will be granted permission to enter for up to 6 months.

HV 10.2. An S2 Healthcare Visitor will be granted permission to stay for up to 6 months.

HV 10.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) no work; and
(c) no study.
(d) DELETED

Cancellation and curtailment

HV 11.1. An S2 Healthcare Visitor's entry clearance, permission to enter or permission to stay may be cancelled where the decision maker is satisfied that it is proportionate to cancel that entry clearance or permission where:
(a) the cancellation is justified on grounds of public policy, public security or public health, on the basis of the person's conduct on or before 11pm on 31 December 2020, in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for an "EEA decision" read "a decision under paragraph HV 11.1 of Appendix S2 Healthcare Visitor"); or
(b) the cancellation is justified on the ground that it is conducive to the public good, on the basis of the person's conduct after 11pm on 31 December 2020; or
(c) the cancellation is justified on grounds that, in relation to an application made under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application) and the information, representation or documentation was material to the decision to grant the applicant entry clearance, permission to enter or permission to stay under this Appendix; or
(d) they cease to meet the requirements of Appendix S2 Healthcare Visitor; or
(e) they have breached a condition of their permission as set out in HV 10.3. unless entry clearance or further permission was granted in the knowledge of the breach.

Back to top

Immigration Rules

Appendix Student

Student Route

This route is for a person aged 16 or over who wants to study with a sponsor on a course of further or higher education, a pre-sessional English course, a recognised foundation programme, or to take an elected post as a Student Union Sabbatical Officer.

The register of licensed student sponsors can be found at: www.gov.uk/government/publications/register-of-licensed-sponsors-students

A person who is aged 16 or 17 and wants to study with a sponsor that is an Independent School on a course at Regulated Qualifications Framework 3 or Scottish Credit and Qualifications Framework 6 and above can apply as either a Student or as a Child Student (see Appendix Child Student).

A person who wants to study a course for 6 months or less without a student sponsor but with an accredited provider should apply under Appendix V: Visitor. A person aged 16 or over who wants to study an English Language course of 11 months or less without a student sponsor but with an accredited provider, should apply under Appendix Short-term Student.

Some Students can bring a dependent partner and dependent children to the UK, for example if they are studying at postgraduate level, or on a government sponsored scheme.

The Student route is not a route to settlement.

Validity requirements for a Student

ST 1.1. A person applying for entry clearance or permission to stay as a Student must apply on the specified form on the gov.uk website as follows:

(c) for out of country, form “Student visa”; or
(d) for in country, form “Student”.

ST 1.2. An application for entry clearance or permission to stay as a Student must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must provide a Confirmation of Acceptance for Studies reference number that was issued to them no more than 6 months before the date of application.

ST 1.3. If the applicant has, in the last 12 months before the date of application, completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for

study in the UK, they must provide written consent in relation to the application from that Government or agency.

ST 1.4. An applicant who is in the UK on the date of application must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

ST 1.5. The applicant must be at least 16 years old on the date of application.

ST 1.6. An application which does not meet all the validity requirements for a Student may be rejected as invalid and not considered.

Suitability requirements for a Student

ST 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ST 2.2. If the applicant is applying for permission to stay, they must not be:

(a) in the UK in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a Student

Entry requirements for a Student

ST 3.1. A person seeking to come to the UK as a Student must apply for and obtain entry clearance as a Student before they arrive in the UK.

ST 3.2. A person applying for entry clearance as a Student must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Date of application requirement for a Student

ST 4.1. An application for entry clearance must be made no more than 6 months before the start date of the course stated on the Confirmation of Acceptance for Studies.

ST 4.2. An application for permission to stay must be made no more than 3 months before the start date of the course on the Confirmation of Acceptance for Studies.

ST 4.3. An application for permission to stay must be for study on a course with a start date no more than 28 days after the expiry date of the applicant’s previous permission.

Genuine Student requirement

ST 5.1. The applicant must be a genuine student.

Points requirement for a Student

ST 6.1. The applicant must be awarded 70 mandatory points from the table below.

Points type	Relevant requirements to be met	Points
Study (must meet all)	• Confirmation of Acceptance for Studies requirement • Course requirement • Approved qualification requirement • Level of study requirement • Place of study requirement	50
Financial	Financial requirement	10
Language	Language requirement	10

Confirmation of Acceptance for Studies requirement

ST 7.1. The Confirmation of Acceptance for Studies must have been issued by a student sponsor whose licence is still valid on the date on which the application is decided.

ST 7.2. The Confirmation of Acceptance for Studies must not have been used in a previous application which was either granted or refused (but could have been relied on in a previous application which was rejected as invalid, made void or withdrawn).

ST 7.3. The student sponsor must not have withdrawn the offer to the applicant after the date that the Confirmation of Acceptance for Studies was issued.

ST 7.4 The Confirmation of Acceptance for Studies must contain the necessary information to confirm all the following requirements are met:

(a) the course requirement; and
(b) the Approved qualification requirement; and
(c) the level of study requirement; and
(d) the place of study requirement.

ST 7.5. The Confirmation of Acceptance for Studies must state the cost of any accommodation provided by the sponsor and fees (and any payment already made) so that the financial requirement can be assessed.

ST 7.6. The Confirmation of Acceptance for Studies must show how the English language requirement has been met, and where the sponsor has assessed the applicant's English language ability, must include the information in ST 13.3. and ST 13.4.

Course requirement for a Student

ST 8.1. The application must be for a single course of study that meets the requirements in ST 8.2. unless it is one of the following:
(a) a combined pre-sessional course which meets the requirements in ST 15.1. to 15.3.; or
(b) a full-time, salaried, elected executive position as a Student Union Sabbatical Officer, where the applicant is either part-way through their studies or will fill the position in the academic year immediately after their graduation

ST 8.2. The application must be for a course which is one of the following:
(a) a full-time course at degree level or above that leads to an approved qualification; or
(b) a full-time course below degree level involving a minimum of 15 hours per week of classroom-based daytime study (08:00 to 18:00, Monday to Friday) that leads to an approved qualification; or
(c) a full-time course involving a minimum of 15 hours per week of classroom-based daytime study that is a pre-sessional course; or
(d) a part-time course above degree level that leads to an approved qualification where the Confirmation of Acceptance for Studies has been issued by a higher education provider with a track record of compliance; or
(e) a full-time course at degree level or above that is recognised by Ecctis as being equivalent to a UK higher education course where the Confirmation of Acceptance for Studies has been assigned by an overseas higher education institution or a higher education provider with a track record of compliance.

ST 8.3. If the course is an Association of Certified Chartered Accountants (ACCA) qualification or an ACCA Foundations in Accountancy qualification, the student sponsor must be an ACCA approved learning partner – student tuition at either Gold or Platinum level.

ST 8.4. If the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies, the applicant must have a valid ATAS certificate and provide it with the application.

Approved qualification requirement for a Student

ST 9.1. The course of study, unless it is a pre-sessional course, must lead to an approved qualification which is one of the following:

(a) validated by Royal Charter; or
(b) awarded by a UK recognised body; or
(c) covered by a legal agreement between a UK recognised body and another education provider or awarding body, which confirms both:
    (i) the UK recognised body's independent assessment of the level of the student sponsor's or awarding body's programme compared to the Regulated Qualifications Framework or its equivalents; and
    (ii) that the UK recognised body would admit any student who successfully completes the education provider's or the awarding body's named course onto a specific or a range of degree-level courses it provides; or
(d) recognised by one or more recognised bodies through a formal articulation agreement with the awarding body; or

(e) in England, Wales and Northern Ireland, is at Regulated Qualifications Framework level 3 or above; or in Scotland is accredited at Scottish Credit and Qualifications Framework level 6 or above; or
(f) an overseas qualification that Ecctis assesses as valid and equivalent to Regulated Qualifications Framework level 3 or above; or
(g) an aviation licence, rating or certificate issued by the UK's Civil Aviation Authority.

Level of study requirement for a Student

ST 10.1. If the Confirmation of Acceptance for Studies has been assigned by a probationary sponsor, the course must meet one of the following requirements unless it is a pre-sessional course:

(a) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged under 18, and the course is at Regulated Qualifications Framework level 3 or above; or
(b) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged 18 or over, and the course is at Regulated Qualifications Framework level 4 or above; or
(c) the course will be studied in Scotland, and the applicant is aged under 18, and the course is at Scottish Credit and Qualifications Framework level 6 or above; or
(d) the course will be studied in Scotland, and the applicant is aged 18 or over and the course is at Scottish Credit and Qualifications Framework level 7 or above.

ST 10.2. If the Confirmation of Acceptance for Studies has been assigned by a student sponsor, the course must meet one of the following requirements:

(a) the course will be studied in England, Wales or Northern Ireland and it is at Regulated Qualifications Framework level 3 or above; or
(b) the course will be studied in Scotland and it is at Scottish Credit and Qualifications Framework level 6 or above; or
(c) the course is a short-term study abroad programme in the UK as part of the applicant's qualification at an overseas higher education institution outside of the UK, and that qualification is recognised as being at UK bachelor's degree level or above by Ecctis; or
(d) the course is a pre-sessional course in English language at level B2 or above of the Common European Framework of Reference for Languages; or
(e) the course is a recognised Foundation Programme for postgraduate doctors or dentists; or
(f) the course is being delivered under a partnership between a higher education institution and a research institute and is accredited at Regulated Qualifications Framework level 7 or above, or at Scottish Credit and Qualifications Framework Level 11 or above.

Place of study requirement

ST 11.1. All study that forms part of the course of study apart from permitted remote delivery must take place on the premises of the student sponsor or a partner institution unless the applicant is on a course-related work placement, a study abroad programme overseas, or a pre-sessional course.

Financial requirement for a Student

ST 12.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement and do not need to show funds.

ST 12.2. If the applicant is applying for entry clearance or permission to stay and is applying as a Student Union Sabbatical Officer or to study on a recognised foundation programme as a doctor or dentist in training, they will meet the financial requirement and do not need to show funds.

ST 12.3. If ST 12.2. does not apply, and the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK with permission for less than 12 months, the applicant must have the following funds:

(a) Studying in London

Type of Study	Funds required
Residential Independent School	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
All other cases	Sufficient funds to pay any outstanding course fees as stated on the Confirmation of Acceptance for Studies, and £1,334 for each month of the course (up to a maximum of 9 months)

(b) Studying outside London

Type of Study	Funds required
Residential Independent School	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
All other cases	Sufficient funds to pay any outstanding course fees as stated on the Confirmation of Acceptance for Studies, and £1,023 for each month of the course (up to a maximum of 9 months)

If the length of the applicant's course includes a part of a month, the time period will be rounded up to the next full month.

ST 12.4. If the applicant has paid a deposit to the student sponsor for accommodation arranged by the sponsor, this deposit (up to a maximum of £1,334) can be offset against the funds required in ST 12.3.

ST 12.5. If the applicant has paid all or part of their course fees to their student sponsor this must be confirmed on the Confirmation of Acceptance for Studies, or the applicant must provide a receipt issued by the student sponsor confirming the amount of fees paid.

ST 12.6. The applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance unless the applicant is relying on a student loan or official financial sponsorship which meets the requirements of FIN 8.3. in Appendix Finance.

ST.12.7. If the funds held in the applicant's account on the date of decision fall substantially below the level of funds required at ST.12.3, the decision maker must be satisfied that the spent funds have been used to pay outstanding course fees, a deposit for accommodation or other costs associated with the proposed course of study in the UK.

English language requirement for a Student

ST 13.1. An applicant must either:

(a) show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least:
(i) level B2, where the applicant is studying a course at UK bachelor's degree level or above; or
(ii) level B1, where the applicant is studying a pre-sessional course or a course below UK bachelor's degree level; or

(b) have a GCSE level qualification or above in Welsh, Scots Gaelic, or Irish language.

ST 13.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

ST 13.3 Where the student sponsor has assessed that the applicant meets the English language requirement, they must state this and the method of assessment on the Confirmation of Acceptance for Studies.

ST 13.4 Where a Secure English Language Test is required, the name of the test provider, the unique reference number for the test and the score for each component tested (reading, writing, listening, speaking) must be included on the Confirmation of Acceptance for Studies.

Academic Progress requirement for a Student

ST 14.1. An applicant who has, or previously had, permission as a Student and is applying for permission to stay as a Student must have successfully completed the course of study for which they were last granted permission as a Student, or one of the following applies:

(a) one of the exceptions in ST 14.4.; or
(b) they are applying to progress to a higher level course as specified in ST 14.3.(a) or (b).; or
(c) they have successfully completed the course of study for which they were last granted permission as a Student or the course of study they were allowed to change to

without applying for further permission on the Student route and will now be taking a course at the same level as specified at ST 14.3(c); or
(d) they have successfully completed the course of study with their sponsor where the change of course was allowed without applying for further permission on the Student route.

ST 14.2. An applicant who has, or previously had permission on the Student route and is applying for permission to stay as a Student must show academic progress from the previous courses of study unless one of the exceptions in ST 14.4. applies.

ST 14.3. An applicant will show academic progress if they are applying for any of the following:

(a) to progress from a bachelor's to master's level course which is part of an integrated master's course, where the applicant has been offered a place on a higher-level course by the student sponsor after an assessment of their academic ability; or
(b) to progress from a master's degree to a PhD which is part of an integrated master's and PhD programme, where the applicant has been offered a place on a higher-level course by the student sponsor after an assessment of their academic ability; or
(c) a course which is above the level of the previous course of study for which they were last granted permission unless:
    (i) the student sponsor is a higher education provider with a track record of compliance; and
    (ii) the course is at degree level or above; and
    (iii) the new course is at the same level as the previous course of study; and
    (iv) the student sponsor confirms that either:
        (a) the new course of study is related to the applicant's previous course of study (meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation); or
        (b) the combination of the previous course of study and the new course of study support the applicant's genuine career aspirations.
        (c) the applicant has left an integrated master's or PhD programme having successfully completed the course leading to the award of the lower level qualification which formed a part of that programme.

ST 14.4. An applicant does not need to show academic progress where they:

(a) are applying to re-sit examinations or repeat modules under ST 14.5; or
(b) have previously re-sat examinations or repeated modules under ST 14.5. and are applying to complete the course for which those examinations were re-sat or modules repeated; or
(c) are applying to continue studying with their current student sponsor for the purpose of completing the PhD or other doctoral qualification for which study was undertaken during their last period of permission as a Student; or
(d) are making an application to move to a new student sponsor to complete a course of study begun at a student sponsor that has subsequently had its licence revoked; or
(e) are applying to undertake a role as a Student Union Sabbatical Officer; or
(f) after undertaking a period as a Student Union Sabbatical Officer are applying to complete the qualification for which the Confirmation of Acceptance for Studies was assigned before that period; or
(g) are applying for permission to stay as a postgraduate doctor or dentist on a recognised Foundation Programme; or

(h) are applying to undertake an intercalated bachelor's or master's degree course or PhD where they are studying medicine, veterinary medicine and science, or dentistry as their principal course of study, or to complete their principal course, having completed a period of intercalation; or
(i) are applying to undertake a study abroad programme or work placement which is both integral to and assessed as part of the course, or to complete their course, having completed a study abroad programme or work placement.

ST 14.5. If the applicant is sponsored by a probationary sponsor, they must not previously have re-sat the same examination or repeated the same module, more than once (they can only do so twice).

Combined Pre-sessional Course requirement for a Student

ST 15.1. A single Confirmation of Acceptance for Studies can be assigned for a combined pre-sessional course and a main course at degree level or above by a higher education provider with a track record of compliance if:
(a) the pre-sessional course lasts no longer than 3 months; and
(b) the main course will begin no more than 1 month after the pre-sessional course ends.

ST 15.2. If the applicant has been assessed as having language ability of at least level B2 in order to meet the English language requirement at ST 13.1., the Confirmation of Acceptance for Studies must confirm that the applicant has an unconditional offer of a place on the main course.

ST 15.3 If the applicant has been assessed (which must be by a method other than assessment by the student sponsor) as having language ability of at least level B1 in order to meet the English language requirement at ST 13.1., the Confirmation of Acceptance for Studies must confirm that the student sponsor is satisfied that the applicant will have at least level B2 at the end of the pre-sessional course.

Postgraduate Doctor or Dentist requirement

ST 16.1. If the applicant is applying to be a postgraduate doctor or dentist on a recognised Foundation Programme, they must have both:
(a) successfully completed a recognised UK bachelor's degree or above in medicine or dentistry; and
(b) previously been granted permission as a Student, for at least two academic years, which must include the final year, of their UK bachelor's degree or above in medicine or dentistry.

Work placement requirement

ST 17.1. A course that includes a work placement must lead to an approved qualification and the Confirmation of Acceptance for Studies must be assigned by a student sponsor (who is not a probationary sponsor) if the course of study is below degree level.

ST 17.2. A work placement must be assessed as an integral part of the course and must not be longer than one third of the total length of the course, except when there is a statutory requirement that it must be so, or where ST 17.3. applies.

ST 17.3. A work placement on a course that is at degree level or above:

(a) at a higher education provider with a track record of compliance; or

(b) at an overseas higher education institution in the UK; or

(c) as part of a qualification recognised as being at UK bachelor's degree level or above by a student undertaking a study abroad programme in the UK, must not be longer than half of the total length of the course of study.

Doctorate Extension Scheme requirement

ST 18.1. DELETED.

ST 18.2. DELETED.

Maximum period of study requirement for a Student

ST 19.1. If the course is below degree level, the grant of permission must not lead to the applicant being granted more than two years' permission as a Student to study courses below degree level from the age of 18 unless ST 19.2. applies.

ST 19.2. If the course is below degree level but is subject to a regulatory requirement by the Maritime and Coastguard Agency that the applicant must spend at least 12 months at sea as a part of that course, the grant of permission must not lead to the applicant being granted more than 3 years' permission as a Student from the age of 18 to study courses below degree level.

ST 19.3. If the course is at degree level, the grant of permission must not lead to the applicant being granted more than five years' permission as a Student from the age of 18 to study courses at degree level unless the course of study is one of those listed at ST 19.4.

ST 19.4. The five-year maximum period of study at degree level in ST 19.3. will not apply if the applicant has a Confirmation of Acceptance for Studies that has been assigned for a course of study in one of the following subjects:

(a) architecture; or

(b) medicine; or

(c) dentistry; or

(d) veterinary medicine and science; or

(e) music at a music college that is a member of Conservatoires UK; or

(f) law, where the applicant has completed a course at degree level or above and is applying for a course of study which is:

(i) a law conversion course validated by the Solicitors Regulation Authority and the Bar Standards Board in England and Wales; or

(ii) Masters in Law (MLaw) in Northern Ireland; or

(iii) an accelerated graduate LLB in Scotland.

ST 19.5. If the applicant has previously been granted permission as a postgraduate doctor or dentist, the grant of permission to the applicant must not lead to the applicant having been granted more than 3 years' permission as a postgraduate doctor or dentist.

ST 19.6. When calculating the period of permission granted under ST 19.1. to ST 19.5., any period of permission as a Student extended under section 3C of the Immigration Act 1971 will count towards the period of permission granted.

Documents used to obtain an offer requirement for a Student

ST 20.1. The applicant must provide evidence of the qualifications or references they used to obtain the offer of a place on the course of study from the student sponsor, unless either:

(a) the applicant is applying for a course of study at degree level or above and is sponsored by a higher education provider with a track record of compliance; or
(b) ST 22.1. applies.

ST 20.2. The evidence of each qualification must be one of the following:

(a) the certificate(s) of qualification; or
(b) the transcript of results; or
(c) a print out of the qualification or transcript results from the awarding body's online checking service.

ST 20.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

Parental consent requirement for a Student

ST 21.1. The applicant must meet the parental consent requirement for applicant not applying as a dependent child in Appendix Children.

ST 21.2. DELETED.

Differential evidence requirement for a Student

ST 22.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide documents used to obtain an offer does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

(a) holds a passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (which includes the number of the identification card issued by the competent authority in Taiwan); or
(b) is a national of any of the following:
Australia
Austria
Bahrain
Barbados

Belgium
Botswana
Brazil
Brunei
Bulgaria
Cambodia
Canada
Chile
China
Croatia
Republic of Cyprus
Czech Republic
Denmark
The Dominican Republic
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Indonesia
Ireland
Italy
Japan
Kazakhstan
Kuwait
Latvia
Liechtenstein
Lithuania
Luxembourg
Malaysia
Malta
Mauritius
Mexico
Netherlands
New Zealand
Norway
Oman
Peru
Poland
Portugal
Qatar
Romania
Serbia
Singapore
Slovakia
Slovenia
South Korea
Spain
Sweden
Switzerland

Thailand
Tunisia
United Arab Emirates
United States of America

Information on the Confirmation of Acceptance for Studies requirement

ST 23.1. The student sponsor must provide all the following information about the course of study on the Confirmation of Acceptance for Studies:

(a) title of course; and
(b) academic level of course; and
(c) course start and end dates; and
(d) hours of study per week, including confirmation on whether the course is part-time or full-time; and
(e) the address of the main place of study; and
(f) the cost of accommodation and fees; and
(g) if the student sponsor has assessed the applicant by use of one or more references, details of the references assessed; and
(h) if the course involves a work placement, details of any work placement relating to the course; and
(i) if the course will be provided by an education provider which is not the student sponsor, details of the partner institution; and
(j) if the ATAS requirement in Annex ATAS applies; and
(k) confirmation if the course is a recognised Foundation Programme for postgraduate doctors or dentists, and requires a certificate from the Postgraduate Dean; and
(l) a statement of how the student sponsor has assessed the applicant's English language ability including, where relevant, the applicant's English language test scores in all 4 components (reading, writing, speaking and listening); and
(m) if the course is part of a study abroad programme, the name and address of the partner institution; and
(n) if the applicant is applying for a full-time, salaried, elected executive position as a Student Union Sabbatical Officer and is part-way through their studies or being sponsored to fill the position in the academic year immediately after their graduation; and
(o) DELETED.
(p) if the applicant has previously been granted permission as a Student, confirmation that the new course meets the academic progress requirement from the previous course as required by ST 14.1. to ST 14.5.

Decision on application for a Student

ST 24.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Student are met, the application will be granted; otherwise, the application will be refused.

ST 24.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR.

Period and conditions of grant for a Student

ST 25.1. The grant of permission will be subject to the following conditions:
(a) no access to public funds; and
(b) no work, except as specified in ST 26; and
(c) no study, except as specified in ST 27.
(d) DELETED

ST 25.2. The applicant will be granted permission for the duration of the course as specified on the Confirmation of Acceptance for Studies plus the relevant periods specified in ST 25.3.

ST 25.3. The period of permission granted to an applicant before the start of the course who is applying for entry clearance will be either:
(a) the relevant period before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course; or
(b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
(c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted a period of permission dependent on the type and length of course as in the table below:

Type of Course	Period granted before course start date	Period granted after course end date
A course of 12 months or longer	1 Month	4 Months
A course of 6 months or longer but shorter than 12 months	1 Month	2 Months
A pre-sessional course of less than 6 months	1 Month	1 Month
A course as a Postgraduate doctor or dentist	1 Month	1 Month
A course of less than 6 months in length which is not a pre-sessional course	7 Days	7 Days

Work Conditions for a Student

ST 26.1. The applicant will be granted permission with the following employment conditions:

Type of study	Employment conditions
Student following a full-time course of degree level or above study:	20 hours per week during term-time (full-time employment permitted outside of term-time)

Type of study	Employment conditions
• sponsored by a higher education provider with a track record of compliance; or • sponsored by an overseas higher education institution to undertake a short-term study abroad programme in the UK	
Student undertaking a full-time course below degree level study sponsored by a higher education provider with a track record of compliance	10 hours per week during term-time (full-time employment permitted outside of term-time)
All other study, including all part-time study	No employment permitted

ST 26.2. Students are permitted to undertake work related to a work placement, assessed as an integral part of the course, that meets the requirements at ST 17.1. to ST 17.3.

ST 26.3. employment as an elected Student Union Sabbatical Officer or elected National Union of Students (NUS) position is permitted for up to 2 years if the Confirmation of Acceptance for Studies was assigned for this purpose.

ST 26.4. DELETED.

ST 26.5. A Student is not allowed to do any of the following:

(a) be self-employed or engage in business activity unless ST 26.8 applies; or
(b) work as a professional sportsperson (including as a sports coach); or
(c) work as an entertainer; or
(d) work in a position which would fill a permanent full-time vacancy unless ST 26.6 applies.

ST 26.6. A Student who makes a valid application for permission to stay under the Skilled Worker, or Graduate route, may start employment in a full-time permanent vacancy either up to 3 months prior to the course completion date (for the Skilled Worker route) or once they have successfully completed their course of study (for the Graduate route), provided all of the following apply:

(a) the Student is studying a full-time course of study at degree level or above with a higher education provider with a track record of compliance; and
(b) the application as a Skilled Worker, or Graduate, was made when the applicant had permission as a Student; and
(c) a decision has not been made on the Skilled Worker, or Graduate, application, or where a decision has been made, any Administrative Review against a refusal of that application has not been finally determined.

ST 26.7. A Student may be employed as a postgraduate doctor or dentist if they are on a recognised Foundation Programme.

ST 26.8. A Student may be self-employed, if:

(a) they have applied for permission on the Start-up route; and

(b) that application is supported by an endorsement from a Start-up route endorsing body which is a higher education provider with a track record of compliance; and
(c) the application was made when the applicant had permission as a Student; and
(d) a decision has not been made on the application, or where the application has been refused, any Administrative Review against a refusal has not been finally determined.

Study Conditions

ST 27.1. A Student must only study with the student sponsor which assigned the Confirmation of Acceptance for Studies unless either:
(a) the Student is studying at a partner institution of their student sponsor; or
(b) the Student has made an application for permission to stay while they have permission as a Student:
    (i) which is supported by a valid Confirmation of Acceptance for Studies assigned by a student sponsor; and
    (ii) the application has not yet been decided, or any Administrative Review against that decision has not been determined; and
    (iii) the Student will be studying at the student sponsor that assigned the Confirmation of Acceptance for Studies.

ST 27.2. A Student must only study on the course of study, or courses where a combined pre-sessional course is being taken, for which the Confirmation of Acceptance for Studies was assigned unless ST 27.3. applies.

ST 27.3. A Student may begin studying on a new course with their current student sponsor if:
(a) the student sponsor is a higher education provider with a track record of compliance; and
(b) the Student has not completed the course that the Confirmation of Acceptance for Studies was assigned for; and
(c) the new course is not at a lower qualification level than the course the Confirmation of Acceptance for Studies was assigned for unless they were last granted permission to study an integrated master's or PhD programme and will now be studying on the lower level qualification of that programme.; and
(d) the course is at degree level or above; and
(e) any new course at degree level can be completed within the current period of permission; and
(f) the student sponsor confirms that new course is related to the course for which the Confirmation of Acceptance for Studies was assigned for or supports the Student's genuine career aspirations.

ST 27.4. The Student may study on a study abroad programme overseas that is an integral and assessed part of the course of study named on the Confirmation of Acceptance for Studies.

ST 27.5. Supplementary study is permitted.

ST 27.6. Study is subject to the ATAS condition in Appendix ATAS.

ST 27.7. The Student must not study at a State School or Academy (except for a voluntary grammar school with boarding in Northern Ireland) but if the Student has been granted

permission to study at a student sponsor which becomes a State School or Academy during that period of permission, the Student may complete the course for which the Confirmation of Acceptance for Studies was assigned.

Dependants of a Student

Validity requirements for a dependent partner or dependent child of a Student

ST.28.1. A person applying for entry clearance or permission to stay as a partner or child of a Student must apply on the specified form on the gov.uk website as follows:

Location of Partner or Child	Specified Form
Applicant outside the UK	Dependant partner visa Dependant child visa
Applicant inside the UK	Dependant partner Dependant partner

ST 28.2. An application for entry clearance or permission to stay as a partner or child of a Student must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay on the Student route that has not been decided; or

(ii) has entry clearance or permission to stay on the Student route.

ST 28.3. If the applicant has in the 12 months before the date of application completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

ST 28.4. An applicant who is in the UK on the date of application must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

ST 28.5. An application which does not meet all the validity requirements for a partner or child of a Student may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a Student

ST 29.1. The suitability requirements for a partner or child on the Student route are that they must not fall for refusal under Part 9: grounds for refusal.

ST 29.2. A person applying for permission to stay must not be:
(a) in the UK in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail

Eligibility requirements for a dependent partner or dependent child of a Student

Entry requirement for a dependent partner or dependent child of a Student

ST 30.1. A person seeking to come to the UK as a partner or child of a Student must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

ST 30.2. A person applying for entry clearance as the partner or child of a Student must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Student course requirement for a dependent partner or dependent child of a Student

ST 31.1. Unless they are a child who meets the requirements in ST 31.2., the applicant must be the partner or child of a person who is:
(a) a Student who has received a scholarship or sponsorship from a Government for study in the UK and has, or is applying for, permission to study on a full-time course of 6 months or longer; or
(b) a full-time Student who has, or is applying for, permission to study a postgraduate level course of 9 months or longer at a higher education provider with a track record of compliance and, if the course start date is on or after 1 January 2024, the provider has confirmed the course is a PhD or other doctoral qualification, or a research-based higher degree; or
(c) DELETED
(d) a Student who has, or had within the last 3 months before the date of application, permission to study on a full-time course of 6 months or longer, and is now applying for permission to study a full-time course of 6 months or longer where either:
    (i) the partner or child already has, or had within the last 3 months before the date of application, permission as a dependant partner or dependent child of the Student; or

(ii) the child was born since the last grant of permission to the Student, where the Student and partner or child are applying at the same time.

ST 31.2. If the applicant is a child who does not meet the requirement at ST.31.1., they must instead meet one of the following requirements:

(a) the applicant must have been born during the Student's current period of permission to study a full-time course of 6 months or longer and they are applying for permission during that period; or

(b) where the Student has permission to re-sit examinations or repeat a module of a full-time course of 6 months or longer, the applicant must have been born either:
  (i) during the Student's original period of permission; or
  (ii) during the period of permission granted for re-sitting examinations or to repeat a module; or

(c) the applicant must have been born no more than 3 months after the expiry of the Student's most recent permission and must be making an application for entry clearance within 6 months of the expiry of their parent's most recent permission.

Relationship requirement for dependent partner of a Student

ST 32.1. The applicant must be the partner of a Student, or the partner of a person applying at the same time as a Student.

ST 32.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

ST 32.3. DELETED

ST 32.4. DELETED

ST 32.5. DELETED

ST 32.6. DELETED

Financial requirement for dependent partner of a Student

ST 33.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ST 33.2. If the applicant is applying for entry clearance or permission to stay, where they have been in the UK less than 12 months, the applicant or their partner (who must be a Student or applying at the same time as a Student) must have the funds specified in the table below, for a total of 9 months, or for the period of permission applied for by the applicant, whichever is the shorter.

Place of Student's study	Funds required by a dependent partner
Studying in London	£845 per month
Studying outside London	£680 per month

ST 33.3. The funds must be in addition to the funds required for the Student to meet the financial requirement, and the funds required to meet the financial requirement for any dependent child who is applying at the same time, or is already in the UK as a dependent child of the Student.

ST 33.4. Unless the applicant is relying on financial sponsorship from a Government or international scholarship agency that covers the living costs of the applicant and the Student, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

ST 33.5. Unless the applicant is applying at the same time as the Student and ST 22.1. applies, the applicant must show that they have the required funds as specified in Appendix Finance.

ST.33.6. If the funds held in the applicant's account on the date of decision fall substantially below the level of funds required at ST 33.2, the decision maker must be satisfied that the spent funds have been used to pay a deposit for accommodation or other costs associated with the proposed period of permission in the UK.

Relationship requirement for dependent child of a Student

ST 34.1. DELETED.

ST 34.2. DELETED.

ST 34.3. DELETED.

Care requirement for a dependent child of a Student

ST 35.1. DELETED.

Age requirement for a dependent child of a Student

ST 36.1. DELETED.

ST 36.2. DELETED.

Requirements for a dependent child of a Student

ST 36A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for dependent child of a Student

ST 37.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ST 37.2. Where the applicant is applying for entry clearance, or permission to stay and they have been in the UK less than 12 months on the date of application, the applicant or their parent must have the funds specified in the table below, for a total of 9 months, or for the period of permission applied for by the child, whichever is the shorter.

Place of Student's study	Funds required for a dependent child
Studying in London	£845 per month
Studying outside London	£680 per month

ST 37.3 The funds must be in addition to the funds required for the Student to meet the financial requirement, and the funds required for any dependant of the Student. who is applying at the same time as the applicant or is already in the UK as a dependant of the Student.

ST 37.4. Where ST 37.2. applies, unless the applicant is relying on financial sponsorship from a Government or international scholarship agency that covers the living costs of the Student and the applicant, the required level of funds must have been held for a 28-day period as specified in Appendix Finance.

ST.37.5. If the funds held in the applicant's account on the date of decision fall substantially below the level of funds required at ST 37.2, the decision maker must be satisfied that the spent funds have been used to pay a deposit for accommodation or other costs associated with the proposed period of permission in the UK.

Decision on application for a dependent partner or dependent child of a Student

ST 38.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependant partner or child of a Student are met, the application will be granted, otherwise the application will be refused.

ST 38.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR.

Period and conditions of grant for a dependent partner or dependent child of a Student

ST 39.1. A dependent partner will be granted permission which ends on the same date as the Student's permission.

ST 39.2 A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

ST 39.3 The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted except:

(i) where the dependant meets the requirement at ST 31.1.(d) and the Student has been granted less than 9 months' permission, unless that is to continue a course of study where they had previously been granted at least 9 months' permission; or

(ii) where the dependant meets the requirement at ST 31.1.(d) and the Student is studying a course below degree level; or

(iii) no employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the partner or child is aged over 18).

(d) DELETED

Back to top

Immigration Rules

Appendix Short-term Student (English language)

This route is for a person aged 16 and over who wants to study an English language course in the UK for between 6 and 11 months at an accredited institution.

The route is for a person aged 16 and over who wants to study an English language course in the UK for between 6 and 11 months at an accredited institution.

An application can only be made by a person outside the UK.

Short-term Study (English language) is an unsponsored route, sponsored study for persons aged 16 and over is covered in Appendix Student.

A visitor under Appendix V: Visitor can study an English language course of less than 6 months with an accredited institution.

Validity requirements for a Short-term Student

STS 1.1. A person applying for entry clearance as a Short-term Student must apply online on the gov.uk website on the specified form “Short-term Student visa”.

STS 1.2. An application for entry clearance as a Short-term Student must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality; and
(d) the applicant must be outside the UK.

STS 1.3. The applicant must be aged 16 or over on the date of application.

STS 1.4. An application which does not meet all the validity requirements for a Short-term Student may be rejected as invalid and not considered.

Suitability requirements for a Short-term Student

STS 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for a Short-term Student

Entry requirements for a Short-term Student

STS 3.1. A person seeking to come to the UK as a Short-term Student must obtain entry clearance as a Short-term Student before they arrive in the UK.

STS 3.2. A person applying for entry clearance as a Short-term Student for more than 6 months must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Course requirements for a Short-term Student

STS 4.1. The course provider must be an accredited institution.

STS 4.2. The applicant must provide written evidence from the course provider that the applicant has been accepted onto an English language course (that does not include any other subject) that lasts at least 6 months and no longer than 11 months.

Study requirement for a Short-term Student

STS 5.1. The applicant must not intend to do any of the following during their time in the UK as a short-term Student:

(a) undertake a course of study of longer than 11 months; or
(b) study at an academy or state-funded school; or
(c) make the UK their main home; or
(d) work in the UK; or
(e) engage in any business or professional activities in the UK.

STS 5.2. The applicant must intend to leave the UK within 30 days of the end of their English language course, or at the end of the 11 months, whichever is sooner.

Financial requirements for a Short-term Student

STS 6.1. The applicant must be able to maintain and accommodate themselves adequately without receiving public funds.

STS 6.2. The applicant must have enough funds to meet the cost of their return or onward journey from the UK.

STS 6.3. At the date of application, the applicant must have paid the course fees or have enough funds to pay their course fees.

STS 6.4. Funds must be shown as specified in Appendix Finance

Parental consent requirement for a Short-term Student aged 16 or 17

STS 7.1. The applicant must meet the parental consent requirement for applicant not applying as a dependent child in Appendix Children.

STS 7.2. DELETED.

Decision on application as a Short-term Student

STS 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Short-term Student are met the application will be granted, otherwise the application will be refused.

STS 8.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Short-term Student

STS 9.1. The applicant will be granted permission for 11 months.

STS 9.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) no work; and
(c) study only on the course for which the applicant was granted permission.

Back to top

Immigration Rules

Appendix Child Student

The Child Student route is for a person aged between 4 and 17 who wants to study at an independent school in the UK, which is a student sponsor.

A person aged 16 or 17 who wants to study a course at or above Regulated Qualifications Framework level 3 or Scottish Credit and Qualifications Framework level 6 can choose either to apply as a Child Student at an independent school or as a Student under Appendix Student.

Validity requirements for a Child Student

CS 1.1. A person applying for entry clearance or permission to stay as a Child Student must apply on the specified form on gov.uk as follows:

(a) for out of country, form “Child Student visa”; or
(b) for in country, form “Child Student”.

CS 1.2. An application for entry clearance or permission to stay on the Child Student route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must on the date of application have a Confirmation of Acceptance for Studies reference number that was issued to them before the date of application.

CS 1.3. The applicant must be between 4 and 17 years old at the date of application.

CS 1.4. If the applicant has, in the last 12 months before the date of application, completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent in relation to the application from that Government or agency.

CS 1.5. An applicant who is in the UK on the date of application must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) outside the Immigration Rules.

CS 1.6. An application which does not meet all the validity requirements for a Child Student may be rejected as invalid and not considered.

Suitability requirements for a Child Student

CS 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CS 2.2. A person applying for permission to stay must not be:
(a) in the UK in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a Child Student

Entry requirements for a Child Student

CS 3.1. A person seeking to come to the UK as a Child Student must apply for and obtain entry clearance as a Child Student before they arrive in the UK.

CS 3.2. A person applying for entry clearance as a Child Student must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Date of application requirement for a Child Student

CS 4.1. An application for entry clearance as a Child Student must be made no more than 6 months before the start date of the course as stated on the Confirmation of Acceptance for Studies.

CS 4.2. An application for permission to stay must be made no more than 3 months before the start date of the course on the Confirmation of Acceptance for Studies.

CS 4.3. An application for permission to stay must be for a course with a start date no more than 28 days after the expiry date of the previous permission to stay.

Genuine Child Student requirement

CS 5.1. An applicant aged 16 or 17 years old must be a genuine student.

Points Requirement

Points type	Relevant requirements to be met	Number of points
Study (must meet all)	• Confirmation of Acceptance for Studies Requirement • Course requirement • Study at an independent school • Aged between 4 and 17 when applying • Parental consent	50
Financial	• Financial requirement	20

Confirmation of Acceptance for Studies requirement for a Child Student

CS 7.1. The Confirmation of Acceptance for Studies must have been issued by a student sponsor which is an independent school whose sponsor licence is still valid on the date on which the application is decided.

CS 7.2. The Confirmation of Acceptance for Studies must not have been used in a previous application which was either granted or refused (but could have been relied upon in a previous application which was rejected as invalid, made void or withdrawn).

CS 7.3. The student sponsor must not have withdrawn the offer since the Confirmation of Acceptance for Studies was issued.

CS 7.4. The Confirmation of Acceptance for Studies must contain the necessary information to confirm that the course requirement is met.

CS 7.5. The Confirmation of Acceptance for Studies must state the cost of accommodation and fees (and any payment already made) so that the financial requirement can be assessed.

Course requirement a Child Student

CS 8.1. The application must be for a single course of study that meets the requirements at CS 8.2., unless it is for a combined pre-sessional course that meets the requirement at CS 11.1.

CS 8.2. The course for which the Confirmation of Acceptance for Studies has been assigned must be one of the following:

(a) taught in accordance with the National Curriculum; or
(b) taught in accordance with the Recognised Qualification Framework (RQF), and is not a foundation course intended to prepare the Child Student for entry to a course provided by a higher education provider; or

(c) accepted as being of equivalent academic status to (a) or (b) above by Ofsted (England), the Education and Training Inspectorate (Northern Ireland), Education Scotland (Scotland) or Estyn (Wales); or
(d) provided in accordance with prevailing Independent School education inspection standards.

Parental consent requirement for a Child Student

CS 9.1. The applicant must meet the parental consent requirement for applicant not applying as a dependent child in Appendix Children.

CS 9.2. DELETED.

CS 9.3. If the applicant will be living with a close relative or private foster carer, that close relative or foster carer must be:

(a) a British citizen; or
(b) settled in the UK.

CS 9.4. The close relative or private foster carer (the intended carer) must provide a letter of undertaking which contains the following information:

(a) the name, current address and contact details of the intended carer; and
(b) the address where the intended carer and the applicant will be living in the UK if different from the intended carer's current address; and
(c) confirmation that the accommodation offered to the applicant is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel; and
(d) the nature of the relationship between the applicant's parent(s) or legal guardian and the intended carer; and
(e) that the intended carer agrees to the care arrangements for the applicant; and
(f) that the intended carer has at least £570 per month available to look after and accommodate the applicant for each month of the course up to a maximum of 9 months; and
(g) a list of any other people that the intended carer has offered to support; and
(h) the intended carer's signature and date of the letter of undertaking.

CS 9.5 If the applicant is staying in a private foster care arrangement and is aged under 16 years old, the applicant must also provide:

(a) a copy of the letter of notification from their parent, legal guardian or intended carer to the UK local authority, confirming that the applicant will be in the care of a private foster carer while in the UK; and
(b) the UK local authority's confirmation of receipt, confirming that the local authority has received notification of the private foster care arrangement and have given permission to the arrangement.

Financial requirement for a Child Student

CS 10.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CS 10.2. If the applicant is applying for entry clearance or permission to stay where they have been in the UK for less than 12 months on the date of application, the applicant must show the following funds:

Living Arrangements	**Funds required**
Boarding at a residential independent school	Sufficient funds to pay the outstanding course fees and boarding fees for one academic year
Living during term-time with a private foster carer or close relative who is a British Citizen or settled in the UK	Sufficient funds to pay the outstanding course fees for one academic year. The private foster carer or close relative must have funds of at least £570 per month for each month of the course up to the maximum of 9 months
Living with a parent or legal guardian who has permission as a Parent of a Child Student	Sufficient funds to pay the outstanding course fees for one academic year and: a. if no other children are or will be under the parent's care in the UK at the same time as the applicant, £1,560 per month for each month of the course up to maximum of 9 months; and b. if there are other who are or will be under the parent's care in the UK at the same time as the applicant, £625 per month for each month of the course up to maximum of 9 months for each child, other than the applicant, being cared for by the parent
Aged 16 or 17 and living independently	Sufficient funds to pay the outstanding course fees for one academic year and either: (a) 1,334 for each month of the course up to the maximum of 9 months where studying in London; or (b) £1,023 for each month of the course up to the maximum of 9 months where studying outside London

If the length of the applicant's course includes a part of a month, the period of time will be rounded up to the next full month.

CS 10.3. Unless the applicant is relying on a student loan or an award from a Government or international scholarship agency, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

CS 10.4. The applicant must not be financially responsible for anyone else.

Combined pre-sessional course requirement for a Child Student

CS 11.1. A single Confirmation of Acceptance for Studies can be assigned by an independent school for a combined pre-sessional course and a main course if:

(a) the applicant has an unconditional offer of a place at the independent school; and
(b) the duration of the pre-sessional course and period of study at the independent school does not exceed the maximum period of permission granted as set out at CS 15.2.

Evidence of qualifications requirement for a Child Student

CS 12.1. The applicant must provide evidence of the qualifications they used to obtain the offer of a place on the course from the student sponsor.

CS 12.2. The evidence of each qualification must be one of the following:

(a) the certificate(s) of qualification; or
(b) the transcript of results; or
(c) a print out of the qualification or transcript results from the awarding body's online checking service.

CS 12.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

Differential evidence requirement for a Child Student

CS 13.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide evidence of qualifications does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

(a) holds a valid passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (that includes the number of the identification card issued by the competent authority in Taiwan); or
(b) is a national of any of the following:
Australia
Austria
Bahrain
Barbados
Belgium
Botswana
Brazil
Brunei
Bulgaria
Cambodia

Canada
Chile
China
Croatia
Republic of Cyprus
Czech Republic
Denmark
The Dominican Republic
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Indonesia
Ireland
Italy
Japan
Kazakhstan
Kuwait
Latvia
Liechtenstein
Lithuania
Luxembourg
Malaysia
Malta
Mauritius
Mexico
Netherlands
New Zealand
Norway
Oman
Peru
Poland
Portugal
Qatar
Romania
Serbia
Singapore
Slovakia
Slovenia
South Korea
Spain
Sweden
Switzerland
Thailand
Tunisia
United Arab Emirates
United States of America

Decision for a Child Student

CS 14.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Child Student are met, the application will be granted, otherwise the application will be refused.

CS 14.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions grant for a Child Student

CS 15.1. The grant will subject to the following conditions:

(a) no access to public funds; and
(b) no work until the Child Student is aged over 16 years, then work allowed as specified in CS 16.1.; and
(c) no study except as specified in CS 17.
(d) DELETED

CS 15.2 The period of grant before the start of the course for an applicant applying for entry clearance will be:

(a) the relevant period of permission granted before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course or; or
(b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
(c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted permission for the duration of the course as specified on the Confirmation of Acceptance for Studies and the relevant additional periods dependant on their age as specified in the table below:

Age	Period of granted before course start date	Period granted for study	Period granted after course end date
Under 16 years	1 month	The shortest of • the period requested by the applicant; or • the duration of the course of study; or • 6 years	4 months
16 or 17 years	1 month	The shortest of	4 months

Age	Period of granted before course start date	Period granted for study	Period granted after course end date
		• the period requested by the applicant; or • the duration of the course of study; or • 3 years	

Work conditions for a Child Student

CS 16.1. A Child Student who is aged 16 or over may work:

(a) for no more than 10 hours per week during term time; and
(b) for any duration during vacation (including before the course starts); and
(c) on a course-related work placement which forms an assessed part of the Child Student's course; provided that any period that the Child Student spends on that placement does not exceed half of the total length of the course undertaken in the UK, unless it is a UK statutory requirement that the placement should exceed half the total length of the course.

CS 16.2. A Child Student will not be allowed to do any of the following work:

(a) be self-employed or engage in business activity; or
(b) work as a professional sportsperson (including as a sports coach); or
(c) work as an entertainer, or
(d) work in a position which would fill a permanent full-time vacancy.

Study conditions for a Child Student

CS 17.1. A Child Student must study on the course or courses for which the Confirmation of Acceptance for Studies was assigned, unless:

(a) they have yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and
(b) they begin study on a new course at the student sponsor institution and the new course is at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned and is not a foundation course intended to prepare the student for entry to a higher education provider.

CS 17.2. A Child Student must study with the student sponsor which issued their Confirmation of Acceptance for Studies, unless:

(a) they are studying at an institution which is a partner institution of their student sponsor; or

(b) they have made an application for permission to stay while they have permission as a Child Student which is supported by a valid Confirmation of Acceptance for Studies assigned by a student sponsor, the application has not yet been decided, or any Administrative Review against refusal of that decision has not been determined, and the Child Student will be studying at the student sponsor that assigned the Confirmation of Acceptance for Studies.

CS 17.3. Supplementary study is permitted.

CS 17.4. A Child Student must not study at a state school or academy except for:

(a) a voluntary grammar school with boarding in Northern Ireland: or
(b) if the Child Student has been granted permission to study at a student sponsor which becomes a state school or academy during that period of permission, in which case the Child Student may complete the course for which the Confirmation of Acceptance for Studies was assigned.

Back to top

Immigration Rules

Appendix Parent of a Child Student

This route is for a Parent of a Child Student to come to or stay in the UK to care for their child, where the child is in the UK under Appendix Child Student, is aged between 4 and 11 and is attending an independent fee-paying school (which cannot be a state school or academy).

This route is for a Parent of a Child Student to come to or stay in the UK to care for their child, where the child is in the UK under Appendix Child Student, is aged between 4 and 11 and is attending an independent fee-paying school (which must not be a state school or academy).

Only one of the child's parents can be in the UK under this route.

Validity requirements for the Parent of a Child Student

PC 1.1. A person applying for entry clearance or permission to stay as a Parent of a Child Student must apply online on the gov.uk website on the specified form as follows:

Location of applicant	Specified form
Outside the UK	Parent of a Child Student
Inside the UK	Application to extend stay in the UK: FLR(IR)

PC 1.2. An application for entry clearance or permission to stay as a Parent of a Child Student must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

PC 1.3. The applicant must be aged 18 or over on the date of application.

PC 1.4. The applicant applying for permission to stay must be in the UK and must not have, or last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) outside the immigration rules.

PC 1.5. An application which does not meet all the validity requirements for the Parent of a Child Student may be rejected as invalid and not considered.

Suitability requirements for the Parent of a Child Student

PC 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

PC 2.2. If applying for permission to stay the applicant must be:

(a) in breach of immigration laws, except that where Paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for Parent of a Child Student

Entry requirements for Parent of a Child Student

PC 3.1. A person seeking to come to the UK as a Parent of a Child Student must apply for and obtain entry clearance as a Parent of a Child Student before they arrive in the UK.

PC 3.2. A person applying for entry clearance as the Parent of a Child Student must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a Parent of a Child Student

PC 4.1. The applicant must be the parent of a child who has, or is at the same time applying for, entry clearance or permission to stay as a Child Student.

PC 4.2. The Child Student's other parent must not be in the UK or seeking to come to the UK.

Child Student requirements for a Parent of a Child Student

PC 5.1. The Child Student must be aged between 4 and 11 years on the date of application and have, or at the same time be applying for, entry clearance or permission to stay, under Appendix Student.

Care requirement for Parent of a Child Student

PC 6.1. The applicant must intend to live with the Child Student during the applicant's stay in the UK.

Financial requirement for a Parent of a Child Student

PC 7.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

PC 7.2. If both the applicant and the Child Student are applying at the same time for either entry clearance, or permission to stay where they have both lived in the UK for less than 12 months on the date of application, the applicant will meet the financial requirement if the Child Student shows the level of funds required under CS 10.2.

PC 7.3. If neither PC 7.1 or PC 7.2 apply the applicant must:

(a) have funds of £1,560 for each month of their intended stay in the UK up to a maximum of 9 months; and
(b) have funds of £625 for each month of their intended stay up to a maximum of 9 months for any child other than the Child Student who will be under their care in the UK.

PC 7.4. The applicant must show that they have held the required level of funds to maintain their main home outside the UK, in addition to any other funds required by these rules.

PC 7.5 The applicant or their partner must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

PC 7.6. The applicant may rely on funds held in the account of a partner who is outside the UK in addition to the account holders listed in FIN 5.1(a).

Decision on application for a Parent of a Child Student

PC 8.1. If the decision maker is satisfied that all suitability and eligibility requirements are met for the Parent of a Child Student the application will be granted, otherwise, the application will be refused.

PC 8.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for Parent of a Child Student

PC 9.1. The Parent of a Child Student will be granted permission for a period which ends at the same time as the Child Student's permission, or on the date the Child Student reached the age of 12 years, whichever is sooner.

PC 9.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) no work; and

(c) no study.
(d) DELETED

Back to top

Immigration Rules

Appendix Graduate

Graduate Route

This is a consolidated version of the current Immigration Rules

This route is for a Student in the UK who wants to work, or look for work, following the successful completion of an eligible course of study at UK bachelor's degree-level or above.
The study must have been with a higher education provider with a track record of compliance.
The Graduate route is an unsponsored route.
Individuals who already have permission as a dependant of a Student who is applying on this route can also apply to extend their permission as a dependant on this route; other types of dependants are not permitted on this route.
The Graduate route is not a route to settlement.

Validation requirements for a Graduate

GR 1.1. A person applying for permission to stay as a Graduate must apply online on the gov.uk website on the specified form "Graduate".

GR 1.2. An application for permission as a Graduate must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK.

GR 1.3. The applicant must have, or have last had, permission as a Student.

GR 1.4. The applicant must not have been previously granted permission under the Doctorate Extension Scheme or as a Graduate.

GR 1.5. If the applicant has in the 12 months before the date of application completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

GR 1.6. An application which does not meet all the validity requirements for a Graduate may be rejected as invalid and not considered.

Suitability requirements for a Graduate

GR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GR 2.2. The applicant must not be:

(a) in the UK in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Graduate

Points requirement

GR 3.1 The applicant must be awarded a total of 70 points based on the table below.

Points type	Relevant requirements to be met	Number of points
Successful course completion	• Successful completion requirement • Qualification requirement • Study in the UK requirement	70

Successful completion requirement

GR 4.1. The applicant must have last been sponsored by a Student sponsor which is a higher education provider with a track record of compliance on the date of application.

GR 4.2. The applicant must have successfully completed the course of study which was undertaken during their last grant of permission to study on the Student route (where the applicant was allowed to change their course of study without applying for further permission as a Student, this requirement only applies to the course to which they changed).

GR 4.3. The student sponsor must have notified the Home Office, by the date of application, that the applicant has successfully completed the course of study in GR 4.2.

Qualification requirement

GR 5.1. The applicant will meet the qualification requirement if they have successfully completed a course of study for which they have been or will be awarded a UK bachelor's degree, a UK postgraduate degree, or successfully completed a relevant qualification listed in GR 5.2.

GR 5.2 A relevant qualification is one of the following:

(a) a law conversion course validated by the Solicitors Regulation Authority in England and Wales; or

(b) the Legal Practice Course in England and Wales, the Solicitors Course in Northern Ireland, or a Diploma in Professional Legal Practice in Scotland; or

(c) the Bar Practice Course in England and Wales, or the Bar Course in Northern Ireland; or

(d) a foundation programme in Medicine or Dentistry; or

(e) a Postgraduate Certificate in Education (PGCE) or Postgraduate Diploma in Education (PGDE); or

(f) a professional course requiring study at UK bachelor's degree level or above in a profession with reserved activities that is regulated by UK law or UK public authority.

GR 5.3. If the name of the applicant's course of study was changed by the Student sponsor, but the course content remained the same, or if an integral and assessed work placement or permitted study abroad programme was added, this will not prevent the applicant being able to meet the qualification requirement.

GR 5.4 The qualification must have been gained during the last grant of permission to study as a Student, or in the period of permission immediately before the applicant's last grant of permission, if the last grant of permission was to undertake a role as a Student Union Sabbatical Officer.

Study in the UK requirement

GR 6.1. The applicant must have held permission as a Student, which was granted to study the relevant qualification in the UK, for a minimum period of time (the relevant period), as in the table below.

Total length of course	**Relevant period of Student permission granted during which all study took place in the UK (apart from permitted study abroad programmes)**
12 months or less	Full duration of course
Longer than 12 months	At least 12 months

GR 6.2. Where distance learning took place overseas between 24 January 2020 and 30 June 2022, this will not prevent the applicant meeting the requirement to spend the relevant period at GR 6.1 studying in the UK if either:

(a) they began a course of 12 months or less prior to 21 June 2021 and entered the UK on or before 27 September 2021 with permission as a Student; or

(b) they began a course of 12 months or less between 21 June 2021 and 30 June 2022 and entered the UK on or before 30 June 2022 with permission as a Student.

GR 6.3. Any period of distance learning that took place between 24 January 2020 and 30 June 2022 as part of a course of study lasting longer than 12 months whilst the applicant held permission as a Student, will not prevent the applicant from meeting the requirement to spend the relevant period at GR 6.1. studying in the UK.

Decision on application as a Graduate

GR 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Graduate are met the application will be granted, otherwise the application will be refused.

GR 7.2. If the application is refused, the person can apply for an Administrative Review under

Period and conditions of grant for a Graduate

GR 8.1. The applicant will be granted the period of permission as set out in the table below dependent on how they met the qualification requirement.

Type of Qualification	Period granted from date of decision
PhD or other doctoral qualification	3 years
All other qualifications	2 years

GR 8.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, apart from work as a professional sportsperson; and

(c) study is permitted, except study with an education provider which is a Student sponsor, and which would meet the approved qualification and level of study requirements of the Student route which are set out in Appendix Student; and

(d) study is subject to the ATAS condition in Appendix ATAS.

(e) DELETED

Dependants of a Graduate

Validity requirements for a dependent partner or dependent child of a Graduate

GR 9.1. A person applying for permission to stay as a partner or child of a Graduate must apply on the specified form on the gov.uk website as follows:

Either (as applicable):

- Dependant partner

- Dependant child

GR 9.2. An application for permission to stay as a partner or child of a Graduate must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person who:
(i) has made a valid application for permission to stay on the Graduate route that has not been decided; or
(ii) has permission to stay on the Graduate route.

GR 9.3. If the applicant has in the 12 months before the date of application completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

GR 9.4. The applicant must be in the UK on the date of application and must:

(a) have, or have last been granted, permission as a dependant partner of a Student and that Student is applying for, or has now been granted, permission to stay in the Graduate route; or

(b) have, or have last been granted, permission as a dependant child of either a Student or dependant partner of the Student and that Student is applying for, or has now been granted, permission to stay in the Graduate route; or

(c) be a child born in the UK during the last grant of Student permission of a Student and that Student is applying for, or has now been granted, permission to stay in the Graduate route.

GR 9.5. An application which does not meet all the validity requirements for a partner or child of a Graduate may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a Graduate

GR 10.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GR 10.2. The applicant must not be:

(a) in the UK in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Graduate

Relationship requirement for dependent partner of a Graduate

GR 11.1. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

GR 11.2. DELETED

GR 11.3. DELETED

Relationship requirement for dependent child of a Graduate

GR 12.1. DELETED.

GR 12.2. DELETED.

GR 12.3. DELETED.

Care requirement for dependent child of a Graduate

GR 13.1. DELETED.

Age requirement for a dependent child of a Graduate

GR 14.1. DELETED.

GR 14.2. DELETED.

Requirements for a dependent child of a Graduate

GR 14A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Decision on application for a dependent partner or dependent child of a Graduate

GR 15.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Graduate are met, the application will be granted, otherwise the application will be refused.

GR 15.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR.

Period and conditions of grant for a dependent partner or dependent child of a Graduate

GR 16.1. A dependent partner will be granted permission which ends on the same date as the Graduate partner's permission.

GR 16.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

GR 16.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the person is aged over 18).

(d) DELETED

Back to top

Immigration Rules

Appendix Skilled Worker

The Skilled Worker route is for employers to recruit people to work in the UK , including in UK waters, in a specific job. A Skilled Worker must have a job offer in an eligible skilled occupation from a Home Office-approved sponsor.

A dependent partner and dependent children can apply on this route.

Skilled Worker is a route to settlement.

SW A1.1. For the purpose of this Appendix “Health and Care ASHE salary job” means a job in one of the following SOC 2020 occupation codes:

- 1171 Health services and public health managers and directors
- 1231 Health care practice managers
- 1232 Residential, day and domiciliary care managers and proprietors
- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 3111 Laboratory technicians
- 3211 Dispensing opticians
- 3212 Pharmaceutical technicians
- 6135 Care workers and home carers
- 6136 Senior care workers;

where the applicant is sponsored, employed or engaged:

(a) by one of the following:

England
- an NHS Foundation Trust
- an NHS Trust
- the Care Quality Commission
- Health Education England
- Health Research Authority
- Human Fertilization and Embryology Authority
- Human Tissue Authority
- Medicines and Healthcare products Regulatory Agency
- National Institute for Health and Care Excellence
- NHS Blood and Transplant
- NHS Business Services Authority
- NHS Digital (the Health and Social Care Information Centre)
- NHS England (the NHS Commissioning Board)
- NHS Improvement (Monitor and the NHS Trust Development Authority
- NHS Resolution (the NHS Litigation Authority)
- UK Health Security Agency
- a Local Authority or Clinical Commissioning Group

Wales

• a local Health Board
• Health Education & Improvement Wales
• Public Health Wales
• The Welsh Ambulance Service
• Velindre NHS Trust

Scotland

• A Health Board or Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978
• Common Services Agency for the Scottish Health Service (established under Section 10 of that Act)
• Social Care and Social Work Improvement Scotland (known as the Care Inspectorate) established under Section 44 of the Public Services (reform) (Scotland) Act 2010
• Scottish Social Services Council established under section 43 of the Regulation of Care (Scotland) Act 2001

Northern Ireland

• A Health and Social Care Trust in Northern Ireland
• Northern Ireland Blood Transfusion Service
• Northern Ireland Guardian Ad Litem Agency
• Northern Ireland Medical and Dental Training Agency
• Northern Ireland Practice and Education Committee
• Northern Ireland Social Care Council, Patient and Client Council
• Regional Agency for Public Health and Social Well-Being (the Public Health Agency)
• Regional Business Services Organisation
• Regional Health and Social Care Board
• Regulation and Quality Improvement Authority

or

(b) to provide, or to support the provision of, regulated activities as prescribed in Schedule 1 (read with Schedule 2) to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (S.I. 2014/2936), and who is also employed or engaged by an institution or organisation registered with the Care Quality Commission; or
(c) for the purposes of an establishment or agency in Wales regulated under Part 2 of the Care Standards Act 2000; or
(d) for the purposes of a service regulated under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016; or
(e) on a general medical services contract to provide primary medical services, or an agreement for the provision of primary medical services under section 50 of the NHS (Wales) Act 2006; or
(f) on a general dental services contract to provide primary dental services, or an agreement for the provision of primary dental services under section 64 of the NHS (Wales) Act 2006; or
(g) to provide care services as defined in section 47(1) of the Public Services Reform (Scotland) Act 2010 and registered under that Act; or
(h) by an organisation registered with Social Care and Social Work Improvement Scotland; or
(i) in connection with the provision of services under the National Health Service (Scotland) Act 1978 by, a party (other than a Health Board) to one of the following:

• an arrangement to provide services under section 2C of that Act

- an agreement to provide services under section 17C of that Act
- a contract to provide services under section 17J of that Act
- an arrangement to provide services under section 25, 26 or 27 of that Act; or

(j) by a General Practitioner Federation or by any entity with which the Northern Ireland Regional Health and Social Care Board has a contract or an arrangement under the Health and Personal Social Services (Northern Ireland) Order 1972 to provide Family Practitioner Services; or

(k) by a body registered with, or monitored or inspected by, the Regulation and Quality Improvement Authority; or

(l) or registered with, one of the following organisations:

- General Chiropractic Council
- General Dental Council
- General Medical Council
- General Optical Council
- General Osteopathic Council
- General Pharmaceutical Council
- Health and Care Professions Council
- Northern Ireland Social Care Council
- Nursing and Midwifery Council
- Pharmaceutical Society of Northern Ireland
- Scottish Social Services Council (under the Regulation of Care (Scotland) Act 2001)
- Social Care Wales; or

(m) an organisation providing adult social care services, meaning any services which an English Local Authority must or may provide or arrange to be provided under:

(i) section 117 of the Mental Health Act 1983 – (After-care); or

(ii) Part 1 of the Care Act 2014 (Care and Support).

Validity requirements for a skilled worker

SW 1.1. A person applying for entry clearance or permission to stay as a Skilled Worker must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form “Skilled Worker visa”; or

(b) for applicants inside the UK, form “Skilled Worker”.

SW 1.2. An application for entry clearance or permission to stay as a Skilled Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a certificate of sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SW 1.3. The applicant must be aged 18 or over on the date of application.

SW 1.4. An applicant applying for entry clearance or permission to stay, who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SW 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

SW 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B:

(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

SW 1.6. An application which does not meet all the validity requirements for a Skilled Worker may be rejected as invalid and not considered.

Suitability requirements for a skilled worker

SW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a skilled worker

Entry requirement for a Skilled Worker

SW 3.1. A person seeking to come to the UK as a Skilled Worker must apply for and obtain entry clearance as a Skilled Worker before they arrive in the UK.

SW 3.2. A person applying for entry clearance as a Skilled Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Skilled Worker

SW 4.1. The applicant must be awarded 50 mandatory points from the table below. Details of how these points are awarded are set out in SW 5.1. to SW 7.4.

Mandatory points requirements	Relevant rules	Points
Sponsorship	SW 5.1. to SW 5.7.	20
Job at an appropriate skill level	SW 6.1. to SW 6.5.	20
English language skills at level B1 (intermediate)	SW 7.1. to SW 7.3.	10

SW 4.2. The applicant must be awarded 20 points from one of the options in the table below and for the purpose of meeting these points:

(a) an applicant can only be awarded points from options A to E, unless they meet the requirements in (b) or (c).
(b) An applicant can only be awarded points from options F to J if:
(i) they are being sponsored for a Health and Care ASHE salary job; or
(ii) the date of application is before 4 April 2030, they were granted permission as a Skilled Worker under the rules in place before 4 April 2024, and they have had continuous permission as a Skilled Worker since then (except that where paragraph 39E applies, that period of overstaying will be disregarded).
(c) An applicant can only be awarded points from option K if they are being sponsored for a job in an appropriate eligible SOC 2020 occupation code listed in Table 3 of Appendix Skilled Occupations.

SW 4.3. Details of how these points are awarded are set out in the table and in SW 8.1. to SW 13.3. The salary for each option will be considered as set out in SW 14.1. to SW 14.5.

SW 4.4. If the requirements for the relevant option are met, the applicant will be awarded 20 points. However, no points will be awarded if the applicant is not also being awarded the 20 points for sponsorship under SW 5.7. and the 20 points for a job at the appropriate skill level under SW 6.4.

Option	Requirements	Relevant further rules	Points
A	The applicant's salary equals or exceeds both: • £38,700 per year; and • the going rate for the SOC 2020 occupation code.	SW 8.1.	20
B	The applicant has a PhD in a subject relevant to the job and their salary equals or exceeds both: • £34,830 per year; and • 90% of the going rate for the SOC 2020 occupation code.	SW 9.1. to SW 9.4	20
C	The applicant has a PhD in a STEM subject relevant to the job and their salary equals or exceeds both: • £30,960 per year; and • 80% of the going rate for the SOC 2020 occupation code.	SW 10.1. to SW 10.3.	20
D	The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both: • £30,960 per year; and • the going rate for the SOC 2020 occupation code.	SW 11.1. to SW 11.3.	20
E	The applicant is a new entrant at the start of their career and their salary equals or exceeds both: • £30,960 per year; and • 70% of the going rate for the SOC 2020 occupation code.	SW 12.1. to SW 12.3.	20
F	The applicant's salary equals or exceeds both: • £29,000 per year; and • the going rate for the SOC 2020 occupation code.	SW 8.1.	20
G	The applicant has a PhD in a subject relevant to the job and their salary equals or exceeds both: • £26,100 per year; and • 90% of the going rate for the SOC 2020 occupation code.	SW 9.1. to SW 9.4.	20
H	The applicant has a PhD in a STEM subject relevant to the job and their salary equals or exceeds both: • £23,200 per year; and • 80% of the going rate for the SOC 2020 occupation code.	SW 10.1. to SW 10.3.	20
I	The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both: • £23,200 per year; and	SW 11.1. to SW 11.3.	20

Option	Requirements	Relevant further rules	Points
	• the going rate for the SOC 2020 occupation code.		
J	The applicant is a new entrant at the start of their career and their salary equals or exceeds both: • £23,200 per year; and • 70% of the going rate for the SOC 2020 occupation code.	SW 12.1. to SW 12.3.	20
K	The applicant is being sponsored for a job in a listed health or education occupation and their salary equals or exceeds both: • £23,200 per year; and • the going rate for the SOC 2020 occupation code.	SW 13.1. to SW 13.3.	20

Points for sponsorship (mandatory)

SW 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Skilled Worker, details of the job and salary the sponsor is offering them and PAYE details if HM Revenue and Customs (HMRC) requires income tax and National Insurance for the sponsored job to be paid via PAYE; and

(b) if the application is for entry clearance, have been allocated by the Home Office to that sponsor for the specific job and salary details shown; and

(c) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and

(d) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(e) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(f) confirm whether or not the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

SW 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Skilled Worker route.

SW 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Skilled Worker and is applying to continue working for the same sponsor as in their last permission.

SW 5.4. The sponsor must have paid in full any required Immigration Skills Charge.

SW 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or

(b) is a sham; or

(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SW 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or

(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SW 5.6A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

SW 5.7. If the requirements in SW 5.1. to SW 5.6A. are met, the applicant will be awarded 20 mandatory points for sponsorship.

Points for a job at the appropriate skill level (mandatory)

SW 6.1. The applicant must be sponsored for a job in an eligible SOC 2020 occupation code (or, where relevant, an eligible job within a SOC 2020 occupation code) listed as eligible in Appendix Skilled Occupations or Appendix Immigration Salary List, subject to SW 6.1A. and SW 6.2.

SW 6.1A. If the applicant:

(a) is applying for permission to stay; and
(b) was previously granted permission as a Skilled Worker, sponsored in the SOC 2010 occupation code “6145 Care workers and home carers” or “6146 Senior care workers”, under the Rules in force before 11 March 2024; and
(c) since then, has continuously had permission as a Skilled Worker, sponsored in either or both these SOC 2010 occupation codes, or SOC 2020 occupation codes “6135 Care workers and home carers” or “6136 Senior care workers” (except that where paragraph 39E applies, that period of overstaying will be disregarded); and
(d) is applying to continue working with the same sponsor as in their most recent grant of permission,

the Care Quality Commission regulation requirement for these occupation codes does not apply.

SW 6.2. The sponsor must choose an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code for any of the following reasons:

(a) the most appropriate SOC 2020 occupation code is not eligible under the Skilled Worker route; or
(b) the most appropriate SOC 2020 occupation code has a higher going rate than the proposed salary; or
(c) the most appropriate SOC 2020 occupation code is not on the Immigration Salary List and the applicant is claiming points for a Page 67 of 289 job on the Immigration Salary List; or
(d) the most appropriate SOC 2020 occupation code is not listed as “eligible for PhD points” in Table 1 of Appendix Skilled Occupations and the applicant is claiming points for an educational qualification.

SW 6.3. To support the assessment in SW 6.2., the decision maker may, in particular, consider:

(a) whether the sponsor has shown a genuine need for the job as described; and

(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and

(c) the sponsor’s history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and

(d) any additional information from the sponsor.

SW6.3A. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SW 6.4. If the requirements in SW 6.1. to SW 6.3A. are met, an applicant will be awarded 20 mandatory points for a job at the appropriate skill level, subject to SW 6.5.

SW 6.5. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7.

Points for the English language requirement (mandatory)

SW 7.1. An applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B1 (intermediate).

SW 7.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

SW 7.3. If the requirements in SW 7.1. to SW 7.2. are met, the applicant will be awarded 10 mandatory points for meeting the English language requirement.

Points options A and F

SW 8.1. The applicant must be sponsored for a job in an eligible SOC 2020 occupation code (or, where relevant, an eligible job within a SOC 2020 occupation code) listed in:

(a) Table 1 of Appendix Skilled Occupations, if being awarded points under option A; or
(b) Table 2 of Appendix Skilled Occupations, if being awarded points under option F; or
(c) Tables 2 or 2a of Appendix Skilled Occupations, if being awarded points under option F, and the applicant meets the requirement in SW 4.2(b)(ii), and is applying to work for the same sponsor as in their most recent permission;

and the applicant must meet the relevant going rate salary requirement shown for the relevant option in that table.

Points options B and G

SW 9.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed as being “eligible for PhD points” in:

(a) Table 1 of Appendix Skilled Occupations, if being awarded points under option B; or
(b) Table 2 of Appendix Skilled Occupations, if being awarded points under option G; or
(c) Tables 2 or 2a of Appendix Skilled Occupations, if being awarded points under option G, and the applicant meets the requirement in SW 4.2(b)(ii) and is applying to work for the same sponsor as in their most recent permission,

and the applicant must meet the relevant going rate salary requirement shown for the relevant option in that table.

SW 9.2. The applicant must have a UK PhD or other academic doctoral qualification, or an overseas academic qualification which Ecctis confirms meets the recognised standard of a UK PhD.

SW 9.3. The applicant’s sponsor must have provided a credible explanation of how the qualification is relevant to the job for which the applicant is being sponsored.

SW 9.4. If the applicant has been correctly awarded points for an educational qualification in a previous grant of permission as a Skilled Worker, the applicant does not need to provide evidence of the qualification again, but the sponsor must still have provided the explanation of how the qualification is relevant to the job for which the applicant is being sponsored.

Points options C and H

SW 10.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed as being “eligible for PhD points” in:

(a) Table 1 of Appendix Skilled Occupations, if being awarded points under option C; or
(b) Table 2 of Appendix Skilled Occupations, if being awarded points under option H; or
(c) Tables 2 or 2a of Appendix Skilled Occupations, if being awarded points under option H, and the applicant meets the requirement in SW 4.2(b)(ii) and is applying to work for the same sponsor as in their most recent permission,

and the applicant must meet the relevant going rate salary requirement shown for the relevant option in that table.

SW 10.2. The applicant must meet the requirements in SW 9.2. to SW 9.4.

SW 10.3. The applicant's sponsor must have provided a credible explanation that the qualification in question is in a Science, Technology, Engineering or Mathematics (STEM) subject.

Points options D and I

SW 11.1. The applicant must be sponsored for a job in an eligible SOC 2020 occupation code (or, where relevant, an eligible job within a SOC 2020 occupation code) listed in Appendix Immigration Salary List for the nation of the UK where that job is based, unless SW 11.2. applies.

SW 11.2. If, on or before the date the sponsor assigned the Certificate of Sponsorship to the applicant, the applicant's job was removed from Appendix Immigration Salary List (or the previous Appendix Shortage Occupation List), both of the following conditions must be met:

(a) the applicant's most recent permission was as a Skilled Worker in which they were sponsored to work in a job listed in Appendix Immigration Salary List (or the previous Appendix Shortage Occupation List) under the applicable rules at that time; and

(b) the applicant is being sponsored to continue working in the same job for the same sponsor as in their previous permission.

SW 11.3. The applicant must meet the relevant going rate salary requirement shown in Table 1 (if being awarded points under option D) or Table 2 (if being awarded points under option I) of Appendix Skilled Occupations.

Points options E and J

SW 12.1. The applicant must be sponsored for a job in an eligible SOC 2020 occupation code (or, where relevant, an eligible job within a SOC 2020 occupation code) listed in:

(a) Table 1 of Appendix Skilled Occupations, if being awarded points under option E; or

(b) Table 2 of Appendix Skilled Occupations, if being awarded points under option J; or

(c) Tables 2 or 2a of Appendix Skilled Occupations, if being awarded points under option J, and the applicant meets the requirement in SW 4.2(b)(ii) and is applying to work for the same sponsor as in their most recent permission,

and the applicant must meet the relevant going rate salary requirement shown for the relevant option in that table.

SW 12.2. The applicant must meet one or more of the following requirements:

(a) the applicant must be under the age of 26 on the date of application; or

(b) the job for which the applicant is being sponsored must be a postdoctoral position in any of the following SOC 2020 occupation codes:

- 2111 Chemical scientists
- 2112 Biological scientists
- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 2115 Social and humanities scientists
- 2119 Natural and social science professionals not elsewhere classified
- 2162 Other researchers, unspecified discipline
- 2311 Higher education teaching professionals; or

(c) the job for which the applicant is being sponsored must be in a UK Regulated Profession and the applicant must be working towards a recognised professional qualification for that profession; or
(d) the applicant must be working towards full registration or chartered status with the relevant professional body for the job for which they are being sponsored; or
(e) all of the following conditions apply:
(i) the applicant's most recent permission (disregarding any permission as a visitor) was as a Student; and
(ii) if that Student permission has expired, it must have expired less than 2 years before the date of application; and
(iii)in that Student permission or any previous permission as a Student, the applicant was sponsored to study one of the following courses (not any other qualifications of an equivalent level):
- a UK bachelor's degree; or
- a UK master's degree; or
- a UK PhD or other doctoral qualification; or
- a Postgraduate Certificate in Education; or
- a Professional Graduate Diploma of Education; and

(iv)the applicant has completed (or is applying no more than 3 months before they are expected to complete) the course in SW 12.2(e)(iii) above, or the applicant is currently studying for a PhD for which they have completed at least 12 months study in the UK, or
(f) the applicant's most recent permission (disregarding any permission as a visitor) was as a Graduate, and if that permission has expired, it must have expired less than 2 years before the date of application.

SW 12.3. Granting the application must not mean the applicant's combined permission as a Skilled Worker, Graduate and/or Tier 2 Migrant would be more than 4 years in total, whether or not the permission is for a continuous period.

Points option K

SW 13.1. The applicant must be sponsored for a job in an eligible SOC 2020 occupation code (or, where relevant, an eligible job within a SOC 2020 occupation code) listed in Table 3 of Appendix Skilled Occupations and meet the relevant going rate salary requirement shown in Table 3, 4 or 5 of that Appendix.

SW 13.2. If the applicant is being sponsored for a job in one of the following SOC 2020 occupation codes:
- 2231 Midwifery nurses
- 2232 Community nurses
- 2233 Specialist nurses
- 2234 Nurse practitioners
- 2235 Mental health nurses
- 2236 Children's nurses
- 2237 Other nursing professionals

their salary may be temporarily (for up to 8 months) less than the £23,200 per year required under points option K in either of the following circumstances:
(a) the applicant has previously held Nursing and Midwifery Council (NMC) registration and is undertaking an NMC-approved programme with a view to returning to practice; or

(b) the applicant is working towards NMC registration, and both of the following apply:
(i) the applicant has passed the NMC's English language requirements and Computer Based Test of competence, before the date of application; and
(ii) the applicant will sit an Objective Structured Clinical Examination (OSCE) to obtain NMC registration no later than 3 months after the stated job start date.

SW 13.3. Where SW 13.2. applies:
(a) the sponsor must have confirmed that the applicant will stop being sponsored if they do not achieve full NMC registration within 8 months of the job start date (if the applicant was last granted permission to work in one of the SOC 2020 occupation codes in SW 13.2, or either of the SOC 2010 occupation codes "2231 Nurses" or "2232 Midwives", on the Skilled Worker route, the 8 months is counted from the start date of the job they were sponsored to do in their most recent permission); and
(b) during the 8 months in (a), or until the applicant achieves NMC registration (if sooner), the applicant's salary must be at least equal to the appropriate Agenda for Change Band 3 rate, as stated in Table 4 of Appendix Skilled Occupations.

Consideration of salary (all tradeable points options)

SW 14.1. Salary only includes guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions) and other guaranteed payments which are treated exactly the same as basic gross pay for tax, pension and national insurance purposes.

SW 14.2. Salary does not include other pay and benefits, such as any of the following:

(a) pay which cannot be guaranteed because the nature of the job means that hours fluctuate; or

(b) additional pay such as shift, overtime or bonus pay, (whether or not it is guaranteed); or

(c) employer pension and employer national insurance contributions; or

(d) any allowances, such as accommodation or cost of living allowances; or

(e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or

(f) one-off payments, such as 'golden hellos'; or

(g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or

(h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

SW 14.3. If the applicant is being sponsored to work more than 48 hours a week, subject to SW 14.3A, only the salary for the first 48 hours a week will be considered towards the salary

thresholds of £38,700, £34,830, £30,960, £29,000, £26,100 or £23,200 per year referred to in SW 8.1. to SW 13.7.

For example, an applicant who works 60 hours a week for £10 per hour will be considered to have a salary of £24,960 (£10 x 48 x 52) per year and not £31,200 (£10 x 60 x 52).

SW 14.3A. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:

(a) work in excess of 48 hours in some weeks can be considered towards the salary thresholds, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and

(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and

(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1 in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £12 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of £24,960 (£12 x 40 x 52) per year.

SW 14.4. Going rates will be pro-rated, to the applicant's working pattern, as follows:

(a) going rates for SOC 2020 occupation codes listed in Tables 1 to 2a of Appendix Skilled Occupations are based on a 37-hour week and will be pro-rated as follows:

(the going rate for the SOC 2020 occupation code stated in Tables 1 to 2a of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37)

(b) where an applicant's salary is required to be 70%, 80% or 90% of the going rate, the resulting figure from the calculation in (a) will be multiplied by 0.7, 0.8 or 0.9 as appropriate, to calculate the required salary; and.

(c) going rates for the health and education SOC 2020 occupation codes listed in Tables 3 to 5 of Appendix Skilled Occupations will be pro-rated as stated in Appendix Skilled Occupations; and

(d) the applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

Transitional arrangements for salary on the Skilled Worker route

SW 14.5. If the applicant is applying for permission to stay or settlement, the applicant was granted permission as a Tier 2 (General) Migrant and has had continuous permission as a Skilled Worker ever since, the following transitional arrangements apply:

(a) if the date of application is before 1 December 2026 salary may also include allowances (the other restrictions in SW 14.20 also apply), providing the following conditions are met:

(i) the applicant is applying to work for the same sponsor as in their previous permission; and

(ii) the allowances are guaranteed, will be paid for the duration of the applicant's permission, and would be paid to a local settled worker in similar circumstances, such as London weighting; and

(b) DELETED.

(c) if the applicant:

(i) was sponsored to work in one of the SOC 2010 occupation codes in the table below at the time they applied for their last permission as a Tier 2 (General) Migrant; and

(ii) has continued to be sponsored in that SOC 2010 occupation code or an equivalent SOC 2020 occupation code ever since (whether as a Tier 2 (General) Migrant and/or as a Skilled Worker); and

(iii)the date of application is before 1 December 2026; the going rates in the table below apply, instead of the going rates listed in Table 2 of Appendix Skilled Occupations. These going rates are based on a 40-hour working week and must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor:

SOC 2010 occupation code	**Equivalent SOC 2020 occupation code(s)**	**Going rate – option F**	**90% of going rate – option G**	**80% of going rate – options H and I**	**70% of going rate – option J**
2113 Physical scientists	• 2114 Physical scientists	£29,000 (£13.94 per hour)	£26,100 (£12.55 per hour)	£24,750 (£11.90 per hour)	£24,750 (£11.90 per hour)
2119 Natural and social science professionals not elsewhere classified	• 2119 Natural and social science professionals not elsewhere classified • 2162 Other researchers, unspecified discipline	£29,000 (£13.94 per hour)	£26,100 (£12.55 per hour)	£24,750 (£11.90 per hour)	£24,750 (£11.90 per hour)
2311 Higher education teaching professionals	• 2162 Other researchers, unspecified discipline • 2311 Higher education teaching professionals	£33,000 (£15.87 per hour)	£29,700 (£14.28 per hour)	£26,400 (£12.69 per hour)	£24,750 (£11.90 per hour)

SOC 2010 occupation code	Equivalent SOC 2020 occupation code(s)	Going rate – option F	90% of going rate – option G	80% of going rate – options H and I	70% of going rate – option J
	• 2322 Education managers				

SW 14.6. DELETED.

Genuineness requirement for a Skilled Worker

SW 14A.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by SW 18.2.

Financial requirement (mandatory) for a Skilled Worker

SW 15.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SW 15.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the applicant up to the end of the first month of their employment, to an amount of at least £1,270.

SW 15.3. If SW 15.2.(a) applies, the applicant must show that they have held the required funds for a 28-day period and as specified in Appendix Finance.

Criminal record certificate requirement (mandatory) for a Skilled Worker

SW 16.1. If the applicant is applying for entry clearance and is being sponsored for a job in any of the SOC 2020 occupation codes listed below, they must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over:

- 1171 Health services and public health managers and directors
- 1172 Social services managers and directors
- 1231 Health care practice managers

- 1232 Residential, day and domiciliary care managers and proprietors
- 1233 Early education and childcare services proprietors
- 2211 Generalist medical practitioners
- 2212 Specialist medical practitioners
- 2221 Physiotherapists
- 2222 Occupational therapists
- 2223 Speech and language therapists
- 2224 Psychotherapists and cognitive behaviour therapists
- 2225 Clinical psychologists
- 2226 Other psychologists
- 2229 Therapy professionals not elsewhere classified
- 2231 Midwifery nurses
- 2232 Community nurses
- 2233 Specialist nurses
- 2234 Nurse practitioners
- 2235 Mental health nurses
- 2236 Children's nurses
- 2237 Other nursing professionals
- 2251 Pharmacists
- 2252 Optometrists
- 2253 Dental practitioners
- 2254 Medical radiographers
- 2255 Paramedics
- 2256 Podiatrists
- 2259 Other health professionals not elsewhere classified
- 2312 Further education teaching professionals
- 2313 Secondary education teaching professionals
- 2314 Primary education teaching professionals
- 2315 Nursery education teaching professionals
- 2316 Special needs education teaching professionals
- 2317 Teachers of English as a foreign language
- 2319 Teaching professionals not elsewhere classified
- 2321 Head teachers and principals
- 2322 Education managers
- 2323 Education advisers and school inspectors
- 2324 Early education and childcare services managers
- 2329 Other educational professionals not elsewhere classified
- 2461 Social workers
- 2462 Probation officers
- 2464 Youth work professionals
- 2469 Welfare professionals not elsewhere classified
- 3211 Dispensing opticians
- 3212 Pharmaceutical technicians
- 3213 Medical and dental technicians
- 3214 Complementary health associate professionals
- 3219 Health associate professionals not elsewhere classified
- 3221 Youth and community workers
- 3222 Child and early years officers
- 3223 Housing officers
- 3224 Counsellors
- 3229 Welfare and housing associate professionals not elsewhere classified
- 3231 Higher level teaching assistants

- 3232 Early education and childcare practitioners
- 3433 Fitness and wellbeing instructors
- 3571 Human resources and industrial relations officers
- 6111 Early education and childcare assistants
- 6112 Teaching assistants
- 6113 Educational support assistants
- 6114 Childminders
- 6117 Playworkers
- 6131 Nursing auxiliaries and assistants
- 6133 Dental nurses
- 6134 Houseparents and residential wardens
- 6135 Care workers and home carers
- 6136 Senior care workers

SW 16.2. The requirement in SW 16.1. does not apply if the applicant provides a satisfactory explanation why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.

Decision on an application as a skilled worker

SW 17.1. If the decision maker is satisfied all the suitability and relevant eligibility requirements for a Skilled Worker are met, the application will be granted, otherwise the application will be refused.

SW 17.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a skilled worker

SW 18.1. The applicant will be granted entry clearance or permission to stay until 14 days after the end date of their certificate of sponsorship (the end date of the certificate of sponsorship may be up to a maximum of 5 years after the start date of their certificate of sponsorship), subject to SW 18.1A.

SW 18.1A. If the applicant is being sponsored in the SOC 2020 occupation code “2211 Generalist medical practitioners” for General Practitioner (GP) specialty training, they will be granted entry clearance or permission to stay until 4 months after the end date of their certificate of sponsorship.

SW 18.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work is permitted only in the job the applicant is being sponsored for, subject to (c) to (e); and

(c) supplementary employment is permitted, providing the person continues to work in the job for which they are being sponsored (and where the supplementary employment takes place during the 4- month period after the end date of their certificate of

sponsorship referred to in SW 18.1A the requirement to continue to work for the sponsor will not apply); and

(d) voluntary work is permitted; and

(e) working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application; and

(f) study is permitted, subject to the ATAS condition in Appendix ATAS.

(g) DELETED

Settlement as a skilled worker

Validity requirements for settlement as a skilled worker

SW 19.1. A person applying for settlement as a Skilled Worker must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

SW 19.2. An application for settlement as a Skilled Worker must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

SW 19.3. The applicant must have, or have last been granted, permission as a Skilled Worker.

SW 19.4. An application which does not meet the validity requirements for settlement as a Skilled worker may be rejected as invalid and not considered.

Suitability requirements for settlement as a skilled worker

SW 20.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 20.2. The applicant must not be;

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a skilled worker

Qualifying period requirement for settlement as a Skilled Worker

SW 21.1. The applicant must have spent a continuous period of 5 years in the UK.

SW 21.2. The 5-year continuous period must consist of time with permission on any of, or any combination of, the following routes:

(a) Skilled Worker; or

(b) Global talent; or

(c) Innovator Founder; or

(d) T2 Minister of Religion; or

(e) International Sportsperson; or

(f) Representative of an Overseas Business; or

(g) as a Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur) Migrant; or

(h) Scale-up; or

(i) permission on any other route, during the time the applicant was waiting for a decision on their application as a Skilled Worker, provided that application:

(i) was for permission to stay; and

(ii) was made between 24 January 2020 and 30 June 2021 (inclusive); and
(iii) was supported on the date of application by a certificate of sponsorship assigned by a licensed sponsor; and
(iv) was granted.

Continuous residence requirement for settlement as a Skilled Worker

SW 22.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SW 21.1.

Knowledge of life in the UK requirement for settlement as a Skilled Worker

SW 23.1 The applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Sponsorship and salary requirement for settlement as a Skilled Worker

SW 24.1. The sponsor in the applicant's most recent permission must still be approved by the Home Office to sponsor Skilled Workers on the date of decision.

SW 24.2. The sponsor must confirm that they still require the applicant to work for them for the foreseeable future, and that the applicant is paid, and will be paid for the foreseeable future, at least the salary in SW 24.3.

SW 24.3. Subject to SW 24.4, the applicant's salary must equal or exceed all three salary requirements shown in the relevant row of the table below.

	Applicant's circumstances	**General salary**	**Going rate**
A	All cases where rows B to D do not apply	Salary of at least £38,700 per year	At least the relevant going rate listed in Table 1 of Appendix Skilled Occupations
B	The applicant was sponsored in their most recent permission for a job in Appendix Immigration Salary List, and rows C to E do not apply.	Salary of at least £30,960 per year	At least the relevant going rate listed in Table 1 of Appendix Skilled Occupations
C	The applicant meets the requirements of SW 4.2(b), save that references to being sponsored should be read as meeting the requirements in SW 24.1. to SW 24.2, and rows D and E do not apply.	Salary of at least £29,000 per year	At least the relevant going rate listed in Tables 2 to 2a of Appendix Skilled Occupations
D	The applicant was sponsored in their most recent permission for a job in either: • Appendix Immigration Salary List (or the previous Appendix Shortage Occupation List); or • a health or education SOC 2020 occupation code listed in Table 3 of Appendix Skilled Occupations (or a related SOC 2010 occupation code shown in that table); and, in either case, row E does not apply.	Salary of at least £23,200 per year	At least the relevant going rate listed in Tables 2 to 5 of Appendix Skilled Occupations
E	The 5-year qualifying period for settlement includes time as a Tier 2	Salary of at least £23,200	At least the going rate in the table at SW 14.5(c), if

	Applicant's circumstances	General salary	Going rate
	(General) Migrant in which the applicant was sponsored for a job in one of the following SOC 2010 occupation codes: • 2111 Chemical scientists • 2112 Biological scientists and biochemists • 2113 Physical scientists • 2114 Social and humanities scientists • 2119 Natural and social science professionals not elsewhere classified • 2150 Research and development managers • 2311 Higher education teaching professionals	per year	the applicant has continued to be sponsored in that SOC 2010 occupation code, or the equivalent SOC 2020 occupation code shown in Table 2 of Appendix Skilled Occupations, ever since. At least the relevant going rate in Tables 2 to 5 of Appendix Skilled Occupations, in other cases.

SW 24.4. Salary under the table in SW 24.3 is subject to the following:

(a) salary will be considered as set out in SW 14.1. to SW 14.5. (and in SW 14.3., references to the salary thresholds of £38,700, £29,000 or £23,200 per year should be read as including references in the table in SW 24.3 above); and

(b) if the applicant is currently absent from work for one of the reasons set out in Part 9 paragraph 9.30.1, or has returned from such an absence within the month before the date of application, consideration will be based on their salary on their return to work, as stated by their sponsor.

Decision on an application for settlement as a skilled worker

SW 25.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a Skilled Worker are met, the applicant will be granted settlement, otherwise the application will be refused.

SW 25.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of a skilled worker

Validity requirements for a dependent partner or dependent child of a skilled worker

SW 26.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Skilled Worker must apply online on the gov.uk website on the specified form as follows:

Location of Partner or Child	Specified form
Applicant outside the UK	Dependant partner visa Dependant child visa
Applicant inside the UK	Dependant partner Dependant child

SW 26.2. An application for entry clearance or permission to stay as a partner or child of a Skilled Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay in the UK on the Skilled Worker route that has not been decided; or

(ii) has entry clearance or permission to stay on the Skilled Worker route; or

(iii) is settled or has become a British citizen, providing that P had permission on the Skilled Worker route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SW 26.3. If the applicant is applying as a dependent partner they must be aged 18 or over on the date of application.

SW 26.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Skilled Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

SW 26.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

SW 26.5. An application which does not meet all the validity requirements for a partner or child of a Skilled Worker may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a skilled worker

SW 27.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 27.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a skilled worker

Entry requirement for a dependent partner or dependent child of a Skilled Worker

SW 28.1. A person seeking to come to the UK as a dependent partner or dependent child of a Skilled Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Skilled Worker before they arrive in the UK.

SW 28.2. A person applying for entry clearance as the partner or child of a Skilled Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner of a Skilled Worker

SW 29.1. Subject to SW 29.1A, the applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Skilled Worker route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Skilled Worker route; or

(c) P is settled or has become a British citizen, providing P had permission on the Skilled Worker route when they settled and the applicant had permission as P's partner at that time.

SW 29.1A. In SW 29.1(a) and (b), P must not have (or be applying for) entry clearance or permission as a Skilled Worker sponsored for a job in:

(a) the SOC 2020 occupation code "6135 Care workers and home carers" or "6136 Senior care workers", or

(b) the SOC 2010 occupation code "6145 Care workers and home carers" or "6146 Senior care workers",

unless P:

(i) was (or is being) granted entry clearance or permission as a Skilled Worker, sponsored in the SOC 2010 occupation code "6145 Care workers and home carers" or "6146 Senior care workers", under the Rules in force before 11 March 2024; and

(ii) since the grant of entry clearance or permission in (a), P has continuously had permission as a Skilled Worker, sponsored in one or more of these SOC 2010 occupation codes or SOC 2020 occupation codes (except that where paragraph 39E applies, that period of overstaying will be disregarded).

SW 29.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SW 29.3. DELETED

SW 29.4. DELETED

Relationship requirement for a dependent child of a Skilled Worker

SW 30.1. DELETED.

SW 30.2. DELETED.

SW 30.3. DELETED.

Care requirement for a dependent child of a Skilled Worker

SW 31.1. DELETED.

Age requirement for a dependent child of a Skilled Worker

SW 32.1. DELETED.

SW 32.2. DELETED.

Requirements for a dependent child of a Skilled Worker

SW 32A.1. Subject to SW 29.1A, the applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

SW 32A.2. In Appendix Children, where CHI 3.1 (a) or (b) refer to the applicant applying as the child of a person (P), P must not be a Skilled Worker sponsored for a job in:

(a) the SOC 2020 occupation code "6135 Care workers and home carers" or "6136 Senior care workers", or
(b) the SOC 2010 occupation code "6145 Care workers and home carers" or "6146 Senior care workers",

Unless either:

(i) P:

1) was (or is being) granted entry clearance or permission as a Skilled Worker, sponsored in the SOC 2010 occupation code "6145 Care workers and home carers" or "6146 Senior care workers", under the Rules in force before 11 March 2024; and
2) since the grant of entry clearance or permission in (i), P has continuously had permission as a Skilled Worker, sponsored in one or more of these SOC 2010 occupation codes or SOC 2020 occupation codes (except that where paragraph 39E applies, that period of overstaying will be disregarded); or

(ii) the applicant was born in the UK.

Financial requirement for a dependent partner or dependent child of a Skilled Worker

SW 33.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SW 33.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in SW 33.3 must be held collectively by one or more of the following:
i) the applicant; and
ii) the Skilled Worker (P); and
iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time;
or

(b) the Skilled Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Skilled Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in SW 33.3.

SW 33.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

SW 33.4. If SW 33.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Skilled Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

SW 33.5. If SW 33.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Criminal record certificate requirement for a dependent partner of a Skilled Worker

SW 34.1. Where a Skilled Worker is being sponsored for a job in an SOC 2020 occupation code listed in SW 16.1, an applicant applying for entry clearance as the partner of the Skilled Worker must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over.

SW 34.2. The requirement in SW 34.1. does not apply if the applicant provides a satisfactory explanation why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.

Decision on an application as a dependent partner or dependent child of a skilled worker

SW 35.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Skilled Worker are met, the application will be granted, otherwise the application will be refused.

SW 35.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child of a skilled worker

SW 36.1. A partner will be granted:

(a) permission which ends on the same date as their partner's permission as a Skilled Worker; or

(b) 3 years' permission if the Skilled Worker was (or is being) granted settlement as a Skilled Worker.

SW 36.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 3 years.

SW 36.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS, if the applicant is over the age of 18.

(d) DELETED

Settlement as a dependent partner or dependent child of a skilled worker

Validity requirements for settlement as a dependent partner or dependent child of a skilled worker

SW 37.1. A person applying for settlement as a dependent partner or dependent child of a Skilled Worker must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

SW 37.2. An application for settlement as a partner or child of a person on the Skilled Worker route must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK on the date of application; and
(e) the applicant must be applying as a partner or child of a person (P) who:
    (i) has made a valid application for settlement in the UK on the Skilled Worker route and that application has not been decided; or
    (ii) is settled or has become a British citizen, provided that P had permission on the Skilled Worker route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SW 37.3. An application which does not meet the validity requirements for settlement as a partner or child of a Skilled Worker may be rejected as invalid and not considered.

Suitability requirements for settlement as a dependent partner or dependent child of a skilled worker

SW 38.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 38.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a dependent partner or dependent child of a skilled worker

Relationship requirement for settlement for a dependent partner or dependent child of a Skilled Worker

SW 39.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as a Skilled Worker; or

(b) P is settled in the UK or has become a British citizen, providing P had permission as a Skilled Worker when they settled and the applicant either:
i) had permission as P's partner or child at that time; or
ii) is applying as a child of P, and was born in the UK before P settled.

SW 39.2. The applicant must either:
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in SW 39.1; or
(b) have been born in the UK and be applying as a child of the person (P) in SW 39.1.

SW 39.3. If applying as a partner, the applicant and the person (P) in SW 39.1. must meet the relationship requirement in SW 29.2 to SW 29.4. and must have met them throughout the 5 years ending on the date of application.

SW 39.4. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

Care requirement for settlement as a dependent child of a Skilled Worker

SW 40.1. DELETED.

Age requirement for settlement as a dependent child of a Skilled Worker

SW 41.1. DELETED.

SW 41.2. DELETED.

Requirements for settlement as a dependent child of a Skilled Worker

SW 41A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and
(b) age and independent life requirement.

Qualifying period requirement for settlement as a dependent partner of a Skilled Worker

SW 42.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a dependent partner of the person (P) in SW 39.1.

Continuous residence requirement for settlement as a dependent partner of a Skilled Worker

SW 43.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SW 42.1.

English language requirement for settlement as a dependent partner or dependent child of a Skilled Worker

SW 44.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

SW 44.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a dependent partner or dependent child of a Skilled Worker

SW 45.1. If the applicant is aged 18 or over on the date of application, they must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent partner or dependent child of a skilled worker

SW 46.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child of a Skilled Worker, the application will be granted, otherwise the application will be refused.

SW 46.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Skilled Occupations

Eligible SOC 2020 occupation codes and going rates for Skilled Worker, Global Business Mobility and Scale-up routes

In this Appendix:

- "SW" refers to the Skilled Worker route
- "GBM" refers to the Global Business Mobility routes
- "GTR" refers to the Global Business Mobility - Graduate Trainee route
- "SCU" refers to the Scale-up route

Table 1: Eligible SOC 2020 occupation codes and related going rates based on median Annual Survey of Hours and Earnings (ASHE) data

Going rates in Table 1 are per year and based on a 37.5-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor. Options A to E refer to the points options set out in Appendix Skilled Worker.

The going rates and associated reductions which apply are whichever is the higher of:

- the rate shown by the median ASHE data for that occupation; or
- £15.88 per hour

For the avoidance of doubt, where £15.88 per hour calculates as more than 70%, 80% or 90% of the stated going rate, £15.88 will nevertheless be taken to be 70%, 80% or 90% of the going rate, as applicable.

Only the going rate column applies to Skilled Worker settlement applications; the columns setting out 70%, 80% and 90% of the going rate do not apply.

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1111 Chief executives and senior officials	• Chairman • Chief executive • Civil servant (grade 5 & above) • Diplomat • Vice President	£84,100 (£43.13 per hour)	£75,690 (£38.82 per hour)	£67,280 (£34.50 per hour)	£58,870 (£30.19 per hour)	Yes
1121 Production managers and directors in manufacturing	• Engineering manager • Managing director (engineering) • Operations manager (manufacturing) • Production manager • Technical manager	£51,500 (£26.41 per hour)	£46,350 (£23.77 per hour)	£41,200 (£21.13 per hour)	£36,050 (£18.49 per hour)	Yes
1122 Production managers and directors in construction	• Building services manager • Construction manager • Director (building construction) • Owner (electrical contracting) • Site manager	£50,100 (£25.69 per hour)	£45,090 (£23.12 per hour)	£40,080 (£20.55 per hour)	£35,070 (£17.98 per hour)	Yes
1123 Production managers and	• Operations manager (mining, water & energy) • Quarry manager	£51,600 (£26.46 per hour)	£46,440 (£23.82 per hour)	£41,280 (£21.17 per hour)	£36,120 (£18.52 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
directors in mining and energy	• Service manager (public utilities)					
1131 Financial managers and directors	• Bank Manager • Finance Director • Insurance Manager • Investment banker • Treasury manager	£70,000 (£35.90 per hour)	£63,000 (£32.31 per hour)	£56,000 (£28.72 per hour)	£49,000 (£25.13 per hour)	Yes
1132 Marketing, sales and advertising directors	• Account director (advertising) • Commercial director • Marketing director • Media director • Sales director	£83,000 (£42.56 per hour)	£74,700 (£38.31 per hour)	£66,400 (£34.05 per hour)	£58,100 (£29.79 per hour)	Yes
1133 Public relations and communications directors	• Head of communications • Head of public relations	£79,900 (£40.97 per hour)	£71,910 (£36.88 per hour)	£63,920 (£32.78 per hour)	£55,930 (£28.68 per hour)	Yes
1134 Purchasing managers and directors	• Bid production manager • Director of contracts • Head of buying • Purchasing manager	£50,300 (£25.79 per hour)	£45,270 (£23.22 per hour)	£40,240 (£20.64 per hour)	£35,210 (£18.06 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1135 Charitable organisation managers and directors	• Charity director • Manager (charitable organisation)	£40,900 (£20.97 per hour)	£36,810 (£18.88 per hour)	£32,720 (£16.78 per hour)	£30,960 (£15.88 per hour)	Yes
1136 Human resource managers and directors	• Human resources business partner • Human resources director • Personnel manager • Recruitment manager • Training director	£49,400 (£25.33 per hour)	£44,460 (£22.80 per hour)	£39,520 (£20.27 per hour)	£34,580 (£17.73 per hour)	Yes
1137 Information technology directors	• Chief Information officer • IT Director • Managing director (computer services) • Programme manager (computing) • Technical director (computer services)	£80,000 (£41.03 per hour)	£72,000 (£36.92 per hour)	£64,000 (£32.82 per hour)	£56,000 (£28.72 per hour)	Yes
1139 Functional managers and directors not elsewhere classified	• Area secretary (trade association) • Chief officer (local government) • Clerk to the county	£69,900 (£35.85 per hour)	£62,910 (£32.26 per hour)	£55,920 (£28.68 per hour)	£48,930 (£25.09 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	council • General Secretary (trade union) • Town Clerk					
1140 Directors in logistics, warehousing and transport	• Airport director • Head of logistics • Owner (delivery service) • Supply chain director • Traffic director (transport)	£72,200 (£37.03 per hour)	£64,980 (£33.32 per hour)	£57,760 (£29.62 per hour)	£50,540 (£25.92 per hour)	Yes
1150 Managers and directors in retail and wholesale	• Car sales manager • Manager (garden centre) • Managing director (wholesale, retail trade) • Retail manager • Shop manager (charitable organisation) • Wholesale manager	£33,100 (£16.97 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
1162 Senior police officers	• Chief superintendent (police service) • CID officer • Detective inspector • Police inspector	£59,100 (£30.31 per hour)	£53,190 (£27.28 per hour)	£47,280 (£24.25 per hour)	£41,370 (£21.22 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1163 Senior officers in fire, ambulance, prison and related services	• Chief immigration officer (HM Revenue and Customs) • Fire service officer (government) • Prison governor • Station officer (ambulance service)	£59,900 (£30.72 per hour)	£53,910 (£27.65 per hour)	£47,920 (£24.57 per hour)	£41,930 (£21.50 per hour)	Yes
1171 Health services and public health managers and directors	• Clinical manager • Director of nursing • Health service manager • Information manager (health authority: hospital service)	£43,900 (£22.51 per hour)	£39,510 (£20.26 per hour)	£35,120 (£18.01 per hour)	£30,960 (£15.88 per hour)	Yes
1172 Social services managers and directors	• Children's centre manager • Commissioner (local government: social services) • Community services manager • Service manager (welfare services) • Social work manager	£41,000 (£21.03 per hour)	£36,900 (£18.92 per hour)	£32,800 (£16.82 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1211 Managers and proprietors in agriculture and horticulture	• Farm manager • Farm owner • Nursery manager (horticulture) • Stock manager (farming)	£36,000 (£18.46 per hour)	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1212 Managers and proprietors in forestry, fishing and related services	• Cattery owner • Fish farm owner • Forest manager • Owner (landscape gardening) • Racehorse trainer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1221 Hotel and accommodation managers and proprietors	• Caravan park owner • Hotel manager • Manager (passenger ships) • Service flats manager	£32,700 (£16.77 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1222 Restaurant and catering establishment managers and proprietors	• Café owner • Operations manager (catering) • Restaurant manager • Shop manager (take-away food shop)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1223 Publicans and managers of licensed premises	• Landlady (public house) • Licensee • Manager (wine bar) • Publican	£33,500 (£17.18 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1224 Leisure and sports managers and proprietors	• Amusement arcade owner • Cinema manager • Football ground manager • Leisure centre manager • Theatre manager	£33,100 (£16.97 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1225 Travel agency managers and proprietors	• Branch manager (travel agents) • Tourist information manager • Travel agency owner • Travel manager	£32,500 (£16.67 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1231 Health care practice managers	• Clinic manager • Dental practice manager • GP practice manager • Patient services manager	£43,000 (£22.05 per hour)	£38,700 (£19.85 per hour)	£34,400 (£17.64 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Veterinary practice manager					
1232 Residential, day and domiciliary care managers and proprietors	• Care manager • Community centre manager • Day centre manager • Nursing home owner • Manager (sheltered housing) • Residential manager (care/residential home)	£36,400 (£18.67 per hour)	£32,760 (£16.80 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1233 Early education and childcare services proprietors	• Director (children's nursery) • Owner (nursery: children’s)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1241 Managers in transport and distribution	• Distribution service manager • Fleet manager • Operations manager (transport) • Shipping manager • Transport manager	£41,500 (£21.28 per hour)	£37,350 (£19.15 per hour)	£33,200 (£17.03 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1242 Managers in storage and warehousing	• Cellar manager (brewery) • Inventory manager • Operations manager • Stock manager • Warehouse manager	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1243 Managers in logistics	• Logistics manager • Supply chain manager	£42,400 (£21.74 per hour)	£38,160 (£19.57 per hour)	£33,920 (£17.39 per hour)	£30,960 (£15.88 per hour)	No
1251 Property, housing and estate managers	• Estate manager • Facilities manager • Housing manager • Landlord (property management) • Property manager	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1252 Garage managers and proprietors	• Bodyshop manager (vehicle trades) • Garage director • Garage owner • Tyre depot manager	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1253 Hairdressing and beauty salon managers and proprietors	• Hairdressing salon owner • Manager (beauty salon)	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Manager (nail salon) • Owner (pet grooming salon) • Owner (tanning studio) • Spa manager					
1254 Waste disposal and environmental services managers	• Environmental manager (refuse disposal) • Manager (local government: cleansing dept.) • Recycling plant manager • Scrap metal dealer	£48,800 (£25.03 per hour)	£43,920 (£22.52 per hour)	£39,040 (£20.02 per hour)	£34,160 (£17.52 per hour)	No
1255 Managers and directors in the creative industries	• Art gallery owner • Artist manager • Director (architectural service) • Graphic design manager • Gallery Manager • Production manager (entertainment) • Publisher • Radio station manager	£42,000 (£21.54 per hour)	£37,800 (£19.38 per hour)	£33,600 (£17.23 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
1256 Betting shop and gambling establishment managers	• Betting shop manager • Bingo hall manager • Casino manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1257 Hire services managers and proprietors	• Hire manager • Plant hire manager • Rental service manager • Tool hire manager	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1258 Directors in consultancy services	• Director (environmental consultancy) • Owner (design consultancy) • Owner (management consultancy)	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
1259 Managers and proprietors in other services not elsewhere classified	• Director (private detective agency) • Car park manager • Cemetery Manager • Library manager • Owner (cleaning services) • Training centre	£34,400 (£17.64 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	manager • Driving school owner					
2111 Chemical scientists	• Analytical chemist • Chemist • Development chemist • Industrial chemist • Laboratory analyst • Research scientist (chemical)	£35,200 (£18.05 per hour)	£31,680 (£16.25 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2112 Biological scientists	• Agricultural consultant • Forensic scientist • Horticulturist (professional) • Microbiologist • Pathologist	£41,900 (£21.49 per hour)	£37,710 (£19.34 per hour)	£33,520 (£17.19 per hour)	£30,960 (£15.88 per hour)	Yes
2113 Biochemists and biomedical scientists	• Clinical technologist • Endocrinologist • Histopathologist • Medical technologist • Medical researcher	£44,800 (£22.97 per hour)	£40,320 (£20.68 per hour)	£35,840 (£18.38 per hour)	£31,360 (£16.08 per hour)	Yes
2114 Physical scientists	• Geologist • Geophysicist • Medical physicist • Meteorologist	£47,300 (£24.26 per hour)	£42,570 (£21.83 per hour)	£37,840 (£19.41 per hour)	£33,110 (£16.98 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Oceanographer • Physicist • Seismologist					
2115 Social and humanities scientists	• Anthropologist • Archaeologist • Criminologist • Epidemiologist • Geographer • GIS analyst • Historian • Political researcher • Social scientist	£36,400 (£18.67 per hour)	£32,760 (£16.80 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2119 Natural and social science professionals not elsewhere classified Note: For Skilled Worker purposes, SOC 2020 occupation code 2119 includes researchers in research organisations other than universities.	• Operational research scientist • Scientific officer • Scientist • Sports scientist • Technical officer (laboratory) • University research fellow (sciences)	£41,200 (£21.13 per hour)	£37,080 (£19.02 per hour)	£32,960 (£16.90 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2121 Civil engineers	• Building engineer • Civil engineer (professional) • Highways engineer • Petroleum engineer • Public health engineer • Site engineer (building construction) • Structural engineer	£45,500 (£23.33 per hour)	£40,950 (£21.00 per hour)	£36,400 (£18.67 per hour)	£31,850 (£16.33 per hour)	Yes
2122 Mechanical engineers	• Automotive engineer (professional) • Design engineer (mechanical) • Marine engineer (professional) • Mechanical engineer (professional)	£42,500 (£21.79 per hour)	£38,250 (£19.62 per hour)	£34,000 (£17.44 per hour)	£30,960 (£15.88 per hour)	Yes
2123 Electrical engineers	• Electrical design engineer • Electrical engineer (professional) • Electrical surveyor • Equipment engineer • Power engineer	£53,500 (£27.44 per hour)	£48,150 (£24.69 per hour)	£42,800 (£21.95 per hour)	£37,450 (£19.21 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Signal engineer (professional, railways)					
2124 Electronics engineers	• Broadcasting engineer (professional) • Electronics designer • Electronics engineer (professional) • Microwave engineer (professional)	£49,900 (£25.59 per hour)	£44,910 (£23.03 per hour)	£39,920 (£20.47 per hour)	£34,930 (£17.91 per hour)	Yes
2125 Production and process engineers	• Chemical engineer • Industrial engineer • Pharmaceutical engineer • Process engineer • Production consultant • Production engineer	£43,700 (£22.41 per hour)	£39,330 (£20.17 per hour)	£34,960 (£17.93 per hour)	£30,960 (£15.88 per hour)	Yes
2126 Aerospace engineers	• Aeronautical engineer (professional) • Aerospace engineer • Aircraft designer • Avionics engineer	£46,400 (£23.79 per hour)	£41,760 (£21.42 per hour)	£37,120 (£19.04 per hour)	£32,480 (£16.66 per hour)	Yes
2127 Engineering project managers and project engineers	• Contracts manager (manufacturing) • Project engineer	£48,800 (£25.03 per hour)	£43,920 (£22.52 per hour)	£39,040 (£20.02 per hour)	£34,160 (£17.52 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Project manager (manufacturing)					
2129 Engineering professionals not elsewhere classified	• Acoustician (professional) • Food technologist • Metallurgist • Scientific consultant • Technical engineer • Technologist • Traffic engineer	£42,900 (£22.00 per hour)	£38,610 (£19.80 per hour)	£34,320 (£17.60 per hour)	£30,960 (£15.88 per hour)	Yes
2131 IT project managers	• Change manager (computing) • Implementation manager (computing) • IT project manager • Project leader (software design)	£51,900 (£26.62 per hour)	£46,710 (£23.95 per hour)	£41,520 (£21.29 per hour)	£36,330 (£18.63 per hour)	Yes
2132 IT managers	• Data centre manager • Data visualisation manager • IT manager • Network operations manager (computer services) • Product manager	£50,900 (£26.10 per hour)	£45,810 (£23.49 per hour)	£40,720 (£20.88 per hour)	£35,630 (£18.27 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Service delivery manager • Telecoms manager • UX manager					
2133 IT business analysts, architects and systems designers	• Business analyst (computing) • Data communications analyst • Change analyst (computing) • Systems analyst • Systems consultant • Technical analyst (computing) • Technical architect • User experience architect	£51,700 (£26.51 per hour)	£46,530 (£23.86 per hour)	£41,360 (£21.21 per hour)	£36,190 (£18.56 per hour)	Yes
2134 Programmers and software development professionals	• Analyst-programmer • Database developer • Games designer • Interactive designer • Mobile app developer • Programmer • Software engineer • Website builder	£49,400 (£25.33 per hour)	£44,460 (£22.80 per hour)	£39,520 (£20.27 per hour)	£34,580 (£17.73 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2135 Cyber security professionals	• Data security manager • Ethical hacker • Forensic computer investigator • IT security analyst • Technical security consultant	£45,300 (£23.23 per hour)	£40,770 (£20.91 per hour)	£36,240 (£18.58 per hour)	£31,710 (£16.26 per hour)	Yes
2136 IT quality and testing professionals	• IT auditor • Quality analyst (computing) • Software testing consultant • Systems tester (computing) • Test analyst (computing) • Test engineer (professional, software)	£39,900 (£20.46 per hour)	£35,910 (£18.42 per hour)	£31,920 (£16.37 per hour)	£30,960 (£15.88 per hour)	Yes
2137 IT network professionals	• Network consultant • Network designer • Network installation engineer • Network planner	£42,800 (£21.95 per hour)	£38,520 (£19.75 per hour)	£34,240 (£17.56 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2139 Information technology professionals not elsewhere classified	• Account manager (computing) • Internet engineer (professional) • IT planner • IT consultant • Technical evangelist • Webmaster • Web manager	£44,200 (£22.67 per hour)	£39,780 (£20.40 per hour)	£35,360 (£18.13 per hour)	£30,960 (£15.88 per hour)	Yes
2141 Web design professionals	• Desktop publisher • User interface designer • UX designer (computing) • Web designer • Web producer	£41,300 (£21.18 per hour)	£37,170 (£19.06 per hour)	£33,040 (£16.94 per hour)	£30,960 (£15.88 per hour)	Yes
2142 Graphic and multimedia designers	• 3D artist • Animator (computing) • Compositor (special effects) • Creative design assistant • Graphic artist • Graphic designer • Visual effects supervisor	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2151 Conservation professionals	• Conservation officer • Countryside officer • Ecologist • Heritage manager • Land management adviser • Landscape scientist • Marine conservationist	£36,600 (£18.77 per hour)	£32,940 (£16.89 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2152 Environment professionals	• Energy manager • Environmental consultant • Environmental engineer • Environmental protection officer • Environmental technician • Flood risk manager • Water quality scientist	£36,100 (£18.51 per hour)	£32,490 (£16.66 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2161 Research and development (R&D) managers	• Clinical trials manager • Consumer insights manager • Creative manager (research and development) • Design manager	£49,200 (£25.23 per hour)	£44,280 (£22.71 per hour)	£39,360 (£20.18 per hour)	£34,440 (£17.66 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Market research manager • Research manager (broadcasting)					
2162 Other researchers, unspecified discipline	• Postdoctoral researcher • Research assistant (university) • Research fellow (university) • University researcher	£40,800 (£20.92 per hour)	£36,720 (£18.83 per hour)	£32,640 (£16.74 per hour)	£30,960 (£15.88 per hour)	Yes
2240 Veterinarians	• Veterinarian • Veterinary practitioner • Veterinary surgeon	£48,100 (£24.67 per hour)	£43,290 (£22.20 per hour)	£38,480 (£19.73 per hour)	£33,670 (£17.27 per hour)	Yes
2311 Higher education teaching professionals	• Fellow (university) • Lecturer (higher education, university) • Professor (higher education, university) • Tutor (higher education, university) • University lecturer • University teaching assistant	£47,700 (£24.46 per hour)	£42,930 (£22.02 per hour)	£38,160 (£19.57 per hour)	£33,390 (£17.12 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2317 Teachers of English as a foreign language	• TEFL • English as a second language teacher • ESOL tutor	£36,600 (£18.77 per hour)	£32,940 (£16.89 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2319 Teaching professionals not elsewhere classified	• Adult education tutor • Ballet teacher (qualified) • Music teacher • Private tutor • Voice coach	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2322 Education managers	• Business school manager • Dean (further education) • Provost (higher education, university) • Registrar (educational establishments) • Vice chancellor (university)	£40,700 (£20.87 per hour)	£36,630 (£18.78 per hour)	£32,560 (£16.70 per hour)	£30,960 (£15.88 per hour)	Yes
2323 Education advisers and school inspectors	• Advisory teacher • Assessor (further, higher education) • Curriculum adviser • Early years adviser	£37,500 (£19.23 per hour)	£33,750 (£17.31 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Education officer • School inspector					
2324 Early education and childcare services managers	• After school club manager • Childcare manager (day nursery) • Nursery manager (day nursery) • Pre-school manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2329 Other educational professionals not elsewhere classified	• Active schools coordinator • Education administrator (further, higher education) • Exam marker • International recruitment officer (university)	£43,100 (£22.10 per hour)	£38,790 (£19.89 per hour)	£34,480 (£17.68 per hour)	£30,960 (£15.88 per hour)	Yes
2411 Barristers and judges	• Advocate • Barrister • Chairman (appeals tribunal, inquiry) • Coroner • Crown prosecutor • District judge	£52,400 (£26.87 per hour)	£47,160 (£24.18 per hour)	£41,920 (£21.50 per hour)	£36,680 (£18.81 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Legal advocate • Sherriff (Scottish Courts)					
2412 Solicitors and lawyers	• Lawyer • Managing clerk (qualified solicitor) • Solicitor • Solicitor-partner • Solicitor to the council	£52,300 (£26.82 per hour)	£47,070 (£24.14 per hour)	£41,840 (£21.46 per hour)	£36,610 (£18.77 per hour)	Yes
2419 Legal professionals not elsewhere classified	• Attorney • Conveyancer • Justice's clerk • Legal adviser • Legal consultant • Legal counsel • Paralegal • Patent agent • Patent attorney • Solicitor's clerk (articled)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2421 Chartered and certified accountants	• Accountant (qualified) • Auditor (qualified) • Chartered accountant • Company accountant • Cost accountant	£46,800 (£24.00 per hour)	£42,120 (£21.60 per hour)	£37,440 (£19.20 per hour)	£32,760 (£16.80 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	(qualified) • Financial controller (qualified accountant) • Management accountant (qualified)					
2422 Finance and investment analysts and advisers	• Credit risk analyst • Financial adviser • Financial consultant • Mortgage adviser • Pensions consultant	£40,600 (£20.82 per hour)	£36,540 (£18.74 per hour)	£32,480 (£16.66 per hour)	£30,960 (£15.88 per hour)	Yes
2423 Taxation experts	• Investigator (HM Revenue and Customs) • Tax adviser • Tax consultant • Tax inspector • Tax manager • Taxation specialist	£46,300 (£23.74 per hour)	£41,670 (£21.37 per hour)	£37,040 (£18.99 per hour)	£32,410 (£16.62 per hour)	Yes
2431 Management consultants and business analysts	• Business adviser • Business consultant • Business continuity manager • Digital business analyst • Financial risk analyst	£48,000 (£24.62 per hour)	£43,200 (£22.15 per hour)	£38,400 (£19.69 per hour)	£33,600 (£17.23 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Management consultant					
2432 Marketing and commercial managers	• Commercial manager • Client services manager (marketing) • Marketing development manager • Online marketing manager • Production manager (marketing)	£46,500 (£23.85 per hour)	£41,850 (£21.46 per hour)	£37,200 (£19.08 per hour)	£32,550 (£16.69 per hour)	Yes
2433 Actuaries, economists and statisticians	• Actuarial consultant • Actuary • Bioinformatician • Economist • Financial engineer • Statistician • Statistical analyst • Web analyst	£48,000 (£24.62 per hour)	£43,200 (£22.15 per hour)	£38,400 (£19.69 per hour)	£33,600 (£17.23 per hour)	Yes
2434 Business and related research professionals	• Crime analyst • Fellow (research) • Games researcher (broadcasting) • Inventor • Digital marketing	£36,500 (£18.72 per hour)	£32,850 (£16.85 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	analyst • Market research analyst • Social media analyst					
2435 Professional/chartered company secretaries	• Assistant company secretary (qualified) • Chartered secretary • Company secretary (qualified)	£45,800 (£23.49 per hour)	£41,220 (£21.14 per hour)	£36,640 (£18.79 per hour)	£32,060 (£16.44 per hour)	Yes
2439 Business, research and administrative professionals not elsewhere classified	• Civil servant (grade 6, 7) • Governance officer • Information compliance officer • Parliamentary assistant • Policy adviser (government) • Private secretary (government) • Registrar (government) • Service manager (government)	£52,200 (£26.77 per hour)	£46,980 (£24.09 per hour)	£41,760 (£21.42 per hour)	£36,540 (£18.74 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2440 Business and financial project management professionals	• Chief knowledge officer • Contracts manager (security services) • Project delivery officer • Project manager • Research support officer • Scrum master • Work package manager (professional)	£52,900 (£27.13 per hour)	£47,610 (£24.42 per hour)	£42,320 (£21.70 per hour)	£37,030 (£18.99 per hour)	Yes
2451 Architects	• Architect • Chartered architect • Landscape architect	£45,900 (£23.54 per hour)	£41,310 (£21.18 per hour)	£36,720 (£18.83 per hour)	£32,130 (£16.48 per hour)	Yes
2452 Chartered architectural technologists, planning officers and consultants	• Architectural consultant • Chartered architectural technologist • Construction planner • Planning officer (building construction) • Town planner	£36,600 (£18.77 per hour)	£32,940 (£16.89 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2453 Quantity surveyors	• Quantity surveyor • Survey technician	£45,500 (£23.33 per hour)	£40,950 (£21.00 per hour)	£36,400 (£18.67 per hour)	£31,850 (£16.33 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Surveyor (quantity surveying)					
2454 Chartered surveyors	• Building surveyor • Chartered surveyor • Hydrographic surveyor • Land surveyor • Topographer	£41,600 (£21.33 per hour)	£37,440 (£19.20 per hour)	£33,280 (£17.07 per hour)	£30,960 (£15.88 per hour)	Yes
2455 Construction project managers and related professionals	• Contract manager (building construction) • Project manager (building construction) • Transport modeller • Transport planner	£40,500 (£20.77 per hour)	£36,450 (£18.69 per hour)	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	Yes
2462 Probation officers	• Inspector (National Probation Service) • Probation officer • Youth justice officer	£37,400 (£19.18 per hour)	£33,660 (£17.26 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2464 Youth work professionals	• Youth and community officer • Youth worker (professional)	£37,400 (£19.18 per hour)	£33,660 (£17.26 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2469 Welfare professionals not elsewhere classified	• Child protection adviser • Children's guardian • Family court adviser • Rehabilitation officer • Restorative justice manager • Social services officer	£33,400 (£17.13 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2471 Librarians	• Chartered librarian • Librarian • Technical librarian • University librarian	£31,700 (£16.26 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2472 Archivists, conservators and curators	• Archivist • Conservator • Curator • Keeper (art gallery) • Museum officer	£33,600 (£17.23 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2481 Quality control and planning engineers	• Planning engineer • Quality assurance engineer • Quality control officer (professional) • Quality engineer	£40,000 (£20.51 per hour)	£36,000 (£18.46 per hour)	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
2482 Quality assurance and regulatory professionals	• Compliance manager • Financial regulator • Quality assurance manager • Quality manager	£42,500 (£21.79 per hour)	£38,250 (£19.62 per hour)	£34,000 (£17.44 per hour)	£30,960 (£15.88 per hour)	Yes
2483 Environmental health professionals	• Air pollution inspector • Environmental health officer • Food inspector • Public health inspector • Technical officer (environmental health)	£38,900 (£19.95 per hour)	£35,010 (£17.95 per hour)	£31,120 (£15.96 per hour)	£30,960 (£15.88 per hour)	Yes
2491 Newspaper, periodical and broadcast editors	• Editor • Content editor (newspapers, magazines) • Digital editor • Online editor	£40,400 (£20.72 per hour)	£36,360 (£18.65 per hour)	£32,320 (£16.57 per hour)	£30,960 (£15.88 per hour)	Yes
2492 Newspaper and periodical broadcast journalists and reporters	• Broadcast journalist • Digital journalist • Journalist • Online journalist • Radio journalist • Reporter	£40,800 (£20.92 per hour)	£36,720 (£18.83 per hour)	£32,640 (£16.74 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Writer (newspaper publishing)					
2493 Public relations professionals	• Account manager (public relations) • Communications manager (public relations) • Public relations consultant • Press officer • Public relations officer • Social media manager	£35,400 (£18.15 per hour)	£31,860 (£16.34 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
2494 Advertising accounts managers and creative directors	• Account manager (advertising) • Advertising Manager • Campaign Manager • Creative Director • Projects Manager (advertising)	£40,000 (£20.51 per hour)	£36,000 (£18.46 per hour)	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	Yes
3111 Laboratory technicians	• Assistant scientist (laboratory) • Associate practitioner (laboratory) • Cytoscreener • Hospital technician	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Laboratory technician • Scientific technician					
3112 Electrical and electronics technicians	• Avionics technician • Electrical technician • Electronics technician • Installation engineer (electricity supplier)	£34,300 (£17.59 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3113 Engineering technicians	• Aircraft engineer (licensed) • Aircraft technician • Commissioning engineer • Engineering technician • Manufacturing engineer • Mechanical technician • Wind turbine technician (construction)	£39,800 (£20.41 per hour)	£35,820 (£18.37 per hour)	£31,840 (£16.33 per hour)	£30,960 (£15.88 per hour)	Yes
3114 Building and civil engineering technicians	• Building services consultant • Civil engineering technician • Survey technician • Technical assistant (civil engineering)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3115 Quality assurance technicians	• Quality analyst • Quality assurance coordinator • Quality control technician • Quality officer • Quality technician • Test technician	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3116 Planning, process and production technicians	• Process technician • Production controller • Production planner • Production technician	£33,700 (£17.28 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3119 Science, engineering and production technicians not elsewhere classified	• School technician • Technical assistant • Technician • Textile consultant • Workshop technician	£32,100 (£16.46 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3120 CAD, drawing and architectural technicians	• 3D Printing Technician • Architect's assistant • Architectural design assistant • Architectural technician • CAD designer • Cartographer	£31,200 (£16.00 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Design technician • Draughtsman					
3131 IT operations technicians	• Computer games tester • Digital administrator • IT technician • Network administrator • Systems administrator	£31,100 (£15.95 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3132 IT user support technicians	• Business support analyst (computing) • Customer support analyst • Help desk operator (computing) • IT support technician • Systems support officer	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes
3133 Database administrators and web content technicians	• Database administrator • Digital content editor • Intranet coordinator • Website moderator	£31,500 (£16.15 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	Yes

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3211 Dispensing opticians	• Dispensing optician • Optical dispenser	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3212 Pharmaceutical technicians	• Dispensing technician • Pharmaceutical technician • Pharmacy technician	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3221 Youth and community workers	• Community development officer • Family support worker • Youth and community worker • Youth project coordinator • Youth worker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3222 Child and early years officers	• Child protection officer • Education welfare officer • Family liaison officer • Learning mentor (early years) • Parent support adviser • Portage worker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	(educational establishments)					
3223 Housing officers	• Accommodation officer • Housing adviser • Housing officer • Housing support officer	£31,400 (£16.10 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3224 Counsellors	• Counsellor (welfare services) • Debt adviser • Drugs and alcohol worker • Life coach • Stop smoking counsellor	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3229 Welfare and housing associate professionals not elsewhere classified	• Advocacy worker • Health coordinator • Homeless prevention officer • Key worker (welfare services) • Outreach worker (welfare services) • Probation services officer • Project worker (welfare	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	services) • Student support officer					
3232 Early education and childcare practitioners	• Childcare practitioner • Early years practitioner • Pre-school practitioner	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3240 Veterinary nurses	• Animal nurse • Veterinary nurse	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3312 Police officers (sergeant and below)	• Detective (police service) • Police constable • Police officer • Sergeant • Transport police officer	£44,800 (£22.97 per hour)	£40,320 (£20.68 per hour)	£35,840 (£18.38 per hour)	£31,360 (£16.08 per hour)	No
3313 Fire service officers (watch manager and below)	• Fire engineer • Fire safety officer • Firefighter • Watch manager (fire service)	£39,500 (£20.26 per hour)	£35,550 (£18.23 per hour)	£31,600 (£16.21 per hour)	£30,960 (£15.88 per hour)	No
3314 Prison service officers (below principal officer)	• Custodial manager • Prison custodial officer • Prison escort officer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Prison officer • Prison warden					
3319 Protective service associate professionals not elsewhere classified	• Crime scene investigator • Customs officer • Immigration officer • Investigation officer (police service) • Fingerprint expert • Fraud analyst • Operations manager (security services) • Private investigator • Security manager	£39,200 (£20.10 per hour)	£35,280 (£18.09 per hour)	£31,360 (£16.08 per hour)	£30,960 (£15.88 per hour)	No
3411 Artists	• Animator (hand drawn) • Artist • Illustrator • Portrait painter • Sculptor	£32,900 (£16.87 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3412 Authors, writers and translators	• Copywriter • Editor (books) • Interpreter • Technical author • Translator • Writer	£33,800 (£17.33 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3413 Actors, entertainers and presenters	• Actor • Commentator (broadcasting) • Costumed interpreter • Disc jockey • Entertainer • Presenter (broadcasting) • Singer	£32,900 (£16.87 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3414 Dancers and choreographers	• Ballet dancer • Choreographer • Dance coach • Dancer • Dance teacher	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3415 Musicians	• Composer • Musician • Organist • Pianist • Song writer • Violinist	£32,900 (£16.87 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3416 Arts officers, producers and directors	• Broadcast editor • Film editor • Production assistant (broadcasting) • Studio manager	£37,500 (£19.23 per hour)	£33,750 (£17.31 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Television producer • Video production assistant					
3417 Photographers, audio-visual and broadcasting equipment operators	• Audio visual technician • Cameraman • Commercial drone pilot • Digital imaging technician • Lighting designer • Photographer • Projectionist • Sound engineer • Theatre technician (entertainment)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3421 Interior designers	• Design consultant (interior design) • Interior decorator • Interior stylist • Kitchen designer	£33,300 (£17.08 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3422 Clothing, fashion and accessories designers	• Bridalwear designer • Fashion designer • Footwear designer • Jewellery designer	£40,500 (£20.77 per hour)	£36,450 (£18.69 per hour)	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3429 Design occupations not elsewhere classified	• Design consultant • Craft designer • Make-up artist (films) • Production designer (film, television production) • Visual merchandiser (design)	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3433 Fitness and wellbeing instructors	• Aerobics instructor • Fitness instructor • Gym instructor • Lifestyle consultant • Personal trainer • Pilates instructor • Yoga teacher	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3511 Aircraft pilots and air traffic controllers	• Airline pilot • Air traffic controller • First officer (airlines) • Flight engineer • Flight planner • Flying instructor • Helicopter pilot	£71,700 (£36.77 per hour)	£64,530 (£33.09 per hour)	£57,360 (£29.42 per hour)	£50,190 (£25.74 per hour)	No
3512 Ship and hovercraft officers	• Chief engineer (shipping) • Marine engineer	£66,300 (£34.00 per hour)	£59,670 (£30.60 per hour)	£53,040 (£27.20 per hour)	£46,410 (£23.80 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	(shipping) • Merchant navy officer • Petty officer • Tug master • Yacht skipper					
3520 Legal associate professionals	• Barrister's clerk • Compliance officer (legal services) • Law costs draftsman • Legal assistant • Litigator • Paralegal assistant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3531 Brokers	• Foreign exchange dealer • Insurance broker • Investment administrator • Stockbroker • Trader (stock exchange)	£41,700 (£21.38 per hour)	£37,530 (£19.25 per hour)	£33,360 (£17.11 per hour)	£30,960 (£15.88 per hour)	No
3532 Insurance underwriters	• Account handler (insurance) • Commercial underwriter • Insurance inspector	£35,200 (£18.05 per hour)	£31,680 (£16.25 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Mortgage underwriter • Underwriter					
3533 Financial and accounting technicians	• Accounting technician • Business associate (banking) • Financial controller • Fund administrator • Insolvency administrator • Managing clerk (accountancy)	£47,700 (£24.46 per hour)	£42,930 (£22.02 per hour)	£38,160 (£19.57 per hour)	£33,390 (£17.12 per hour)	No
3534 Financial accounts managers	• Accounts manager • Audit manager • Credit manager • Fund manager • Mortgage unit manager • Relationship manager (bank)	£41,600 (£21.33 per hour)	£37,440 (£19.20 per hour)	£33,280 (£17.07 per hour)	£30,960 (£15.88 per hour)	No
3541 Estimators, valuers and assessors	• Claims assessor • Claims investigator • Engineering surveyor • Estimator • Loss adjuster	£34,900 (£17.90 per hour)	£31,410 (£16.11 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• PPI case handler • Valuer					
3542 Importers and exporters	• Export coordinator • Exporter • Import agent • Importer • Shipping agent	£31,300 (£16.05 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3543 Project support officers	• Planning assistant • Project administrator • Project analyst • Project coordinator • Project officer • Service delivery coordinator	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3544 Data analysts	• Data analyst • Data officer • Data quality analyst • Information management analyst • Organisation and methods analyst	£33,200 (£17.03 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3549 Business associate	• Business support officer • Marine consultant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
professionals not elsewhere classified	• Methods engineer • O&M consultant • Party agent (political party)					
3551 Buyers and procurement officers	• Bid writer • Buyer • Procurement officer • Purchasing consultant • Supply planner	£33,000 (£16.92 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3552 Business sales executives	• Corporate account executive • Sales agent • Sales consultant • Sales executive • Technical representative	£34,500 (£17.69 per hour)	£31,050 (£15.92 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3553 Merchandisers	• Demand planner • Merchandiser • Sales merchandiser • Supply chain analyst	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3554 Advertising and marketing associate professionals	• Brand ambassador • Business development executive • Fundraiser	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Marketing consultant • Marketing executive					
3555 Estate agents and auctioneers	• Auctioneer • Auctioneer and valuer • Estate agent • Letting agent • Property consultant • Sales negotiator	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3556 Sales accounts and business development managers	• Account manager (sales) • Area sales manager • Business development manager • Product development manager • Sales manager	£52,500 (£26.92 per hour)	£47,250 (£24.23 per hour)	£42,000 (£21.54 per hour)	£36,750 (£18.85 per hour)	No
3557 Events managers and organisers	• Conference coordinator • Event organiser • Events manager • Exhibition organiser • Hospitality manager • Production manager (corporate hospitality)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3560 Public services associate professionals	• Civil servant (HEO, SEO) • Higher executive officer (government) • Principle revenue officer (local government) • Senior executive officer (government) • Team leader (local government)	£38,000 (£19.49 per hour)	£34,200 (£17.54 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3571 Human resources and industrial relations officers	• Employment consultant • Human resources advisor • Human resources analyst • Recruitment consultant • Talent attraction consultant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3572 Careers advisers and vocational guidance specialists	• Careers adviser • Careers consultant • Careers teacher • Personal advisor • Placement officer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
3573 Information technology trainers	• E-learning manager • IT trainer • IT tutor • Software trainer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3574 Other vocational and industrial trainers	• NVQ assessor • Technical instructor • Training consultant • Training manager	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3581 Inspectors of standards and regulations	• Building inspector • Driving examiner • Housing inspector • Meat hygiene inspector • Trading standards officer	£35,300 (£18.10 per hour)	£31,770 (£16.29 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
3582 Health and safety managers and officers	• Asbestos surveyor • Health and safety officer • Occupational hygienist • Safety consultant • Safety officer	£40,900 (£20.97 per hour)	£36,810 (£18.88 per hour)	£32,720 (£16.78 per hour)	£30,960 (£15.88 per hour)	No
4111 National government	• Administrative assistant (courts of justice)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
administrative occupations	• Administrative officer (government) • Civil servant (grades AA, AO & EO) • Clerk (government) • Revenue officer (government)					
4112 Local government administrative occupations	• Administrative assistant (local government) • Administrative officer (police service) • Benefits assistant (local government) • Clerical officer (local government) • Local government officer • Parish clerk	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4113 Officers of non-governmental organisations	• Administrator (charitable organisation) • Clerk to school governors • Organiser (trade union) • Secretary (research	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	association) • Trade union official					
4121 Credit controllers	• Credit control clerk • Credit controller • Debt management associate • Loans administrator	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4122 Book-keepers, payroll managers and wages clerks	• Accounts administrator • Accounts assistant • Accounts clerk • Auditor • Bookkeeper • Payroll manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4124 Finance officers	• Finance officer • Financial officer (local government) • Regional finance officer (PO)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4129 Financial administrative occupations not elsewhere classified	• Cashier • Finance administrator • Finance assistant • Legal cashier • Tax assistant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Treasurer • Valuation assistant					
4132 Pensions and insurance clerks and assistants	• Administrator (insurance) • Claims handler • Clerical assistant (insurance) • Insurance clerk • Pensions administrator	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4134 Transport and distribution clerks and assistants	• Cargo agent • Export clerk • Freight administrator • Logistics coordinator • Shipping clerk • Transport clerk	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4141 Office managers	• Business support manager • Office manager • Practice manager • Sales administration manager • Sales office manager	£35,000 (£17.95 per hour)	£31,500 (£16.15 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
4143 Customer service managers	• After sales manager • Call centre manager • Customer care manager • Customer service manager	£33,400 (£17.13 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4151 Sales administrators	• Online sales assistant • Marketing administrator • Sales administrator • Sales coordinator	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4159 Other administrative occupations not elsewhere classified	• Administrator • Administrative assistant • Clerical assistant • Clerk • Facilities coordinator • Office assistant • Proof reader	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
4214 Company secretaries and administrators	• Assistant secretary • Club secretary • Company administrator • Company secretary	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
4215 Personal assistants and other secretaries	• Executive assistant • PA-secretary • Personal assistant • Personal secretary • Secretary	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5111 Farmers	• Agricultural contractor • Agricultural technician (farming) • Crofter (farming) • Farmer • Herd manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5112 Horticultural trades	• Grower • Horticulturalist • Market Gardener • Nursery Assistant (agriculture) • Nurseryman	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5113 Gardeners and landscape gardeners	• Garden designer • Gardener • Gardener-handyman • Landscape gardener	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5114 Groundsmen and greenkeepers	• Greenkeeper • Groundsman • Groundsperson	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5119 Agricultural and fishing trades not elsewhere classified	• Arboricultural consultant • Bee farmer • Countryside ranger • Gamekeeper • National park warden • Share fisherman • Trawler skipper • Tree surgeon	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5211 Sheet metal workers	• Coppersmith • Metal fabricator • Panel beater (metal trades) • Sheet metal fabricator • Sheet metal worker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5212 Metal plate workers, smiths, moulders and related occupations	• Boiler maker • Core Maker (metal trades) • Die Caster • Chain repairer • Farrier • Moulder and coremaker • Pewtersmith • Pipe Maker (foundry) • Steel presser	£31,200 (£16.00 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5213 Welding trades	• Fabricator-welder • Fitter-welder • Spot welder • Welder • Welding technician	£31,700 (£16.26 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5214 Pipe fitters	• Pipe engineer • Pipe fitter • Pipe welder-fitter	£31,200 (£16.00 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5221 Metal machining setters and setter-operators	• CNC machinist • CNC programmer • Centre lathe turner • Miller (metal trades) • Tool setter • Turner	£32,600 (£16.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5222 Tool makers, tool fitters and markers-out	• Die maker • Engineer-toolmaker • Jig maker • Marker-out (engineering) • Tool engineer • Tool fitter • Tool maker	£36,400 (£18.67 per hour)	£32,760 (£16.80 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5223 Metal working production and maintenance fitters	• Agricultural engineer • Bench fitter • Engineering machinist • Fabricator • Installation engineer • Maintenance fitter • Mechanical engineer	£36,400 (£18.67 per hour)	£32,760 (£16.80 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5224 Precision instrument makers and repairers	• Calibration engineer • Horologist • Instrument maker • Instrument mechanic • Instrument technician • Optical technician • Precision engineer • Watchmaker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5225 Air-conditioning and refrigeration installers and repairers	• Air conditioning engineer • Air conditioning fitter • Refrigeration engineer • Refrigeration technician • Service engineer (refrigeration)	£39,800 (£20.41 per hour)	£35,820 (£18.37 per hour)	£31,840 (£16.33 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5231 Vehicle technicians, mechanics and electricians	• Auto electrician • Car mechanic • HGV mechanic • Mechanic (garage) • MOT tester • Motor mechanic • Motor vehicle technician • Technician (vehicles) • Vehicle technician	£32,000 (£16.41 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5232 Vehicle body builders and repairers	• Bodyshop technician • Car body repairer • Coach builder • Panel beater • Restoration technician (vehicles) • Vehicle builder	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5233 Vehicle paint technicians	• Car paint sprayer • Coach painter • Graphic applicator (vehicles) • Paint technician (vehicles) • Sprayer (vehicle trades)	£31,100 (£15.95 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Vehicle refinisher • Vehicle wrapper					
5234 Aircraft maintenance and related trades	• Aeronautical engineer • Aircraft electrician • Aircraft engineer • Aircraft fitter • Aircraft mechanic • Maintenance engineer (aircraft)	£44,500 (£22.82 per hour)	£40,050 (£20.54 per hour)	£35,600 (£18.26 per hour)	£31,150 (£15.97 per hour)	No
5235 Boat and ship builders and repairers	• Boat builder • Fitter (boat building) • Frame turner (ship building) • Laminator (boat building and repairing) • Marine engineer • Ship’s joiner • Shipwright	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5236 Rail and rolling stock builders and repairers	• Coach repairer (railways) • Mechanical fitter (railway and rolling stock) • Railway engineer • Rolling stock	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	technician • Service engineer (railway, rolling stock maintenance)					
5241 Electricians and electrical fitters	• Electrical contractor • Electrical engineer • Electrical fitter • Electrician	£35,500 (£18.21 per hour)	£31,950 (£16.38 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5242 Telecoms and related network installers and repairers	• Cable jointer • Customer service engineer (telecoms) • Installation engineer (telecoms) • Network officer (telecoms) • Telecom engineer • Telephone engineer	£35,000 (£17.95 per hour)	£31,500 (£16.15 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5243 Tv, video and audio servicers and repairers	• Installation engineer (radio, television and video) • Satellite engineer • Service engineer (radio, television and video) • Technician (radio,	£35,800 (£18.36 per hour)	£32,220 (£16.52 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	television and video servicing) • Television engineer					
5244 Computer system and equipment installers and servicers	• Computer repairer • Computer service engineer • Hardware engineer (computer) • IT engineer • Maintenance engineer (computer servicing)	£31,000 (£15.90 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5245 Security system installers and repairers	• Alarm engineer • CCTV engineer • Installation engineer (alarms) • Service engineer (alarms) • Security engineer	£35,800 (£18.36 per hour)	£32,220 (£16.52 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5246 Electrical service and maintenance mechanics and repairers	• Domestic appliance engineer • Maintenance man (electricity supplier) • Machine repairer (office machinery) • Repairer (electrical	£36,100 (£18.51 per hour)	£32,490 (£16.66 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	machinery) • Service engineer (domestic electrical appliances)					
5249 Electrical and electronic trades not elsewhere classified	• Communication engineer • Electronics engineer • Field engineer • Linesman	£40,400 (£20.72 per hour)	£36,360 (£18.65 per hour)	£32,320 (£16.57 per hour)	£30,960 (£15.88 per hour)	No
5250 Skilled metal, electrical and electronic trades supervisors	• Electrical supervisor • Maintenance supervisor (manufacturing) • Service manager (garage) • Workshop manager	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5311 Steel erectors	• Steel erector • Steel fabricator • Steel worker (structural engineering)	£34,800 (£17.85 per hour)	£31,320 (£16.06 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5312 Stonemasons and related trades	• Dry stone waller • Monumental mason • Stone mason	£31,000 (£15.90 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5313 Bricklayers	• Bricklayer • Block setter • Chimney builder • Floor stone Layer • Kiln repairer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5314 Roofers, roof tilers and slaters	• Mastic asphalt spreader • Roof tiler • Roofer • Roofing contractor • Slater • Thatcher	£31,000 (£15.90 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5315 Plumbers and heating and ventilating installers and repairers	• Gas engineer • Heating and ventilating engineer • Heat pump installer • Meter installer (water) • Plumber • Plumbing and heating engineer • Stove repairer (gas stoves) • Ventilation fitter	£35,200 (£18.05 per hour)	£31,680 (£16.25 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5316 Carpenters and joiners	• Carpenter • Carpenter and joiner • Joiner • Kitchen fitter • Shop fitter	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5317 Glaziers, window fabricators and fitters	• Glass Cutter • Glazier • Installer (double glazing) • Service engineer (windows) • Window fabricator • Window fitter	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5319 Construction and building trades not elsewhere classified	• Builder • Building contractor • Fencer • Fireplace fitter • Maintenance manager (buildings and other structures) • Property developer (building construction)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5321 Plasterers	• Dry liner • Fibrous plasterer	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Plasterer • Plastering contractor					
5322 Floorers and wall tilers	• Carpet fitter • Ceramic tiler • Flooring contractor • Mosaic floor layer	£32,600 (£16.72 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5323 Painters and decorators	• Artexer • French polisher • Paper hanger • Ship sprayer • Wood stainer	£38,100 (£19.54 per hour)	£34,290 (£17.58 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5330 Construction and building trades supervisors	• Builder’s foreman • Construction foreman • Construction supervisor • Maintenance supervisor • Site foreman	£38,100 (£19.54 per hour)	£34,290 (£17.58 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5411 Upholsterers	• Curtain fitter • Curtain maker • Soft furnisher • Trimmer (furniture mfr) • Upholsterer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
5412 Footwear and leather working trades	• Cobbler • Leather worker (leather goods mfr) • Machinist (leather goods mfr) • Shoe machinist • Shoe repairer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5413 Tailors and dressmakers	• Costume maker • Cutter (hosiery, knitwear mfr) • Dressmaker • Pattern Cutter • Tailor • Tailoress	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5419 Textiles, garments and related trades not elsewhere classified	• Clothing manufacturer • Embroiderer • Hand sewer • Knitter • Sail maker • Weaver • Upholstery cutter	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5421 Pre-press technicians	• Compositor • Plate maker • Pre-press manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Pre-press technician • Type setter					
5422 Printers	• Digital printer • Lithographic printer • Machine minder (printing) • Print technician • Screen printer • Wallpaper printer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5423 Print finishing and binding workers	• Binder's assistant • Book binder • Finishing supervisor (printing) • Print finisher • Retoucher (film processing)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5431 Butchers	• Butcher • Butcher's assistant • Butchery manager • Master butcher • Slaughterman	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5432 Bakers and flour confectioners	• Baker • Baker's assistant • Bakery manager	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Cake decorator • Confectioner					
5433 Fishmongers and poultry dressers	• Butcher (fish, poultry) • Filleter (fish) • Fish processor • Fishmonger • Poultry processor • Process worker (fish, poultry)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5434 Chefs	• Chef • Chef-manager • Food stylist • Head chef • Pastry chef	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5436 Catering and bar managers	• Bar manager • Catering manager • Floor manager (restaurant) • Kitchen manager • Steward (club)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5441 Glass and ceramics makers, decorators and finishers	• Ceramic artist • Glass blower • Potter (ceramics mfr) • Pottery worker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
	• Sprayer (ceramics mfr) • Stained glass artist					
5442 Furniture makers and other craft woodworkers	• Antiques restorer • Cabinet maker • Coffin maker • Furniture restorer • Joiner (cabinet making) • Picture framer • Sprayer (furniture mfr)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5443 Florists	• Floral assistant • Floral designer • Florist • Flower arranger	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
5449 Other skilled trades not elsewhere classified	• Diamond mounter • Engraver • Goldsmith • Paint sprayer • Piano tuner • Sign maker (electric signs) • Silversmith • Wig maker	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
6111 Early education and childcare assistants	• Child care assistant • Crèche assistant • Nursery assistant • Nursery nurse • Playgroup assistant • Pre-school assistant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6114 Childminders	• Baby sitter • Childminder • Mother's help • Nurse maid	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6117 Playworkers	• Afterschool club coordinator • Play leader • Playworker • School club leader	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6129 Animal care services occupations not elsewhere classified	• Animal technician • Canine beautician • Dog walker • Groom • Kennel assistant • Stable hand • Veterinary nursing assistant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
6134 Houseparents and residential wardens	• Foster carer • House matron • House parent • Residential care officer • Warden (care/residential home)	£31,200 (£16.00 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6135 Care workers and home carers – Jobs with a working location in England are only eligible in this SOC 2020 occupation code where the sponsor holds registration with the Care Quality Commission and is currently carrying on a regulated activity. Note: private households or individuals (other than sole traders sponsoring someone to work for their business) cannot	• Care assistant • Carer • Child care worker • Home care assistant • Home carer • Support worker (nursing home)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
sponsor Skilled Worker applicants.						
6136 Senior care workers – Jobs with a working location in England are only eligible in this SOC 2020 occupation code where the sponsor holds registration with the Care Quality Commission and is currently carrying on a regulated activity.	• Care coordinator (care/residential home) • Senior care assistant • Senior carer • Senior support worker (local government: welfare services) • Team leader (nursing home)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6213 Air travel assistants	• Air hostess • Cabin crew • Customer service agent (travel) • Flight attendant • Passenger service agent	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
6214 Rail travel assistants	• Conductor (railways) • Station assistant (underground railway) • Station supervisor • Ticket inspector (railways) • Train conductor • Train manager	£36,100 (£18.51 per hour)	£32,490 (£16.66 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
6311 Police community support officers	• Civilian support officer (police service) • Community support officer (police service) • Police community support officer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
7124 Market and street traders and assistants	• Market assistant • Market trader • Owner (market stall) • Stall holder • Street trader	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
7131 Shopkeepers and owners - retail and wholesale	• Antiques dealer • Fashion retailer • Greengrocer • Jeweller (retail trade) • Newsagent • Shopkeeper	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
7132 Sales supervisors - retail and wholesale	• Bakery manager (retail trade) • Check-out supervisor • Section manager (retail trade) • Shop supervisor (retail trade) • Supervisor (retail, wholesale trade) • Team leader (retail trade)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
7214 Market research interviewers	• Interviewer (market research) • Market researcher (interviewing) • Mystery shopper • Telephone interviewer • Telephone researcher • Traffic enumerator	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
7220 Customer service supervisors	• Call centre supervisor • Communications supervisor (air transport) • Customer service supervisor • Team leader (call centre)	£31,800 (£16.31 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
8113 Chemical and related process operatives	• Chemical process operator • Gas producer operator • Process technician (chemical mfr) • Process worker (cement mfr) • Process worker (nuclear fuel production)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
8133 Energy plant operatives	• Boilerman • Control room operator (electric) • Hydraulic engineman • Plant operator (electricity supplier) • Power station operator	£35,100 (£18.00 per hour)	£31,590 (£16.20 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
8134 Water and sewerage plant operatives	• Controller (water treatment) • Plant operator (sewage works) • Pump attendant • Water treatment engineer • Water treatment operator	£32,400 (£16.62 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
8143 Routine inspectors and testers	• Quality assurance inspector • Quality auditor • Quality controller • Quality inspector • Test engineer	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
8215 Driving instructors	• Cycling instructor • Driving instructor • HGV instructor • Instructor (driving school) • Motorcycle instructor	£32,100 (£16.46 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No
8232 Marine and waterways transport operatives	• Deck hand (shipping) • Engine room attendant (shipping) • Engineer (nos: boat, barge) • Ferryman • Merchant seaman • Seaman (shipping)	£53,200 (£27.28 per hour)	£47,880 (£24.55 per hour)	£42,560 (£21.83 per hour)	£37,240 (£19.10 per hour)	No
9119 Fishing and other elementary agriculture occupations not elsewhere classified -	• Vent chick sexer • Deckhand on large fishing vessel (9 metres and above)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)	Going rate (SW – option A)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E)	Eligible for PhD points (SW)?
ONLY the listed job titles are eligible in this SOC 2020 occupation code and ONLY where the job **Only** where the job requires the worker to have at least 3 years' full-time experience in using their skills. This experience must not have been gained through working illegally.						
9249 Elementary sales occupations not elsewhere classified	• Code controller (wholesale, retail trade) • Home shopper • Internet shopper (retail trade) • Order picker (retail trade) • Porter (retail trade) • Trolley assistant	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	£30,960 (£15.88 per hour)	No

Table 2: Eligible SOC 2020 occupation codes and related going rates based on 25th percentile Annual Survey of Hours and Earnings (ASHE) data

Going rates in Table 2 are per year and based on a 37.5-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor. Options F to J refer to the points options set out in Appendix Skilled Worker.

The going rates and associated reductions which apply are whichever is the higher of:

- the rate shown by the 25th percentile ASHE data for that occupation; or
- £11.90 per hour

For the avoidance of doubt, where £11.90 per hour calculates as more than 70%, 80% or 90% of the stated going rate, £11.90 will nevertheless be taken to be 70%, 80% or 90% of the going rate, as applicable.

Only the going rate column applies to Skilled Worker settlement applications; the columns setting out 70%, 80% and 90% of the going rate do not apply.

Equivalent SOC 2010 occupation codes are included where they were previously eligible for the Skilled Worker route, for ease of matching to the relevant SOC 2020 occupation codes for applicants being sponsored to continue working in the same occupation.

SOC 2020 occupation code	**Equivalent SOC 2010 occupation code(s)**	**Examples of related job titles (non-exhaustive)**	**Going rate (SW – option F, GBM and SCU)**	**90% of going rate (SW - option G)**	**80% of going rate (SW - options H and I)**	**70% of going rate (SW - option J, GTR)**	**Eligible for PhD points (SW)?**	**Eligible for GBM and SCU?**
1111 Chief executives and senior officials	1115, 1172	• Chairman • Chief executive • Civil servant (grade 5 & above) • Diplomat • Vice President	£54,700 (£28.05 per hour)	£49,230 (£25.25 per hour)	£43,760 (£22.44 per hour)	£38,290 (£19.64 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1121 Production managers and directors in manufacturing	1121	• Engineering manager • Managing director (engineering) • Operations manager (manufacturing) • Production manager • Technical manager	£37,100 (£19.03 per hour)	£33,390 (£17.12 per hour)	£29,680 (£15.22 per hour)	£25,970 (£13.32 per hour)	Yes	Yes
1122 Production managers and directors in construction	1122	• Building services manager • Construction manager • Director (building construction) • Owner (electrical contracting) • Site manager	£38,200 (£19.59 per hour)	£34,380 (£17.63 per hour)	£30,560 (£15.67 per hour)	£26,740 (£13.71 per hour)	Yes	Yes
1123 Production managers and directors in mining and energy	1123	• Operations manager (mining, water & energy) • Quarry manager • Service manager (public utilities)	£40,900 (£20.97 per hour)	£36,810 (£18.88 per hour)	£32,720 (£16.78 per hour)	£28,630 (£14.68 per hour)	Yes	Yes
1131 Financial managers and directors	1131, 1150	• Bank Manager • Finance Director • Insurance Manager • Investment banker • Treasury manager	£45,000 (£23.08 per hour)	£40,500 (£20.77 per hour)	£36,000 (£18.46 per hour)	£31,500 (£16.15 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1132 Marketing, sales and advertising directors	1132, 1134	• Account director (advertising) • Commercial director • Marketing director • Media director • Sales director	£55,600 (£28.51 per hour)	£50,040 (£25.66 per hour)	£44,480 (£22.81 per hour)	£38,920 (£19.96 per hour)	Yes	Yes
1133 Public relations and communications directors	1132, 1134	• Head of communications • Head of public relations	£62,800 (£32.21 per hour)	£56,520 (£28.98 per hour)	£50,240 (£25.76 per hour)	£43,960 (£22.54 per hour)	Yes	Yes
1134 Purchasing managers and directors	1133	• Bid production manager • Director of contracts • Head of buying • Purchasing manager	£45,500 (£23.33 per hour)	£40,950 (£21.00 per hour)	£36,400 (£18.67 per hour)	£31,850 (£16.33 per hour)	Yes	Yes
1135 Charitable organisation managers and directors	1139, 1184	• Charity director • Manager (charitable organisation)	£45,500 (£23.33 per hour)	£40,950 (£21.00 per hour)	£36,400 (£18.67 per hour)	£31,850 (£16.33 per hour)	Yes	Yes
1136 Human resource managers and directors	1135	• Human resources business partner • Human resources director • Personnel manager • Recruitment manager • Training director	£39,400 (£20.21 per hour)	£35,460 (£18.18 per hour)	£31,520 (£16.16 per hour)	£27,580 (£14.14 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1137 Information technology directors	1136, 2134, 3561	• Chief Information officer • IT Director • Managing director (computer services) • Programme manager (computing) • Technical director (computer services)	£58,800 (£30.15 per hour)	£52,920 (£27.14 per hour)	£47,040 (£24.12 per hour)	£41,160 (£21.11 per hour)	Yes	Yes
1139 Functional managers and directors not elsewhere classified	1139, 1223, 2424	• Area secretary (trade association) • Chief officer (local government) • Clerk to the county council • General Secretary (trade union) • Town Clerk	£48,800 (£25.03 per hour)	£43,920 (£22.52 per hour)	£39,040 (£20.02 per hour)	£34,160 (£17.52 per hour)	Yes	Yes
1140 Directors in logistics, warehousing and transport	1133, 1161, 1162	• Airport director • Head of logistics • Owner (delivery service) • Supply chain director • Traffic director (transport)	£36,900 (£18.92 per hour)	£33,210 (£17.03 per hour)	£29,520 (£15.14 per hour)	£25,830 (£13.25 per hour)	Yes	Yes
1150 Managers and directors in retail and wholesale	1121, 1190, 3545	• Car sales manager • Manager (garden centre) • Managing director (wholesale, retail trade)	£26,200 (£13.44 per hour)	£23,580 (£12.09 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Retail manager • Shop manager (charitable organisation) • Wholesale manager						
1162 Senior police officers	1172	• Chief superintendent (police service) • CID officer • Detective inspector • Police inspector	£55,500 (£28.46 per hour)	£49,950 (£25.62 per hour)	£44,400 (£22.77 per hour)	£38,850 (£19.92 per hour)	Yes	Yes
1163 Senior officers in fire, ambulance, prison and related services	1173	• Chief immigration officer (HM Revenue and Customs) • Fire service officer (government) • Prison governor • Station officer (ambulance service)	£55,500 (£28.46 per hour)	£49,950 (£25.62 per hour)	£44,400 (£22.77 per hour)	£38,850 (£19.92 per hour)	Yes	Yes
1171 Health services and public health managers and directors	1181	• Clinical manager • Director of nursing • Health service manager • Information manager (health authority: hospital service)	£36,900 (£18.92 per hour)	£33,210 (£17.03 per hour)	£29,520 (£15.14 per hour)	£25,830 (£13.25 per hour)	Yes	Yes
1172 Social services	1184, 1242	• Children's centre manager • Commissioner (local government: social services)	£33,500 (£17.18 per hour)	£30,150 (£15.46 per hour)	£26,800 (£13.74 per hour)	£23,450 (£12.03 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
managers and directors		• Community services manager • Service manager (welfare services) • Social work manager						
1211 Managers and proprietors in agriculture and horticulture	1211	• Farm manager • Farm owner • Nursery manager (horticulture) • Stock manager (farming)	£28,700 (£14.72 per hour)	£25,830 (£13.25 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1212 Managers and proprietors in forestry, fishing and related services	1213, 5223	• Cattery owner • Fish farm owner • Forest manager • Owner (landscape gardening) • Racehorse trainer	£27,000 (£13.85 per hour)	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1221 Hotel and accommodation managers and proprietors	1221	• Caravan park owner • Hotel manager • Manager (passenger ships) • Service flats manager	£27,000 (£13.85 per hour)	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1222 Restaurant and catering establishment managers and proprietors	1223	• Café owner • Operations manager (catering) • Restaurant manager • Shop manager (take-away food shop)	£24,700 (£12.67 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1223 Publicans and managers of licensed premises	1224	• Landlady (public house) • Licensee • Manager (wine bar) • Publican	£28,000 (£14.36 per hour)	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1224 Leisure and sports managers and proprietors	1225, 1253	• Amusement arcade owner • Cinema manager • Football ground manager • Leisure centre manager • Theatre manager	£26,400 (£13.54 per hour)	£23,760 (£12.18 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1225 Travel agency managers and proprietors	1226	• Branch manager (travel agents) • Tourist information manager • Travel agency owner • Travel manager	£26,700 (£13.69 per hour)	£24,030 (£12.32 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1231 Health care practice managers	1241	• Clinic manager • Dental practice manager • GP practice manager • Patient services manager • Veterinary practice manager	£31,300 (£16.05 per hour)	£28,170 (£14.45 per hour)	£25,040 (£12.84 per hour)	£23,200 (£11.90 per hour)	No	No
1232 Residential, day and domiciliary care managers and proprietors	1121, 1184, 1242, 1259	• Care manager • Community centre manager • Day centre manager • Nursing home owner • Manager (sheltered housing)	£28,700 (£14.72 per hour)	£25,830 (£13.25 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Residential manager (care/residential home)						
1233 Early education and childcare services proprietors	1259, 2319, 6121	• Director (children's nursery) • Owner (nursery: children's)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1241 Managers in transport and distribution	1139, 1150, 1161, 1162, 4161	• Distribution service manager • Fleet manager • Operations manager (transport) • Shipping manager • Transport manager	£31,900 (£16.36 per hour)	£28,710 (£14.72 per hour)	£25,520 (£13.09 per hour)	£23,200 (£11.90 per hour)	No	No
1242 Managers in storage and warehousing	1162	• Cellar manager (brewery) • Inventory manager • Operations manager • Stock manager • Warehouse manager	£26,800 (£13.74 per hour)	£24,120 (£12.37 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1243 Managers in logistics	1133, 1161, 1162	• Logistics manager • Supply chain manager	£34,500 (£17.69 per hour)	£31,050 (£15.92 per hour)	£27,600 (£14.15 per hour)	£24,150 (£12.38 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1251 Property, housing and estate managers	1251	• Estate manager • Facilities manager • Housing manager • Landlord (property management) • Property manager	£29,500 (£15.13 per hour)	£26,550 (£13.62 per hour)	£23,600 (£12.10 per hour)	£23,200 (£11.90 per hour)	No	No
1252 Garage managers and proprietors	1252	• Bodyshop manager (vehicle trades) • Garage director • Garage owner • Tyre depot manager	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1253 Hairdressing and beauty salon managers and proprietors	1253	• Hairdressing salon owner • Manager (beauty salon) • Manager (nail salon) • Owner (pet grooming salon) • Owner (tanning studio) • Spa manager	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1254 Waste disposal and environmental services managers	1255	• Environmental manager (refuse disposal) • Manager (local government: cleansing dept.) • Recycling plant manager • Scrap metal dealer	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1255 Managers and directors in the creative industries	1121, 1134, 1139, 1225, 1259, 2435, 3416	• Art gallery owner • Artist manager • Director (architectural service) • Graphic design manager • Gallery Manager • Production manager (entertainment) • Publisher • Radio station manager	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	Yes
1256 Betting shop and gambling establishment managers	1225, 1259	• Betting shop manager • Bingo hall manager • Casino manager	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1257 Hire services managers and proprietors	1255, 1259	• Hire manager • Plant hire manager • Rental service manager • Tool hire manager	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
1258 Directors in consultancy services	1259	• Director (environmental consultancy) • Owner (design consultancy) • Owner (management consultancy)	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
1259 Managers and proprietors in other services not elsewhere classified	1139, 1259	• Director (private detective agency) • Car park manager • Cemetery Manager • Library manager • Owner (cleaning services) • Training centre manager • Driving school owner	£26,700 (£13.69 per hour)	£24,030 (£12.32 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
2111 Chemical scientists	2111, 3111	• Analytical chemist • Chemist • Development chemist • Industrial chemist • Laboratory analyst • Research scientist (chemical)	£29,600 (£15.18 per hour)	£26,640 (£13.66 per hour)	£23,680 (£12.14 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2112 Biological scientists	2112	• Agricultural consultant • Forensic scientist • Horticulturist (professional) • Microbiologist • Pathologist	£32,100 (£16.46 per hour)	£28,890 (£14.82 per hour)	£25,680 (£13.17 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2113 Biochemists and biomedical scientists	2112, 3111, 3319	• Clinical technologist • Endocrinologist • Histopathologist • Medical technologist • Medical researcher	£36,700 (£18.82 per hour)	£33,030 (£16.94 per hour)	£29,360 (£15.06 per hour)	£25,690 (£13.17 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2114 Physical scientists	2113	• Geologist • Geophysicist • Medical physicist • Meteorologist • Oceanographer • Physicist • Seismologist	£32,100 (£16.46 per hour)	£28,890 (£14.82 per hour)	£25,680 (£13.17 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2115 Social and humanities scientists	2114	• Anthropologist • Archaeologist • Criminologist • Epidemiologist • Geographer • GIS analyst • Historian • Political researcher • Social scientist	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2119 Natural and social science professionals not elsewhere classified Note: For Skilled Worker purposes, SOC	2119, 2426, 3111	• Operational research scientist • Scientific officer • Scientist • Sports scientist • Technical officer (laboratory) • University research fellow (sciences)	£32,000 (£16.41 per hour)	£28,800 (£14.77 per hour)	£25,600 (£13.13 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2020 occupation code 2119 includes researchers in research organisations other than universities.								
2121 Civil engineers	2121, 2122, 2126	• Building engineer • Civil engineer (professional) • Highways engineer • Petroleum engineer • Public health engineer • Site engineer (building construction) • Structural engineer	£35,300 (£18.10 per hour)	£31,770 (£16.29 per hour)	£28,240 (£14.48 per hour)	£24,710 (£12.67 per hour)	Yes	Yes
2122 Mechanical engineers	2122, 2126	• Automotive engineer (professional) • Design engineer (mechanical) • Marine engineer (professional) • Mechanical engineer (professional)	£35,600 (£18.26 per hour)	£32,040 (£16.43 per hour)	£28,480 (£14.61 per hour)	£24,920 (£12.78 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2123 Electrical engineers	2123, 2126	• Electrical design engineer • Electrical engineer (professional) • Electrical surveyor • Equipment engineer • Power engineer • Signal engineer (professional, railways)	£43,900 (£22.51 per hour)	£39,510 (£20.26 per hour)	£35,120 (£18.01 per hour)	£30,730 (£15.76 per hour)	Yes	Yes
2124 Electronics engineers	2124, 2126, 5242	• Broadcasting engineer (professional) • Electronics designer • Electronics engineer (professional) • Microwave engineer (professional)	£41,900 (£21.49 per hour)	£37,710 (£19.34 per hour)	£33,520 (£17.19 per hour)	£29,330 (£15.04 per hour)	Yes	Yes
2125 Production and process engineers	2127, 5224	• Chemical engineer • Industrial engineer • Pharmaceutical engineer • Process engineer • Production consultant • Production engineer	£35,700 (£18.31 per hour)	£32,130 (£16.48 per hour)	£28,560 (£14.65 per hour)	£24,990 (£12.82 per hour)	Yes	Yes
2126 Aerospace engineers	2122, 2124, 2126, 2129, 5223	• Aeronautical engineer (professional) • Aerospace engineer	£38,400 (£19.69 per hour)	£34,560 (£17.72 per hour)	£30,720 (£15.75 per hour)	£26,880 (£13.78 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Aircraft designer • Avionics engineer						
2127 Engineering project managers and project engineers	2129	• Contracts manager (manufacturing) • Project engineer • Project manager (manufacturing)	£39,400 (£20.21 per hour)	£35,460 (£18.18 per hour)	£31,520 (£16.16 per hour)	£27,580 (£14.14 per hour)	Yes	Yes
2129 Engineering professionals not elsewhere classified	2126, 2129, 2135	• Acoustician (professional) • Food technologist • Metallurgist • Scientific consultant • Technical engineer • Technologist • Traffic engineer	£34,400 (£17.64 per hour)	£30,960 (£15.88 per hour)	£27,520 (£14.11 per hour)	£24,080 (£12.35 per hour)	Yes	Yes
2131 IT project managers	2134	• Change manager (computing) • Implementation manager (computing) • IT project manager • Project leader (software design)	£41,300 (£21.18 per hour)	£37,170 (£19.06 per hour)	£33,040 (£16.94 per hour)	£28,910 (£14.83 per hour)	Yes	Yes
2132 IT managers	2133	• Data centre manager • Data visualisation manager • IT manager	£40,900 (£20.97 per hour)	£36,810 (£18.88 per hour)	£32,720 (£16.78 per hour)	£28,630 (£14.68 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Network operations manager (computer services) • Product manager • Service delivery manager • Telecoms manager • UX manager						
2133 IT business analysts, architects and systems designers	2135, 2137	• Business analyst (computing) • Data communications analyst • Change analyst (computing) • Systems analyst • Systems consultant • Technical analyst (computing) • Technical architect • User experience architect	£39,300 (£20.15 per hour)	£35,370 (£18.14 per hour)	£31,440 (£16.12 per hour)	£27,510 (£14.11 per hour)	Yes	Yes
2134 Programmers and software development professionals	2135, 2136, 2137, 2139, 3422	• Analyst-programmer • Database developer • Games designer • Interactive designer • Mobile app developer • Programmer • Software engineer • Website builder	£36,300 (£18.62 per hour)	£32,670 (£16.75 per hour)	£29,040 (£14.89 per hour)	£25,410 (£13.03 per hour)	Yes	Yes
2135 Cyber security professionals	2139, 2426	• Data security manager • Ethical hacker • Forensic computer investigator	£35,100 (£18.00 per hour)	£31,590 (£16.20 per hour)	£28,080 (£14.40 per hour)	£24,570 (£12.60 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• IT security analyst • Technical security consultant						
2136 IT quality and testing professionals	2139, 2461	• IT auditor • Quality analyst (computing) • Software testing consultant • Systems tester (computing) • Test analyst (computing) • Test engineer (professional, software)	£31,100 (£15.95 per hour)	£27,990 (£14.35 per hour)	£24,880 (£12.76 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2137 IT network professionals	2139	• Network consultant • Network designer • Network installation engineer • Network planner	£36,000 (£18.46 per hour)	£32,400 (£16.62 per hour)	£28,800 (£14.77 per hour)	£25,200 (£12.92 per hour)	Yes	Yes
2139 Information technology professionals not elsewhere classified	2137, 2139	• Account manager (computing) • Internet engineer (professional) • IT planner • IT consultant • Technical evangelist • Webmaster • Web manager	£31,600 (£16.21 per hour)	£28,440 (£14.58 per hour)	£25,280 (£12.96 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2141 Web design professionals	2136, 2137	• Desktop publisher • User interface designer • UX designer (computing)	£35,800 (£18.36 per hour)	£32,220 (£16.52 per hour)	£28,640 (£14.69 per hour)	£25,060 (£12.85 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Web designer • Web producer						
2142 Graphic and multimedia designers	2431, 3411, 3421, 3422, 3550, 5421	• 3D artist • Animator (computing) • Compositor (special effects) • Creative design assistant • Graphic artist • Graphic designer • Visual effects supervisor	£35,800 (£18.36 per hour)	£32,220 (£16.52 per hour)	£28,640 (£14.69 per hour)	£25,060 (£12.85 per hour)	Yes	Yes
2151 Conservation professionals	2141	• Conservation officer • Countryside officer • Ecologist • Heritage manager • Land management adviser • Landscape scientist • Marine conservationist	£30,600 (£15.69 per hour)	£27,540 (£14.12 per hour)	£24,480 (£12.55 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2152 Environment professionals	2142, 3550	• Energy manager • Environmental consultant • Environmental engineer • Environmental protection officer • Environmental technician • Flood risk manager • Water quality scientist	£30,300 (£15.54 per hour)	£27,270 (£13.98 per hour)	£24,240 (£12.43 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2161 Research and development (R&D) managers	1139, 2150	• Clinical trials manager • Consumer insights manager • Creative manager (research and development) • Design manager • Market research manager • Research manager (broadcasting)	£37,800 (£19.38 per hour)	£34,020 (£17.45 per hour)	£30,240 (£15.51 per hour)	£26,460 (£13.57 per hour)	Yes	Yes
2162 Other researchers, unspecified discipline	2119, 2426	• Postdoctoral researcher • Research assistant (university) • Research fellow (university) • University researcher	£35,000 (£17.95 per hour)	£31,500 (£16.15 per hour)	£28,000 (£14.36 per hour)	£24,500 (£12.56 per hour)	Yes	Yes
2240 Veterinarians	2216	• Veterinarian • Veterinary practitioner • Veterinary surgeon	£39,600 (£20.31 per hour)	£35,640 (£18.28 per hour)	£31,680 (£16.25 per hour)	£27,720 (£14.22 per hour)	Yes	Yes
2311 Higher education teaching professionals	2311, 2312	• Fellow (university) • Lecturer (higher education, university) • Professor (higher education, university) • Tutor (higher education, university) • University lecturer • University teaching assistant	£38,100 (£19.54 per hour)	£34,290 (£17.58 per hour)	£30,480 (£15.63 per hour)	£26,670 (£13.68 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2317 Teachers of English as a foreign language	2319	• TEFL • English as a second language teacher • ESOL tutor	£34,200 (£17.54 per hour)	£30,780 (£15.78 per hour)	£27,360 (£14.03 per hour)	£23,940 (£12.28 per hour)	Yes	Yes
2319 Teaching professionals not elsewhere classified	2319, 3413, 3414	• Adult education tutor • Ballet teacher (qualified) • Music teacher • Private tutor • Voice coach	£24,500 (£12.56 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2322 Education managers	1259, 2317, 2319	• Business school manager • Dean (further education) • Provost (higher education, university) • Registrar (educational establishments) • Vice chancellor (university)	£33,200 (£17.03 per hour)	£29,880 (£15.32 per hour)	£26,560 (£13.62 per hour)	£23,240 (£11.92 per hour)	Yes	Yes
2323 Education advisers and school inspectors	2318, 2319	• Advisory teacher • Assessor (further, higher education) • Curriculum adviser • Early years adviser • Education officer • School inspector	£30,700 (£15.74 per hour)	£27,630 (£14.17 per hour)	£24,560 (£12.59 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2324 Early education and childcare services managers	1225, 1242, 1259, 2319, 6121	• After school club manager • Childcare manager (day nursery) • Nursery manager (day nursery) • Pre-school manager	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
2329 Other educational professionals not elsewhere classified	2317, 2319	• Active schools coordinator • Education administrator (further, higher education) • Exam marker • International recruitment officer (university)	£33,600 (£17.23 per hour)	£30,240 (£15.51 per hour)	£26,880 (£13.78 per hour)	£23,520 (£12.06 per hour)	Yes	Yes
2411 Barristers and judges	2412	• Advocate • Barrister • Chairman (appeals tribunal, inquiry) • Coroner • Crown prosecutor • District judge • Legal advocate • Sherriff (Scottish Courts)	£30,100 (£15.44 per hour)	£27,090 (£13.89 per hour)	£24,080 (£12.35 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2412 Solicitors and lawyers	2413, 2419	• Lawyer • Managing clerk (qualified solicitor) • Solicitor	£37,700 (£19.33 per hour)	£33,930 (£17.40 per hour)	£30,160 (£15.47 per hour)	£26,390 (£13.53 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Solicitor-partner • Solicitor to the council						
2419 Legal professionals not elsewhere classified	2419, 3520	• Attorney • Conveyancer • Justice's clerk • Legal adviser • Legal consultant • Legal counsel • Paralegal • Patent agent • Patent attorney • Solicitor's clerk (articled)	£23,500 (£12.05 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2421 Chartered and certified accountants	2421	• Accountant (qualified) • Auditor (qualified) • Chartered accountant • Company accountant • Cost accountant (qualified) • Financial controller (qualified accountant) • Management accountant (qualified)	£33,900 (£17.38 per hour)	£30,510 (£15.65 per hour)	£27,120 (£13.91 per hour)	£23,730 (£12.17 per hour)	Yes	Yes
2422 Finance and investment analysts and advisers	3534, 3537	• Credit risk analyst • Financial adviser • Financial consultant	£32,100 (£16.46 per hour)	£28,890 (£14.82 per hour)	£25,680 (£13.17 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Mortgage adviser • Pensions consultant						
2423 Taxation experts	3535	• Investigator (HM Revenue and Customs) • Tax adviser • Tax consultant • Tax inspector • Tax manager • Taxation specialist	£33,900 (£17.38 per hour)	£30,510 (£15.65 per hour)	£27,120 (£13.91 per hour)	£23,730 (£12.17 per hour)	Yes	Yes
2431 Management consultants and business analysts	1255, 2423	• Business adviser • Business consultant • Business continuity manager • Digital business analyst • Financial risk analyst • Management consultant	£36,200 (£18.56 per hour)	£32,580 (£16.71 per hour)	£28,960 (£14.85 per hour)	£25,340 (£12.99 per hour)	Yes	Yes
2432 Marketing and commercial managers	3545	• Commercial manager • Client services manager (marketing) • Marketing development manager • Online marketing manager • Production manager (marketing)	£37,000 (£18.97 per hour)	£33,300 (£17.08 per hour)	£29,600 (£15.18 per hour)	£25,900 (£13.28 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2433 Actuaries, economists and statisticians	2425	• Actuarial consultant • Actuary • Bioinformatician • Economist • Financial engineer • Statistician • Statistical analyst • Web analyst	£37,300 (£19.13 per hour)	£33,570 (£17.22 per hour)	£29,840 (£15.30 per hour)	£26,110 (£13.39 per hour)	Yes	Yes
2434 Business and related research professionals	2426, 3319, 3543	• Crime analyst • Fellow (research) • Games researcher (broadcasting) • Inventor • Digital marketing analyst • Market research analyst • Social media analyst	£30,600 (£15.69 per hour)	£27,540 (£14.12 per hour)	£24,480 (£12.55 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2435 Professional/chartered company secretaries	2429, 4214	• Assistant company secretary (qualified) • Chartered secretary • Company secretary (qualified)	£35,400 (£18.15 per hour)	£31,860 (£16.34 per hour)	£28,320 (£14.52 per hour)	£24,780 (£12.71 per hour)	Yes	Yes
2439 Business, research and administrative professionals	2429, 4215	• Civil servant (grade 6, 7) • Governance officer • Information compliance officer • Parliamentary assistant	£41,000 (£21.03 per hour)	£36,900 (£18.92 per hour)	£32,800 (£16.82 per hour)	£28,700 (£14.72 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
not elsewhere classified		• Policy adviser (government) • Private secretary (government) • Registrar (government) • Service manager (government)						
2440 Business and financial project management professionals	2424, 3545	• Chief knowledge officer • Contracts manager (security services) • Project delivery officer • Project manager • Research support officer • Scrum master • Work package manager (professional)	£41,100 (£21.08 per hour)	£36,990 (£18.97 per hour)	£32,880 (£16.86 per hour)	£28,770 (£14.75 per hour)	Yes	Yes
2451 Architects	2431	• Architect • Chartered architect • Landscape architect	£38,800 (£19.90 per hour)	£34,920 (£17.91 per hour)	£31,040 (£15.92 per hour)	£27,160 (£13.93 per hour)	Yes	Yes
2452 Chartered architectural technologists, planning officers and consultants	2431, 2432, 2435, 3121, 3122	• Architectural consultant • Chartered architectural technologist • Construction planner • Planning officer (building construction) • Town planner	£27,200 (£13.95 per hour)	£24,480 (£12.55 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2453 Quantity surveyors	2433	• Quantity surveyor • Survey technician • Surveyor (quantity surveying)	£34,000 (£17.44 per hour)	£30,600 (£15.69 per hour)	£27,200 (£13.95 per hour)	£23,800 (£12.21 per hour)	Yes	Yes
2454 Chartered surveyors	2434, 2435, 3565	• Building surveyor • Chartered surveyor • Hydrographic surveyor • Land surveyor • Topographer	£34,300 (£17.59 per hour)	£30,870 (£15.83 per hour)	£27,440 (£14.07 per hour)	£24,010 (£12.31 per hour)	Yes	Yes
2455 Construction project managers and related professionals	2432, 2436	• Contract manager (building construction) • Project manager (building construction) • Transport modeller • Transport planner	£34,200 (£17.54 per hour)	£30,780 (£15.78 per hour)	£27,360 (£14.03 per hour)	£23,940 (£12.28 per hour)	Yes	No
2462 Probation officers	2443	• Inspector (National Probation Service) • Probation officer • Youth justice officer	£28,200 (£14.46 per hour)	£25,380 (£13.02 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2464 Youth work professionals	2449	• Youth and community officer • Youth worker (professional)	£28,200 (£14.46 per hour)	£25,380 (£13.02 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2469 Welfare professionals not elsewhere classified	2449	• Child protection adviser • Children's guardian • Family court adviser • Rehabilitation officer • Restorative justice manager • Social services officer	£27,900 (£14.31 per hour)	£25,110 (£12.88 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2471 Librarians	2451	• Chartered librarian • Librarian • Technical librarian • University librarian	£26,500 (£13.59 per hour)	£23,850 (£12.23 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2472 Archivists, conservators and curators	2452	• Archivist • Conservator • Curator • Keeper (art gallery) • Museum officer	£26,500 (£13.59 per hour)	£23,850 (£12.23 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2481 Quality control and planning engineers	2461, 3115	• Planning engineer • Quality assurance engineer • Quality control officer (professional) • Quality engineer	£33,100 (£16.97 per hour)	£29,790 (£15.28 per hour)	£26,480 (£13.58 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2482 Quality assurance and regulatory professionals	2462, 3567	• Compliance manager • Financial regulator • Quality assurance manager • Quality manager	£35,000 (£17.95 per hour)	£31,500 (£16.15 per hour)	£28,000 (£14.36 per hour)	£24,500 (£12.56 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
2483 Environmental health professionals	2463	• Air pollution inspector • Environmental health officer • Food inspector • Public health inspector • Technical officer (environmental health)	£32,000 (£16.41 per hour)	£28,800 (£14.77 per hour)	£25,600 (£13.13 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2491 Newspaper, periodical and broadcast editors	2471	• Editor • Content editor (newspapers, magazines) • Digital editor • Online editor	£32,900 (£16.87 per hour)	£29,610 (£15.18 per hour)	£26,320 (£13.50 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2492 Newspaper and periodical broadcast journalists and reporters	2471	• Broadcast journalist • Digital journalist • Journalist • Online journalist • Radio journalist • Reporter • Writer (newspaper publishing)	£31,800 (£16.31 per hour)	£28,620 (£14.68 per hour)	£25,440 (£13.05 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
2493 Public relations professionals	2472	• Account manager (public relations) • Communications manager (public relations) • Public relations consultant • Press officer	£29,100 (£14.92 per hour)	£26,190 (£13.43 per hour)	£23,280 (£11.94 per hour)	£23,200 (£11.90 per hour)	Yes	Yes

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Public relations officer • Social media manager						
2494 Advertising accounts managers and creative directors	2473	• Account manager (advertising) • Advertising Manager • Campaign Manager • Creative Director • Projects Manager (advertising)	£32,600 (£16.72 per hour)	£29,340 (£15.05 per hour)	£26,080 (£13.37 per hour)	£23,200 (£11.90 per hour)	Yes	Yes
3111 Laboratory technicians	3111	• Assistant scientist (laboratory) • Associate practitioner (laboratory) • Cytoscreener • Hospital technician • Laboratory technician • Scientific technician	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3112 Electrical and electronics technicians	3112	• Avionics technician • Electrical technician • Electronics technician • Installation engineer (electricity supplier)	£29,500 (£15.13 per hour)	£26,550 (£13.62 per hour)	£23,600 (£12.10 per hour)	£23,200 (£11.90 per hour)	Yes	No
3113 Engineering technicians	3113	• Aircraft engineer (licensed) • Aircraft technician • Commissioning engineer • Engineering technician	£32,900 (£16.87 per hour)	£29,610 (£15.18 per hour)	£26,320 (£13.50 per hour)	£23,200 (£11.90 per hour)	Yes	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Manufacturing engineer • Mechanical technician • Wind turbine technician (construction)						
3114 Building and civil engineering technicians	3114	• Building services consultant • Civil engineering technician • Survey technician • Technical assistant (civil engineering)	£26,500 (£13.59 per hour)	£23,850 (£12.23 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3115 Quality assurance technicians	3115	• Quality analyst • Quality assurance coordinator • Quality control technician • Quality officer • Quality technician • Test technician	£24,500 (£12.56 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3116 Planning, process and production technicians	3116	• Process technician • Production controller • Production planner • Production technician	£28,000 (£14.36 per hour)	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3119 Science, engineering and production technicians not	3111, 3119, 3411	• School technician • Technical assistant • Technician • Textile consultant • Workshop technician	£26,400 (£13.54 per hour)	£23,760 (£12.18 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
elsewhere classified								
3120 CAD, drawing and architectural technicians	2435, 3121, 3122	• 3D Printing Technician • Architect's assistant • Architectural design assistant • Architectural technician • CAD designer • Cartographer • Design technician • Draughtsman	£27,400 (£14.05 per hour)	£24,660 (£12.65 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3131 IT operations technicians	3131, 5245	• Computer games tester • Digital administrator • IT technician • Network administrator • Systems administrator	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3132 IT user support technicians	3132, 5245	• Business support analyst (computing) • Customer support analyst • Help desk operator (computing) • IT support technician • Systems support officer	£26,300 (£13.49 per hour)	£23,670 (£12.14 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3133 Database administrators and web content technicians	2137, 3131, 7220	• Database administrator • Digital content editor • Intranet coordinator • Website moderator	£27,000 (£13.85 per hour)	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	Yes	No
3211 Dispensing opticians	2214, 3216	• Dispensing optician • Optical dispenser	£23,400 (£12.00 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3212 Pharmaceutical technicians	3217	• Dispensing technician • Pharmaceutical technician • Pharmacy technician	£23,400 (£12.00 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3221 Youth and community workers	3231, 3239, 3531	• Community development officer • Family support worker • Youth and community worker • Youth project coordinator • Youth worker	£24,900 (£12.77 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3222 Child and early years officers	3239	• Child protection officer • Education welfare officer • Family liaison officer • Learning mentor (early years) • Parent support adviser • Portage worker (educational establishments)	£24,500 (£12.56 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3223 Housing officers	3234	• Accommodation officer • Housing adviser • Housing officer • Housing support officer	£26,700 (£13.69 per hour)	£24,030 (£12.32 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3224 Counsellors	3235, 3239	• Counsellor (welfare services) • Debt adviser • Drugs and alcohol worker • Life coach • Stop smoking counsellor	£24,200 (£12.41 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3229 Welfare and housing associate professionals not elsewhere classified	2129, 2318, 2412, 3239	• Advocacy worker • Health coordinator • Homeless prevention officer • Key worker (welfare services) • Outreach worker (welfare services) • Probation services officer • Project worker (welfare services) • Student support officer	£23,300 (£11.95 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3232 Early education and childcare practitioners	6121, 6126	• Childcare practitioner • Early years practitioner • Pre-school practitioner	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3240 Veterinary nurses	6131	• Animal nurse • Veterinary nurse	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3312 Police officers (sergeant and below)	3312	• Detective (police service) • Police constable • Police officer • Sergeant • Transport police officer	£36,400 (£18.67 per hour)	£32,760 (£16.80 per hour)	£29,120 (£14.93 per hour)	£25,480 (£13.07 per hour)	No	No
3313 Fire service officers (watch manager and below)	1173, 3313	• Fire engineer • Fire safety officer • Firefighter • Watch manager (fire service)	£35,200 (£18.05 per hour)	£31,680 (£16.25 per hour)	£28,160 (£14.44 per hour)	£24,640 (£12.64 per hour)	No	No
3314 Prison service officers (below principal officer)	3314	• Custodial manager • Prison custodial officer • Prison escort officer • Prison officer • Prison warden	£35,000 (£17.95 per hour)	£31,500 (£16.15 per hour)	£28,000 (£14.36 per hour)	£24,500 (£12.56 per hour)	No	No
3319 Protective service associate professionals not elsewhere classified	3319	• Crime scene investigator • Customs officer • Immigration officer • Investigation officer (police service) • Fingerprint expert • Fraud analyst	£33,900 (£17.38 per hour)	£30,510 (£15.65 per hour)	£27,120 (£13.91 per hour)	£23,730 (£12.17 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Operations manager (security services) • Private investigator • Security manager						
3411 Artists	3411	• Animator (hand drawn) • Artist • Illustrator • Portrait painter • Sculptor	£27,300 (£14.00 per hour)	£24,570 (£12.60 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3412 Authors, writers and translators	3412	• Copywriter • Editor (books) • Interpreter • Technical author • Translator • Writer	£28,700 (£14.72 per hour)	£25,830 (£13.25 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3413 Actors, entertainers and presenters	3413, 3415, 3416	• Actor • Commentator (broadcasting) • Costumed interpreter • Disc jockey • Entertainer • Presenter (broadcasting) • Singer	£27,300 (£14.00 per hour)	£24,570 (£12.60 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3414 Dancers and choreographers	3414	• Ballet dancer • Choreographer • Dance coach • Dancer • Dance teacher	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3415 Musicians	3415	• Composer • Musician • Organist • Pianist • Song writer • Violinist	£27,300 (£14.00 per hour)	£24,570 (£12.60 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3416 Arts officers, producers and directors	2471, 3412, 3416	• Broadcast editor • Film editor • Production assistant (broadcasting) • Studio manager • Television producer • Video production assistant	£31,300 (£16.05 per hour)	£28,170 (£14.45 per hour)	£25,040 (£12.84 per hour)	£23,200 (£11.90 per hour)	No	Yes
3417 Photographers, audio-visual and broadcasting equipment operators	3417	• Audio visual technician • Cameraman • Commercial drone pilot • Digital imaging technician • Lighting designer • Photographer • Projectionist	£25,500 (£13.08 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Sound engineer • Theatre technician (entertainment)						
3421 Interior designers	2431, 3422	• Design consultant (interior design) • Interior decorator • Interior stylist • Kitchen designer	£25,600 (£13.13 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3422 Clothing, fashion and accessories designers	3122, 3422	• Bridalwear designer • Fashion designer • Footwear designer • Jewellery designer	£27,700 (£14.21 per hour)	£24,930 (£12.78 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3429 Design occupations not elsewhere classified	2431, 3122, 3422, 7125	• Design consultant • Craft designer • Make-up artist (films) • Production designer (film, television production) • Visual merchandiser (design)	£27,700 (£14.21 per hour)	£24,930 (£12.78 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3433 Fitness and wellbeing instructors	3443	• Aerobics instructor • Fitness instructor • Gym instructor • Lifestyle consultant • Personal trainer	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Pilates instructor • Yoga teacher						
3511 Aircraft pilots and air traffic controllers	3511, 3512	• Airline pilot • Air traffic controller • First officer (airlines) • Flight engineer • Flight planner • Flying instructor • Helicopter pilot	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	Yes
3512 Ship and hovercraft officers	3513	• Chief engineer (shipping) • Marine engineer (shipping) • Merchant navy officer • Petty officer • Tug master • Yacht skipper	£28,900 (£14.82 per hour)	£26,010 (£13.34 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3520 Legal associate professionals	2419, 3520	• Barrister's clerk • Compliance officer (legal services) • Law costs draftsman • Legal assistant • Litigator • Paralegal assistant	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3531 Brokers	3532	• Foreign exchange dealer • Insurance broker • Investment administrator • Stockbroker • Trader (stock exchange)	£32,200 (£16.51 per hour)	£28,980 (£14.86 per hour)	£25,760 (£13.21 per hour)	£23,200 (£11.90 per hour)	No	Yes
3532 Insurance underwriters	3533	• Account handler (insurance) • Commercial underwriter • Insurance inspector • Mortgage underwriter • Underwriter	£29,300 (£15.03 per hour)	£26,370 (£13.52 per hour)	£23,440 (£12.02 per hour)	£23,200 (£11.90 per hour)	No	No
3533 Financial and accounting technicians	3537	• Accounting technician • Business associate (banking) • Financial controller • Fund administrator • Insolvency administrator • Managing clerk (accountancy)	£36,000 (£18.46 per hour)	£32,400 (£16.62 per hour)	£28,800 (£14.77 per hour)	£25,200 (£12.92 per hour)	No	No
3534 Financial accounts managers	1150, 3538	• Accounts manager • Audit manager • Credit manager • Fund manager • Mortgage unit manager • Relationship manager (bank)	£32,500 (£16.67 per hour)	£29,250 (£15.00 per hour)	£26,000 (£13.33 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3541 Estimators, valuers and assessors	3531	• Claims assessor • Claims investigator • Engineering surveyor • Estimator • Loss adjuster • PPI case handler • Valuer	£29,000 (£14.87 per hour)	£26,100 (£13.38 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3542 Importers and exporters	3536	• Export coordinator • Exporter • Import agent • Importer • Shipping agent	£26,400 (£13.54 per hour)	£23,760 (£12.18 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3543 Project support officers	2136, 3113, 3534, 3539	• Planning assistant • Project administrator • Project analyst • Project coordinator • Project officer • Service delivery coordinator	£27,000 (£13.85 per hour)	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3544 Data analysts	3539	• Data analyst • Data officer • Data quality analyst • Information management analyst • Organisation and methods analyst	£28,600 (£14.67 per hour)	£25,740 (£13.20 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3549 Business associate professionals not elsewhere classified	3539	• Business support officer • Marine consultant • Methods engineer • O&M consultant • Party agent (political party)	£23,500 (£12.05 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3551 Buyers and procurement officers	3541	• Bid writer • Buyer • Procurement officer • Purchasing consultant • Supply planner	£27,500 (£14.10 per hour)	£24,750 (£12.69 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3552 Business sales executives	3542, 4151	• Corporate account executive • Sales agent • Sales consultant • Sales executive • Technical representative	£27,800 (£14.26 per hour)	£25,020 (£12.83 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3553 Merchandisers	3539, 3541, 3543, 7125	• Demand planner • Merchandiser • Sales merchandiser • Supply chain analyst	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3554 Advertising and marketing associate professionals	3412, 3416, 3543, 4151, 7215	• Brand ambassador • Business development executive • Fundraiser	£25,900 (£13.28 per hour)	£23,310 (£11.95 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Marketing consultant • Marketing executive						
3555 Estate agents and auctioneers	3542, 3544, 3565, 5319	• Auctioneer • Auctioneer and valuer • Estate agent • Letting agent • Property consultant • Sales negotiator	£23,600 (£12.10 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3556 Sales accounts and business development managers	1121, 1133, 3538, 3545	• Account manager (sales) • Area sales manager • Business development manager • Product development manager • Sales manager	£39,100 (£20.05 per hour)	£35,190 (£18.05 per hour)	£31,280 (£16.04 per hour)	£27,370 (£14.04 per hour)	No	No
3557 Events managers and organisers	3546	• Conference coordinator • Event organiser • Events manager • Exhibition organiser • Hospitality manager • Production manager (corporate hospitality)	£25,500 (£13.08 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3560 Public services	3561	• Civil servant (HEO, SEO) • Higher executive officer (government)	£33,300 (£17.08 per hour)	£29,970 (£15.37 per hour)	£26,640 (£13.66 per hour)	£23,310 (£11.95 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
associate professionals		• Principle revenue officer (local government) • Senior executive officer (government) • Team leader (local government)						
3571 Human resources and industrial relations officers	3562	• Employment consultant • Human resources advisor • Human resources analyst • Recruitment consultant • Talent attraction consultant	£25,300 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3572 Careers advisers and vocational guidance specialists	3564	• Careers adviser • Careers consultant • Careers teacher • Personal advisor • Placement officer	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3573 Information technology trainers	3563	• E-learning manager • IT trainer • IT tutor • Software trainer	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
3574 Other vocational and industrial trainers	3531, 3563	• NVQ assessor • Technical instructor • Training consultant • Training manager	£27,000 (£13.85 per hour)	£24,300 (£12.46 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
3581 Inspectors of standards and regulations	3565	• Building inspector • Driving examiner • Housing inspector • Meat hygiene inspector • Trading standards officer	£29,300 (£15.03 per hour)	£26,370 (£13.52 per hour)	£23,440 (£12.02 per hour)	£23,200 (£11.90 per hour)	No	No
3582 Health and safety managers and officers	1259, 2434, 3567	• Asbestos surveyor • Health and safety officer • Occupational hygienist • Safety consultant • Safety officer	£34,500 (£17.69 per hour)	£31,050 (£15.92 per hour)	£27,600 (£14.15 per hour)	£24,150 (£12.38 per hour)	No	No
4111 National government administrative occupations	3531, 3564, 4112	• Administrative assistant (courts of justice) • Administrative officer (government) • Civil servant (grades AA, AO & EO) • Clerk (government) • Revenue officer (government)	£24,100 (£12.36 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4112 Local government administrative occupations	3119, 3550	• Administrative assistant (local government) • Administrative officer (police service) • Benefits assistant (local government) • Clerical officer (local	£24,100 (£12.36 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		government) • Local government officer • Parish clerk						
4113 Officers of non-governmental organisations	4114	• Administrator (charitable organisation) • Clerk to school governors • Organiser (trade union) • Secretary (research association) • Trade union official	£24,100 (£12.36 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4121 Credit controllers		• Credit control clerk • Credit controller • Debt management associate • Loans administrator	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4122 Book-keepers, payroll managers and wages clerks		• Accounts administrator • Accounts assistant • Accounts clerk • Auditor • Bookkeeper • Payroll manager	£23,700 (£12.15 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4124 Finance officers		• Finance officer • Financial officer (local government) • Regional finance officer (PO)	£25,000 (£12.82 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
4129 Financial administrative occupations not elsewhere classified		• Cashier • Finance administrator • Finance assistant • Legal cashier • Tax assistant • Treasurer • Valuation assistant	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4132 Pensions and insurance clerks and assistants		• Administrator (insurance) • Claims handler • Clerical assistant (insurance) • Insurance clerk • Pensions administrator	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4134 Transport and distribution clerks and assistants	4134	• Cargo agent • Export clerk • Freight administrator • Logistics coordinator • Shipping clerk • Transport clerk	£25,000 (£12.82 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4141 Office managers	1241, 4161	• Business support manager • Office manager • Practice manager • Sales administration manager • Sales office manager	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
4143 Customer service managers	7220	• After sales manager • Call centre manager • Customer care manager • Customer service manager	£28,600 (£14.67 per hour)	£25,740 (£13.20 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4151 Sales administrators	4151	• Online sales assistant • Marketing administrator • Sales administrator • Sales coordinator	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4159 Other administrative occupations not elsewhere classified		• Administrator • Administrative assistant • Clerical assistant • Clerk • Facilities coordinator • Office assistant • Proof reader	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4214 Company secretaries and administrators	4214	• Assistant secretary • Club secretary • Company administrator • Company secretary	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
4215 Personal assistants and other secretaries	4215	• Executive assistant • PA-secretary • Personal assistant • Personal secretary • Secretary	£24,400 (£12.51 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5111 Farmers	5111	• Agricultural contractor • Agricultural technician (farming) • Crofter (farming) • Farmer • Herd manager	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5112 Horticultural trades	5112	• Grower • Horticulturalist • Market Gardener • Nursery Assistant (agriculture) • Nurseryman	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5113 Gardeners and landscape gardeners	5113, 9119	• Garden designer • Gardener • Gardener-handyman • Landscape gardener	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5114 Groundsmen and greenkeepers	5114	• Greenkeeper • Groundsman • Groundsperson	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5119 Agricultural and fishing trades not elsewhere classified	3550, 5119	• Arboricultural consultant • Bee farmer • Countryside ranger • Gamekeeper • National park warden	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Share fisherman • Trawler skipper • Tree surgeon						
5211 Sheet metal workers	5213	• Coppersmith • Metal fabricator • Panel beater (metal trades) • Sheet metal fabricator • Sheet metal worker	£24,100 (£12.36 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5212 Metal plate workers, smiths, moulders and related occupations	5211, 5212, 5214	• Boiler maker • Core Maker (metal trades) • Die Caster • Chain repairer • Farrier • Moulder and coremaker • Pewtersmith • Pipe Maker (foundry) • Steel presser	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5213 Welding trades	5215	• Fabricator-welder • Fitter-welder • Spot welder • Welder • Welding technician	£26,400 (£13.54 per hour)	£23,760 (£12.18 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5214 Pipe fitters	5216	• Pipe engineer • Pipe fitter • Pipe welder-fitter	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5221 Metal machining setters and setter-operators	5221	• CNC machinist • CNC programmer • Centre lathe turner • Miller (metal trades) • Tool setter • Turner	£27,800 (£14.26 per hour)	£25,020 (£12.83 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5222 Tool makers, tool fitters and markers-out	5222	• Die maker • Engineer-toolmaker • Jig maker • Marker-out (engineering) • Tool engineer • Tool fitter • Tool maker	£31,900 (£16.36 per hour)	£28,710 (£14.72 per hour)	£25,520 (£13.09 per hour)	£23,200 (£11.90 per hour)	No	No
5223 Metal working production and maintenance fitters	5223, 5225, 5237	• Agricultural engineer • Bench fitter • Engineering machinist • Fabricator • Installation engineer • Maintenance fitter • Mechanical engineer	£27,900 (£14.31 per hour)	£25,110 (£12.88 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5224 Precision instrument makers and repairers	5224	• Calibration engineer • Horologist • Instrument maker • Instrument mechanic • Instrument technician • Optical technician • Precision engineer • Watchmaker	£25,900 (£13.28 per hour)	£23,310 (£11.95 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5225 Air-conditioning and refrigeration installers and repairers	5225	• Air conditioning engineer • Air conditioning fitter • Refrigeration engineer • Refrigeration technician • Service engineer (refrigeration)	£27,800 (£14.26 per hour)	£25,020 (£12.83 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5231 Vehicle technicians, mechanics and electricians	5231	• Auto electrician • Car mechanic • HGV mechanic • Mechanic (garage) • MOT tester • Motor mechanic • Motor vehicle technician • Technician (vehicles) • Vehicle technician	£25,900 (£13.28 per hour)	£23,310 (£11.95 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5232 Vehicle body builders and repairers	5232	• Bodyshop technician • Car body repairer • Coach builder • Panel beater • Restoration technician (vehicles) • Vehicle builder	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5233 Vehicle paint technicians	5232, 5234	• Car paint sprayer • Coach painter • Graphic applicator (vehicles) • Paint technician (vehicles) • Sprayer (vehicle trades) • Vehicle refinisher • Vehicle wrapper	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5234 Aircraft maintenance and related trades	5235	• Aeronautical engineer • Aircraft electrician • Aircraft engineer • Aircraft fitter • Aircraft mechanic • Maintenance engineer (aircraft)	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5235 Boat and ship builders and repairers	5236	• Boat builder • Fitter (boat building) • Frame turner (ship building) • Laminator (boat building and	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		repairing) • Marine engineer • Ship's joiner • Shipwright						
5236 Rail and rolling stock builders and repairers	5237	• Coach repairer (railways) • Mechanical fitter (railway and rolling stock) • Railway engineer • Rolling stock technician • Service engineer (railway, rolling stock maintenance)	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5241 Electricians and electrical fitters	5241	• Electrical contractor • Electrical engineer • Electrical fitter • Electrician	£29,600 (£15.18 per hour)	£26,640 (£13.66 per hour)	£23,680 (£12.14 per hour)	£23,200 (£11.90 per hour)	No	No
5242 Telecoms and related network installers and repairers	5242, 5249	• Cable jointer • Customer service engineer (telecoms) • Installation engineer (telecoms) • Network officer (telecoms) • Telecom engineer • Telephone engineer	£28,200 (£14.46 per hour)	£25,380 (£13.02 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5243 Tv, video and audio servicers and repairers	5244	• Installation engineer (radio, television and video) • Satellite engineer • Service engineer (radio, television and video) • Technician (radio, television and video servicing) • Television engineer	£29,800 (£15.28 per hour)	£26,820 (£13.75 per hour)	£23,840 (£12.23 per hour)	£23,200 (£11.90 per hour)	No	No
5244 Computer system and equipment installers and servicers	5245, 5249	• Computer repairer • Computer service engineer • Hardware engineer (computer) • IT engineer • Maintenance engineer (computer servicing)	£25,000 (£12.82 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5245 Security system installers and repairers	5249	• Alarm engineer • CCTV engineer • Installation engineer (alarms) • Service engineer (alarms) • Security engineer	£29,800 (£15.28 per hour)	£26,820 (£13.75 per hour)	£23,840 (£12.23 per hour)	£23,200 (£11.90 per hour)	No	No
5246 Electrical service and maintenance mechanics and repairers	5241, 5249	• Domestic appliance engineer • Maintenance man (electricity supplier) • Machine repairer (office machinery) • Repairer (electrical machinery)	£31,700 (£16.26 per hour)	£28,530 (£14.63 per hour)	£25,360 (£13.01 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Service engineer (domestic electrical appliances)						
5249 Electrical and electronic trades not elsewhere classified	5249	• Communication engineer • Electronics engineer • Field engineer • Linesman	£33,200 (£17.03 per hour)	£29,880 (£15.32 per hour)	£26,560 (£13.62 per hour)	£23,240 (£11.92 per hour)	No	No
5250 Skilled metal, electrical and electronic trades supervisors	1252, 5250	• Electrical supervisor • Maintenance supervisor (manufacturing) • Service manager (garage) • Workshop manager	£28,100 (£14.41 per hour)	£25,290 (£12.97 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5311 Steel erectors	5311	• Steel erector • Steel fabricator • Steel worker (structural engineering)	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5312 Stonemasons and related trades	5312	• Dry stone waller • Monumental mason • Stone mason	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5313 Bricklayers	5312	• Bricklayer • Block setter • Chimney builder	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Floor stone Layer • Kiln repairer						
5314 Roofers, roof tilers and slaters	5313	• Mastic asphalt spreader • Roof tiler • Roofer • Roofing contractor • Slater • Thatcher	£25,800 (£13.23 per hour)	£23,220 (£11.91 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5315 Plumbers and heating and ventilating installers and repairers	5314	• Gas engineer • Heating and ventilating engineer • Heat pump installer • Meter installer (water) • Plumber • Plumbing and heating engineer • Stove repairer (gas stoves) • Ventilation fitter	£28,800 (£14.77 per hour)	£25,920 (£13.29 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5316 Carpenters and joiners	5315	• Carpenter • Carpenter and joiner • Joiner • Kitchen fitter • Shop fitter	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5317 Glaziers, window fabricators and fitters	5249, 5316	• Glass Cutter • Glazier • Installer (double glazing) • Service engineer (windows) • Window fabricator • Window fitter	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5319 Construction and building trades not elsewhere classified	5319	• Builder • Building contractor • Fencer • Fireplace fitter • Maintenance manager (buildings and other structures) • Property developer (building construction)	£25,500 (£13.08 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5321 Plasterers	5321	• Dry liner • Fibrous plasterer • Plasterer • Plastering contractor	£26,100 (£13.38 per hour)	£23,490 (£12.05 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5322 Floorers and wall tilers	5313, 5322	• Carpet fitter • Ceramic tiler • Flooring contractor • Mosaic floor layer	£26,300 (£13.49 per hour)	£23,670 (£12.14 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5323 Painters and decorators	5323	• Artexer • French polisher • Paper hanger • Ship sprayer • Wood stainer	£24,500 (£12.56 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5330 Construction and building trades supervisors	5330	• Builder's foreman • Construction foreman • Construction supervisor • Maintenance supervisor • Site foreman	£32,000 (£16.41 per hour)	£28,800 (£14.77 per hour)	£25,600 (£13.13 per hour)	£23,200 (£11.90 per hour)	No	No
5411 Upholsterers	5412	• Curtain fitter • Curtain maker • Soft furnisher • Trimmer (furniture mfr) • Upholsterer	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5412 Footwear and leather working trades	5413	• Cobbler • Leather worker (leather goods mfr) • Machinist (leather goods mfr) • Shoe machinist • Shoe repairer	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5413 Tailors and dressmakers	5414	• Costume maker • Cutter (hosiery, knitwear mfr) • Dressmaker	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Pattern Cutter • Tailor • Tailoress						
5419 Textiles, garments and related trades not elsewhere classified	5411, 5419	• Clothing manufacturer • Embroiderer • Hand sewer • Knitter • Sail maker • Weaver • Upholstery cutter	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5421 Pre-press technicians	5421	• Compositor • Plate maker • Pre-press manager • Pre-press technician • Type setter	£23,500 (£12.05 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5422 Printers	5422	• Digital printer • Lithographic printer • Machine minder (printing) • Print technician • Screen printer • Wallpaper printer	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5423 Print finishing and binding workers	5423	• Binder's assistant • Book binder • Finishing supervisor (printing)	£23,500 (£12.05 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		• Print finisher • Retoucher (film processing)						
5431 Butchers	5431	• Butcher • Butcher's assistant • Butchery manager • Master butcher • Slaughterman	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5432 Bakers and flour confectioners	5432	• Baker • Baker's assistant • Bakery manager • Cake decorator • Confectioner	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5433 Fishmongers and poultry dressers	5433	• Butcher (fish, poultry) • Filleter (fish) • Fish processor • Fishmonger • Poultry processor • Process worker (fish, poultry)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5434 Chefs	5434	• Chef • Chef-manager • Food stylist • Head chef • Pastry chef	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5436 Catering and bar managers	5436	• Bar manager • Catering manager • Floor manager (restaurant) • Kitchen manager • Steward (club)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5441 Glass and ceramics makers, decorators and finishers	5441	• Ceramic artist • Glass blower • Potter (ceramics mfr) • Pottery worker • Sprayer (ceramics mfr) • Stained glass artist	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5442 Furniture makers and other craft woodworkers	5442	• Antiques restorer • Cabinet maker • Coffin maker • Furniture restorer • Joiner (cabinet making) • Picture framer • Sprayer (furniture mfr)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
5443 Florists	5443	• Floral assistant • Floral designer • Florist • Flower arranger	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
5449 Other skilled trades not elsewhere classified	5449	• Diamond mounter • Engraver • Goldsmith • Paint sprayer • Piano tuner • Sign maker (electric signs) • Silversmith • Wig maker	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6111 Early education and childcare assistants	6121, 6122, 6123	• Child care assistant • Crèche assistant • Nursery assistant • Nursery nurse • Playgroup assistant • Pre-school assistant	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6114 Childminders	6122	• Baby sitter • Childminder • Mother’s help • Nurse maid	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6117 Playworkers	3550, 6123	• Afterschool club coordinator • Play leader • Playworker • School club leader	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
6129 Animal care services occupations not elsewhere classified	6139	• Animal technician • Canine beautician • Dog walker • Groom • Kennel assistant • Stable hand • Veterinary nursing assistant	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6134 Houseparents and residential wardens	6144	• Foster carer • House matron • House parent • Residential care officer • Warden (care/residential home)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6135 Care workers and home carers – Jobs with a working location in England are only eligible in this SOC 2020 occupation code where the sponsor holds registration with the Care	2442, 3231, 3239, 6141, 6144, 6145	• Care assistant • Carer • Child care worker • Home care assistant • Home carer • Support worker (nursing home)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
Quality Commission and is currently carrying on a regulated activity. Note: private households or individuals (other than sole traders sponsoring someone to work for their business) cannot sponsor Skilled Worker applicants.								
6136 Senior care workers – Jobs with a working location in England are only eligible in this SOC 2020	6144, 6146	• Care coordinator (care/residential home) • Senior care assistant • Senior carer • Senior support worker (local government: welfare services) • Team leader (nursing home)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
occupation code where the sponsor holds registration with the Care Quality Commission and is currently carrying on a regulated activity.								
6213 Air travel assistants	6214	• Air hostess • Cabin crew • Customer service agent (travel) • Flight attendant • Passenger service agent	£23,600 (£12.10 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
6214 Rail travel assistants	6215	• Conductor (railways) • Station assistant (underground railway) • Station supervisor • Ticket inspector (railways) • Train conductor • Train manager	£29,900 (£15.33 per hour)	£26,910 (£13.80 per hour)	£23,920 (£12.27 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
6311 Police community support officers		• Civilian support officer (police service) • Community support officer (police service) • Police community support officer	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
7124 Market and street traders and assistants		• Market assistant • Market trader • Owner (market stall) • Stall holder • Street trader	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
7131 Shopkeepers and owners - retail and wholesale	1223, 1253, 1254	• Antiques dealer • Fashion retailer • Greengrocer • Jeweller (retail trade) • Newsagent • Shopkeeper	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
7132 Sales supervisors - retail and wholesale	7130	• Bakery manager (retail trade) • Check-out supervisor • Section manager (retail trade) • Shop supervisor (retail trade) • Supervisor (retail, wholesale trade) • Team leader (retail trade)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
7214 Market research interviewers	7215	• Interviewer (market research) • Market researcher (interviewing) • Mystery shopper • Telephone interviewer • Telephone researcher • Traffic enumerator	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
7220 Customer service supervisors	7220	• Call centre supervisor • Communications supervisor (air transport) • Customer service supervisor • Team leader (call centre)	£27,600 (£14.15 per hour)	£24,840 (£12.74 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
8113 Chemical and related process operatives		• Chemical process operator • Gas producer operator • Process technician (chemical mfr) • Process worker (cement mfr) • Process worker (nuclear fuel production)	£24,100 (£12.36 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
8133 Energy plant operatives	8124	• Boilerman • Control room operator (electric) • Hydraulic engineman • Plant operator (electricity	£23,600 (£12.10 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
		supplier) • Power station operator						
8134 Water and sewerage plant operatives	8126	• Controller (water treatment) • Plant operator (sewage works) • Pump attendant • Water treatment engineer • Water treatment operator	£27,700 (£14.21 per hour)	£24,930 (£12.78 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
8143 Routine inspectors and testers		• Quality assurance inspector • Quality auditor • Quality controller • Quality inspector • Test engineer	£25,200 (£12.92 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
8215 Driving instructors	8215	• Cycling instructor • Driving instructor • HGV instructor • Instructor (driving school) • Motorcycle instructor	£25,700 (£13.18 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No
8232 Marine and waterways transport operatives	8232	• Deck hand (shipping) • Engine room attendant (shipping) • Engineer (nos: boat, barge) • Ferryman • Merchant seaman • Seaman (shipping)	£36,700 (£18.82 per hour)	£33,030 (£16.94 per hour)	£29,360 (£15.06 per hour)	£25,690 (£13.17 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
9119 Fishing and other elementary agriculture occupations not elsewhere classified - ONLY the listed job titles are eligible in this SOC 2020 occupation code and ONLY where the job requires the worker to have at least 3 years' full-time experience in using their skills. This experience must not have been gained through working illegally.	9119	• Vent chick sexer • Deckhand on large fishing vessel (9 metres and above)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F, GBM and SCU)	90% of going rate (SW - option G)	80% of going rate (SW - options H and I)	70% of going rate (SW - option J, GTR)	Eligible for PhD points (SW)?	Eligible for GBM and SCU?
9249 Elementary sales occupations not elsewhere classified		• Code controller (wholesale, retail trade) • Home shopper • Internet shopper (retail trade) • Order picker (retail trade) • Porter (retail trade) • Trolley assistant	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No	No

Table 2a: Additional eligible SOC 2020 occupation codes and related going rates for Skilled Worker applicants granted permission under the rules in place before 4 April 2024

Sponsors may **ONLY** sponsor Skilled Worker applicants in these SOC2020 occupation codes if the date of application is before 4 April 2030, the applicant was granted permission as a Skilled Worker under the rules in place before 4 April 2024, and they have had continuous permission as a Skilled Worker since then.

The notes accompanying Table 2 also apply to this table.

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F)	80% of going rate (SW - option I)	70% of going rate (SW - option J)	Eligible for PhD points (SW)?
3214 Complementary health associate professionals	3219	• Colour therapist • Holistic therapist • Homeopath • Hypnotherapist • Massage therapist • Reflexologist	£23,400 (£12.00 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No
6116 Nannies and au pairs	6122	• Au pair • Nanny	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F)	80% of going rate (SW - option I)	70% of going rate (SW - option J)	Eligible for PhD points (SW)?
6232 Caretakers	1251, 6144	• Caretaker • Concierge • Janitor • Porter (college) • School premises manager • Site manager (educational establishments)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No
6250 Bed and breakfast and guest house owners and proprietors	1221	• Guest house owner • Landlady (guest house)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No
7115 Vehicle and parts salespersons and advisers	3542	• Car sales executive • Car salesman • Parts adviser (retail trade) • Parts technician	£24,200 (£12.41 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F)	80% of going rate (SW - option I)	70% of going rate (SW - option J)	Eligible for PhD points (SW)?
7125 Visual merchandisers and related occupations	7125	• Display representative • Fashion stylist • Visual merchandising assistant • Window dresser	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No
7129 Sales related occupations not elsewhere classified	3542	• Demonstrator • Hire controller • Insurance salesman • Promoter (wholesale, retail trade) • Sales representative (retail trade)	£23,800 (£12.21 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No
8115 Metal making and treating process operatives	5234, 5449	• Degreaser (metal trades) • Electroplater • Furnaceman (metal trades)	£24,200 (£12.41 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (SW – option F)	80% of going rate (SW - option I)	70% of going rate (SW - option J)	Eligible for PhD points (SW)?
		• Process worker (nickel mfr) • Wire drawer				
9252 Warehouse operatives	4134	• Order picker • Storeman • Team member (warehousing) • Warehouse operative • Warehouseman	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)	No

Table 2b: Additional eligible SOC 2020 occupation codes and related going rates for Global Business Mobility applicants granted permission under the rules in place before 4 April 2024

Sponsors may **ONLY** sponsor Global Business Mobility applicants in these SOC 2020 occupation codes if the date of application is before 4 April 2030, the applicant was granted permission as a lead applicant on a Global Business Mobility route under the Rules in place before 4 April 2024, and they have had continuous permission as a lead applicant on the Global Business Mobility route since then.

The notes accompanying Table 2 also apply to this table, except that equivalent SOC 2010 occupation codes are only included where they were previously eligible for the Global Business Mobility routes.

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (GBM - minimum rate)	70% of going rate (GTR - minimum rate)
1232 Residential, day and domiciliary care managers and proprietors	1221, 1184	• Care manager • Community centre manager • Day centre manager • Nursing home owner • Manager (sheltered housing) • Residential manager (care/residential home)	£28,700 (£14.72 per hour)	£23,200 (£11.90 per hour)
1233 Early education and childcare services proprietors	2319	• Director (children's nursery) • Owner (nursery: children’s)	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)
1243 Managers in logistics	1133, 1161	• Logistics manager • Supply chain manager	£34,500 (£17.69 per hour)	£24,150 (£12.38 per hour)
1259 Managers and proprietors in other services	1139	• Director (private detective agency) • Car park manager • Cemetery Manager	£26,700 (£13.69 per hour)	£23,200 (£11.90 per hour)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (GBM - minimum rate)	70% of going rate (GTR - minimum rate)
not elsewhere classified		• Library manager • Owner (cleaning services) • Training centre manager • Driving school owner		
2324 Early education and childcare services managers	2319	• After school club manager • Childcare manager (day nursery) • Nursery manager (day nursery) • Pre-school manager	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)
3119 Science, engineering and production technicians not elsewhere classified	3411	• School technician • Technical assistant • Technician • Textile consultant • Workshop technician	£26,400 (£13.54 per hour)	£23,200 (£11.90 per hour)
3120 CAD, drawing and architectural technicians	2435	• 3D Printing Technician • Architect’s assistant • Architectural design assistant • Architectural technician • CAD designer • Cartographer	£27,400 (£14.05 per hour)	£23,200 (£11.90 per hour)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (GBM - minimum rate)	70% of going rate (GTR - minimum rate)
		• Design technician • Draughtsman		
3133 Database administrators and web content technicians	2137	• Database administrator • Digital content editor • Intranet coordinator • Website moderator	£27,000 (£13.85 per hour)	£23,200 (£11.90 per hour)
3229 Welfare and housing associate professionals not elsewhere classified	2129, 2318, 2412	• Advocacy worker • Health coordinator • Homeless prevention officer • Key worker (welfare services) • Outreach worker (welfare services) • Probation services officer • Project worker (welfare services) • Student support officer	£24,200 (£12.41 per hour)	£23,200 (£11.90 per hour)
3411 Artists	3411	• Animator (hand drawn) • Artist • Illustrator • Portrait painter • Sculptor	£27,300 (£14.00 per hour)	£23,200 (£11.90 per hour)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (GBM - minimum rate)	70% of going rate (GTR - minimum rate)
3412 Authors, writers and translators	3412	• Copywriter • Editor (books) • Interpreter • Technical author • Translator • Writer	£28,700 (£14.72 per hour)	£23,200 (£11.90 per hour)
3413 Actors, entertainers and presenters	3413, 3415, 3416	• Actor • Commentator (broadcasting) • Costumed interpreter • Disc jockey • Entertainer • Presenter (broadcasting) • Singer	£27,300 (£14.00 per hour)	£23,200 (£11.90 per hour)
3414 Dancers and choreographers	3414	• Ballet dancer • Choreographer • Dance coach • Dancer • Dance teacher	£23,200 (£11.90 per hour)	£23,200 (£11.90 per hour)
3421 Interior designers	2431, 3422	• Design consultant (interior design) • Interior decorator • Interior stylist	£25,600 (£13.13 per hour)	£23,200 (£11.90 per hour)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (GBM - minimum rate)	70% of going rate (GTR - minimum rate)
		• Kitchen designer		
3422 Clothing, fashion and accessories designers	3422	• Bridalwear designer • Fashion designer • Footwear designer • Jewellery designer	£27,700 (£14.21 per hour)	£23,200 (£11.90 per hour)
3429 Design occupations not elsewhere classified	2431, 3422	• Design consultant • Craft designer • Make-up artist (films) • Production designer (film, television production) • Visual merchandiser (design)	£27,700 (£14.21 per hour)	£23,200 (£11.90 per hour)
3543 Project support officers	2136, 3534	• Planning assistant • Project administrator • Project analyst • Project coordinator • Project officer • Service delivery coordinator	£27,000 (£13.85 per hour)	£23,200 (£11.90 per hour)

Table 3: Eligible health and education SOC 2020 occupation codes where going rates are based on national pay scales

SOC 2020 occupation codes in Table 3 are eligible for points option K set out in Appendix Skilled Worker. They are also eligible for the Global Business Mobility and Scale-up routes unless otherwise stated.

Equivalent SOC 2010 occupation codes are included where they were previously eligible for the Skilled Worker route, for ease of matching to the relevant SOC 2020 occupation codes for applicants being sponsored to continue working in the same occupation.

SOC 2020 occupation code	**Equivalent SOC 2010 occupation code(s)**	**Examples of related job titles (non-exhaustive)**	**Going rate (annual)**	**National pay scale source**
2211 Generalist medical practitioners (England)	2211	• Doctor • General practitioner • House officer (hospital service) • Medical practitioner • Physician	Medical professionals - NHS doctors in post graduate training: • Foundation year 1 (F1) and equivalent: £32,398 • Foundation year 2 (F2) and equivalent: £37,303 • Specialty registrar (StR) at ST/CT1-2 and equivalent:	NHS Employers Pay and Conditions Circular MD-4-2023 (nhsemployers.org)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			£43,923 • Specialty registrar (StR) at CT3/ST3-5: £55,329 Other medical professionals: • Specialty doctor and equivalent: £52,530 • Salaried General practitioner (GP) and equivalent: £68,975 • Specialist doctor and equivalent: £83,945 • Consultant and equivalent: £93,666	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2211 Generalist medical practitioners (Scotland)	2211	• Doctor • General practitioner • House officer (hospital service) • Medical practitioner • Physician	Medical professionals - NHS doctors in post graduate training: • Foundation year 1 (F1)	NHS Pay and Conditions Circular: PCS(DD)2023/01

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			and equivalent: £31,082 • Foundation year 2 (F2) and equivalent: £38,553 • Specialty registrar (StR): £40,995 Other medical professionals: • Specialty doctor and equivalent: £47,905 • Salaried General practitioner (GP) and equivalent: £69,993 • Consultant and	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			equivalent: £96,963 These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2211 Generalist medical practitioners (Wales)	2211	• Doctor • General practitioner • House officer (hospital service) • Medical practitioner	Medical professionals - NHS doctors in post graduate training:	Welsh Government Pay Circular M&D(W)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
		• Physician	• Foundation year 1 (F1) and equivalent: £28,471 • Foundation year 2 (F2) and equivalent: £35,315 • Specialty registrar (StR) at ST/CT1-2 and equivalent: £37,737 • Specialty registrar (StR) at CT/ST3 and above £47,571 Other medical professionals: • Specialty doctor and equivalent:	06/2023 Pay Circular (v4)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			£37,737 • Salaried General practitioner (GP) and equivalent: £71,061 • Consultant and equivalent: £91,722 (37.5 hour week) These going rates are per year and based on a 40-hour working week unless noted. They must be pro-rated for other working patterns, based on the weekly	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			working hours stated by the applicant's sponsor.	
2211 Generalist medical practitioners (Northern Ireland)	2211	• Doctor • General practitioner • House officer (hospital service) • Medical practitioner • Physician	Medical professionals on the HSC Doctors and Dentists in Training contract: • Foundation year 1 (F1) and equivalent: £26,713 • Foundation year 2 (F2) and equivalent: £33,133 • Specialty registrar (StR) at ST/CT1-2	Workforce policy guidance 2022 - HSC Circular (TC8) 03/2022 - Pay and Conditions of Service for Hospital, Medical and Dental Staff - Pay Award 2022/23

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			and equivalent: £35,405 • Specialty registrar (StR) at CT/ST3 and above £40,597 Other medical professionals: • Specialty doctor (new 2021 contract) and equivalent: £45,344 • Salaried General practitioner (GP) and equivalent: £66,013 • Specialist (new 2021 contract) and equivalent):	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			£79,894 • Consultant and equivalent: £88,799 These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2212 Specialist medical practitioners	2111, 3111	• Anaesthetist • Consultant (hospital service) • Homeopath (medically qualified) • Medical acupuncturist • Paediatrician • Psychiatrist • Radiologist • Surgeon	As SOC 2020 occupation code 2211	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2221 Physiotherapists	2221	• Electro-therapist • Physiotherapist • Physiotherapy practitioner	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2222 Occupational therapists	2222	• Community occupational therapist • Occupational therapist • Paediatric occupational therapist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2223 Speech and language therapists	2223	• Communication therapist • Language therapist • Speech and language	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wal

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
		therapist • Speech therapist		es, Northern Ireland
2224 Psychotherapists and cognitive behaviour therapists	2229, 3219, 3235	• Cognitive behavioural therapist • Psycho-analyst • Psychological counsellor • Psychotherapist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2225 Clinical psychologists	2212	• Clinical psychologist • Consultant clinical psychologist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2226 Other psychologists	2212	• Educational psychologist • Forensic psychologist • Occupational psychologist • Psychologist • Psychometrist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2229 Therapy professionals not elsewhere classified	2212, 2229, 3219	• Acupuncturist • Art therapist • Chiropractor • Dance movement therapist • Family therapist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
		• Genetic counsellor • Nutritionist • Osteopath • Sports massage therapist • Sports therapist		
2231 Midwifery nurses	2232	• Delivery suite manager • Midwife • Midwifery manager	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2232 Registered community nurses	2231	• Community care nurse • District nurse • Health visitor • Practice nurse	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2233 Registered specialist nurses	2231	• Advanced primary care nurse • Intensive care nurse • Clinical nurse specialist • Theatre manager (hospital service)	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2234 Registered nurse practitioners	2231	• Health care practitioner • Mental health practitioner • Practitioner (nursing)	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2235 Registered mental health nurses	2231	• Community mental health nurse • Psychiatric nurse	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2236 Registered children's nurses	2231	• Community children's nurse • Neonatal nurse • Paediatric nurse • School nurse	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2237 Other registered nursing professionals	2231, 6144	• Clinical lead nurse • Matron (care/residential home) • Nurse • Nurse educator • Occupational health nurse • Staff nurse	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
		• Team leader (nursing) • Ward manager		
2251 Pharmacists	2213	• Chemist (pharmaceutical) • Dispensary manager • Pharmaceutical chemist • Pharmacist • Pharmacy manager	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2252 Optometrists	2214	• Doctor of optometry • Ophthalmic optician • Optician	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2253 Dental practitioners (England)	2215	• Dental surgeon • Dentist • Orthodontist • Periodontist	• Dental foundation training and equivalent: £38,472 (35-hour week) • Dental core training (hospital dental services) and	NHS Employers Pay and Conditions Circular MD-4-2023 (nhsemployers.org)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			equivalent: £43,923 (35-hour week) • Dental specialty training and equivalent: £55,329 (35-hour week) • Band A posts (for example, Community practitioner) and equivalent: £47,653 (37.5-hour week) • Band B posts (for example, Senior dental officer) and equivalent: £74,126 (37.5-hour week) • Band C posts (for example,	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			Specialist / managerial posts) and equivalent: £88,686 (37.5-hour week) • Consultant and equivalent: £93,666 (40-hour week) These going rates are per year and based on the weekly working hours stated above. They must be pro-rated for other working patterns, based on the weekly working hours	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			stated by the applicant's sponsor.	
2253 Dental practitioners (Scotland)	2215	• Dental surgeon • Dentist • Orthodontist • Periodontist	• Dental foundation training (Hospital dental services) known as Vocational Training in Scotland: £38,553 (based on a 35-hour week) • Dental core training and equivalent: £45,532 • Band A posts (for example, Community practitioner)	NHS Pay and Conditions Circular: PCS(DD)2023/01

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			and equivalent: £49,089 • Band B posts (for example, Senior dental officer) and equivalent: £76.360 • Band C posts (for example, Specialist / managerial posts) and equivalent: £91,359 These going rates are per year and (unless otherwise stated) based on a 40-hour working week. They must be	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2253 Dental practitioners (Wales)	2215	• Dental surgeon • Dentist • Orthodontist • Periodontist	• Dental foundation training (Hospital dental services) and equivalent: £38,292 • Dental core training and equivalent: £37,810 • Band A posts (for example, Community	Welsh Government Pay Circular M&D(W) 06/2023 Pay Circular (v4)

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			practitioner) and equivalent: £47,914 • Band B posts (for example, Senior dental officer) and equivalent: £74,531 • Band C posts (for example, Specialist / managerial posts) and equivalent: £89,174 • Consultant and equivalent: £91,722 (37.5 hour week) These going rates are per year and	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			based on a 40 hour working week unless noted. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2253 Dental practitioners (Northern Ireland)	2215	• Dental surgeon • Dentist • Orthodontist • Periodontist	• Dental foundation year two training (Hospital dental services) and equivalent: £33,133 • Dental	Workforce policy guidance 2022 - HSC Circular (TC8) 03/2022 - Pay and Conditions of Service for Hospital, Medical and Dental Staff -

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			specialty training and equivalent: £35,405 (40-hour week) • Community Dental Officer and equivalent: £44,957 (37.5-hour week) • Senior community dental officer) and equivalent: £69,933 (37.5-hour week) • Specialist Community Dentist: £83,666 (37.5-hour week) • Assistant Community Clinical	Pay Award 2022/23

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			Director: £83,666 (37.5-hour week) • Clinical Director: £83,666 (37.5-hour week) • Administrative dentists: Dental Officer: £41,262 (37-hour week) • Senior Dental Officer: £58,962 (37-hour week), • Assistant clinical Director: £78,350 (37-hour week) • Clinical Director: £78,350 (37-hour week)	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			• Consultant Northern Ireland: £88,799 (40-hour week) These going rates are per year and based on the weekly working hours stated above. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2254 Medical radiographers	2217	• Medical photographer • Nuclear medicine practitioner • Radiographer • Sonographer • Therapeutic radiographer • Vascular technologist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2255 Paramedics	3213	• Ambulance paramedic • Emergency care practitioner • Paramedic • Paramedic-ECP	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2256 Podiatrists	2218	• Chiropodist • Foot health practitioner (qualified) • Podiatrist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
2259 Other health professionals not elsewhere classified	2112, 2219, 3218, 3219	• Audiologist • Clinical physiologist • Dietician-nutritionist • Family planner • Occupational health adviser • Operating theatre practitioner • Physiologist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2312 Further education teaching professionals (England)	2312	• FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education)	• Unqualified lecturer: £22,387 • Qualified lecturer: £27,786 • Advanced teaching and training: £41,905 • Leadership & management: £41,905 These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They	General Further Education Colleges 2023 national pay scales Sixth Form Colleges 2023 national pay scales

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2312 Further education teaching professionals (Scotland)	2312	• FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education)	• Lecturer and equivalent: £24,496 • Senior lecturer and equivalent: £41,905 These going rates are per year and based on the definition of a full-time	No national pay scales published – minimum rates taken as the lowest of the other three nations

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.	
2312 Further education teaching professionals (Wales)	2312	• FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education)	• Instructor / demonstrator and associate lecturer: £ 24,048.75 • Main grade lecturer: £ 30,619.64	Wales FE pay scales

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			• Upper pay spine: £ 44,010.49 • Management: £ 47,696.57 These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours	

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			stated by the applicant's sponsor.	
2312 Further education teaching professionals (Northern Ireland)	2312	• FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education)	• Lecturer: £24,496 • Principal lecturer: £47,381 These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working	Northern Ireland FE pay scales – pay offer from College Employers' Forum

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			patterns, based on the weekly working hours stated by the applicant's sponsor.	
2313 Secondary education teaching professionals	2314	• Curriculum leader (secondary school) • Deputy head teacher (secondary school) • Head of year (secondary school) • Secondary school teacher • Sixth form teacher • Teacher (secondary school)	See relevant pay band in Table 5	Teachers' national pay scales: England Northern Ireland Scotland Wales
2314 Primary education teaching professionals	2315	• Deputy head teacher (primary school) • Infant teacher • Junior school teacher • Primary school teacher	See relevant pay band in Table 5	Teachers' national pay scales: England Northern Ireland Scotland Wales

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2315 Nursery education teaching professionals	2315	• Kindergarten teacher (professional) • Nursery school teacher • Pre-school teacher	See relevant pay band in Table 5	Teachers' national pay scales: England Northern Ireland Scotland Wales
2316 Special and additional needs education teaching professionals	2316	• Behaviour support teacher • Deputy head teacher (special/additional needs school) • Learning support teacher • Special educational needs coordinator • Special needs teacher	See relevant pay band in Table 5	Teachers' national pay scales: England Northern Ireland Scotland Wales
2321 Head teachers and principals	2317	• Head master (secondary school) • Head teacher (primary school) • Principal (further education) • Rector (university)	See relevant pay band in Table 5	Teachers' national pay scales: England Northern Ireland Scotland Wales

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
2461 Social workers	2442	• Independent review officer (social worker) • Mental health social worker • Senior practitioner (local government: social services) • Social worker • Team leader (local government: social services)	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
3213 Medical and dental technicians (Not eligible for GBM or SCU)	3218, 5224	• Cardiographer • Dental hygienist • Dental technician • Medical technical officer • Ocularist • Orthopaedic technician • Radiography assistant practitioner	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
3219 Health associate professionals not elsewhere classified (Not eligible for GBM or SCU)	3218, 3219	• Antenatal teacher • Diet adviser • Health trainer • Therapist	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
3231 Higher level teaching assistants (Not eligible for GBM or SCU)	6125, 6126	• Advanced teaching assistant • HLTA • Learning support practitioner • Teaching assistant (qualified)	General Assistants / Classroom Assistants: England and Wales: £23,500 Northern Ireland and Scotland: £22,366 p.a. (FTE £11.91 per hour) Classroom Assistant SEN: All nations: £23,500 p.a. (FTE £12.52 per hour) Classroom Assistant ASEN: England, Wales and Scotland: £23,500	England and Wales Northern Ireland No available data for Scotland so matching the lower value of all nations

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
			Northern Ireland: £24,294 p.a. (FTE £12.94 per hour)	
6112 Teaching assistants (Not eligible for GBM or SCU)	3111, 6125	• Classroom assistant • School assistant • Teaching assistant	England and Wales £23,500 Northern Ireland and Scotland General Assistants / Classroom Assistants £22,366 p.a. (FTE £11.91 per hour)	England and Wales Northern Ireland No available data for Scotland so matching the lower value of all nations
6113 Educational support assistants	6126	• Education support assistant • Learning support assistant • Non-teaching assistant (schools)	England, Wales and Scotland £23,500	England and Wales Northern Ireland

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
(Not eligible for GBM or SCU)		• Special needs assistant • Support assistant (educational establishments)	Northern Ireland Classroom Assistant SEN £23,500 p.a. (FTE £12.52 per hour) Classroom Assistant ASEN £24,294 p.a. (FTE £12.94 per hour)	No available data for Scotland so matching the lower value of all nations
6131 Nursing auxiliaries and assistants (Not eligible for GBM or SCU)	5431, 6141	• Auxiliary nurse • Health care assistant (hospital service) • Health care support worker • Nursing assistant • Nursing auxiliary	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland
6132 Ambulance staff (excluding paramedics)		• Ambulance care assistant • Ambulance driver • Ambulance service preparation operative	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wal

SOC 2020 occupation code	Equivalent SOC 2010 occupation code(s)	Examples of related job titles (non-exhaustive)	Going rate (annual)	National pay scale source
(Not eligible for GBM or SCU)		• Ambulance technician • Emergency medical technician		es, Northern Ireland
6133 Dental nurses (Not eligible for GBM or SCU)	6143	• Dental assistant • Dental nurse • Dental nurse-receptionist • Dental surgery assistant	See relevant pay band in Table 4	NHS Agenda for Change: England, Scotland, Wales, Northern Ireland

Table 4: Going rates for listed healthcare SOC 2020 occupation codes by administration and band

Going rates in Table 4 are per year and based on a 37.5-hour week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor. Band 1 and band 2 jobs are not eligible to be sponsored.

Band or equivalent	England	Scotland	Wales	Northern Ireland
Band 3	£22,816	£25,468	£23,159	£20,330
Band 4	£25,147	£27,598	£25,524	£22,549
Band 5	£28,407	£30,229	£28,834	£25,645

Band or equivalent	England	Scotland	Wales	Northern Ireland
Band 6	£35,392	£37,831	£35,922	£32,306
Band 7	£43,742	£46,244	£44,398	£40,057
Band 8a	£50,952	£56,992	£51,706	£47,126
Band 8b	£58,972	£67,285	£59,857	£54,764
Band 8c	£70,417	£79,466	£71,473	£65,664
Band 8d	£83,571	£94,345	£84,825	£78,192
Band 9	£99,891	£111,595	£101,390	£93,735

Table 5: Going rates for listed education SOC 2020 occupation codes by administration and role

Going rates in Table 5 are per year and based on the definition of a full-time teacher used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.

Role	England (excluding London / Fringe)	London Fringe	Outer London	Inner London	Scotland	Wales	Northern Ireland
Unqualified teachers / Probationers	£20,598	£21,933	£24,415	£25,831	£32,217	£20,674	-
Qualified teachers	£30,000	£31,350	£34,514	£36,745	£38,655	£30,742	£24,137
Chartered teachers	-	-	-	-	£50,022	-	-
Principal teachers	-	-	-	-	£52,896	-	-
Leadership group	£47,185	£48,484	£50,929	£56,100	-	£48,012	£41,884
Leading practitioner	£47,417	£48,723	£51,179	£56,377	-	£48,248	-
Head teacher	£53,380	£54,685	£57,124	£62,304	£59,994	£54,316	£47,381

Table 6: SOC 2020 occupation codes which are not eligible for the Skilled Worker, Global Business Mobility or Scale-up routes

These occupations are ineligible for the Skilled Worker, Global Business Mobility or Scale-up routes because:

- they do not meet the required skill level; or
- applicants must be sponsored in another route for jobs in these occupations; or
- those subject to immigration control cannot apply for jobs in these occupations.

Where indicated, some SOC 2020 occupation codes in Tables 1, 2 and 3 are also not eligible for the Global Business Mobility or Scale-up routes.

SOC 2020 occupation code	**Examples of related job titles (non-exhaustive)**
1112 Elected officers and representatives	• Councillor (local government) • Member of Parliament
1161 Officers in armed forces	• Army officer • Commander (armed forces) • Flight-lieutenant • Royal Navy officer • Squadron-leader
2463 Clergy	• Chaplain • Clergyman • Minister of religion • Nun • Pastor • Priest • Vicar
3214 Complementary health associate professionals	• Colour therapist • Holistic therapist • Homeopath • Hypnotherapist • Massage therapist • Reflexologist

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
3311 Non-commissioned officers and other ranks	• Aircraftman • Aircraft technician (armed forces) • Lance-corporal • Sergeant (armed forces) • Soldier • Weapons engineer (armed forces)
3431 Sports players	• Cricketer • Footballer • Jockey • Golfer
3432 Sports coaches, instructors and officials	• Referee • Riding instructor • Sports coach • Sports development officer • Swimming teacher
4123 Bank and post office clerks	• Bank clerk • Cashier (banking) • Customer service adviser (building society) • Customer service officer (banking) • Post office clerk
4131 Records clerks and assistants	• Admissions officer • Clerical officer (hospital service) • Examinations officer (education)

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Filing clerk • Records clerk • Ward clerk
4133 Stock control clerks and assistants	• Auditor (stock control) • Despatch clerk • Material controller • Stock controller • Stores administrator • Supply chain coordinator
4135 Library clerks and assistants	• Archives assistant (library) • Information assistant (library) • Learning resource assistant • Library assistant • Library clerk • Library supervisor
4136 Human resources administrative occupations	• Course administrator • Human resources administrator • Personnel administrator • Personnel clerk • Training administrator
4142 Office supervisors	• Administration supervisor • Clerical supervisor • Facilities supervisor • Office supervisor

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
4152 Data entry administrators	• Data administrator • Database assistant • Data entry clerk • Database inputter
4211 Medical secretaries	• Clinic coordinator • Clinic administrator • Medical administrator • Medical secretary • Secretary (medical practice)
4212 Legal secretaries	• Legal administrator • Legal clerk • Legal secretary • Secretary (legal services)
4213 School secretaries	• Administration assistant (schools) • Clerical assistant (schools) • School administrator • School secretary • Secretary (schools)
4216 Receptionists	• Dental receptionist • Doctor’s receptionist • Medical receptionist • Reception manager • Receptionist • Receptionist-administrator

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
4217 Typists and related keyboard occupations	• Audio typist • Transcriber • Typist • Typist-clerk
5435 Cooks	• Cook • Cook-supervisor • Fish fryer • Head cook
6116 Nannies and au pairs	• Au pair • Nanny
6121 Pest control officers	• Fumigator • Pest control officer • Pest control technician • Pest controller
6137 Care escorts	• Bus escort • Escort • Passenger assistant • School escort
6138 Undertakers, mortuary and crematorium assistants	• Crematorium technician • Embalmer • Funeral director • Pall bearer • Undertaker

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
6211 Sports and leisure assistants	• Croupier • Leisure attendant • Lifeguard • Runner (broadcasting) • Sports assistant
6212 Travel agents	• Reservations agent • Sales consultant (travel agents) • Travel adviser • Travel agent • Travel consultant
6219 Leisure and travel service occupations not elsewhere classified	• Bus conductor • Holiday representative • Information assistant (tourism) • Steward (shipping) • Tour guide
6221 Hairdressers and barbers	• Artistic director (hairdressing) • Barber • Colourist (hairdressing) • Hair designer • Hair stylist • Hairdresser
6222 Beauticians and related occupations	• Beautician • Beauty therapist • Nail technician

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Spa therapist • Tattoo artist
6231 Housekeepers and related occupations	• Chalet host • House keeper • Lifestyle manager • Valet
6232 Caretakers	• Caretaker • Concierge • Janitor • Porter (college) • School premises manager • Site manager (educational establishments)
6240 Cleaning and housekeeping managers and supervisors	• Butler • Cleaner-in-charge • Cleaning supervisor • Guest service manager • Hotel services supervisor • House keeper (hotel)
6250 Bed and breakfast and guest house owners and proprietors	• Guest house owner • Landlady (guest house)
6312 Parking and civil enforcement occupations	• Car park attendant • Civil enforcement officer

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Community warden • Parking attendant • Traffic warden
7111 Sales and retail assistants	• Retail assistant • Sales adviser • Sales assistant • Sales consultant (retail trade) • Shop assistant
7112 Retail cashiers and check-out operators	• Cashier (wholesale trade) • Check-out operator • Customer team member (retail trade) • Forecourt attendant • General assistant (check-out: retail trade) • Till operator
7113 Telephone salespersons	• Inbound sales adviser • Sales adviser (telephone sales) • Telesales executive • Telesales operative
7114 Pharmacy and optical dispensing assistants	• Dispenser • Health care assistant (retail pharmacy) • Optical assistant • Pharmacy assistant

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
7115 Vehicle and parts salespersons and advisers	• Car sales executive • Car salesman • Parts adviser (retail trade) • Parts technician
7121 Collector salespersons and credit agents	• Agent (insurance) • Canvasser • Distributor (door-to-door sales) • Insurance agent
7122 Debt, rent and other cash collectors	• Bailiff • Collecting agent • Debt collector • Meter reader • Pawn broker • Vending operator
7123 Roundspersons and van salespersons	• Dairyman (retail trade: delivery round) • Ice-cream salesman • Milkman (milk retailing) • Roundsman • Van salesman
7125 Visual merchandisers and related occupations	• Display representative • Fashion stylist • Visual merchandising assistant • Window dresser

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
7129 Sales related occupations not elsewhere classified	• Demonstrator • Hire controller • Insurance salesman • Promoter (wholesale, retail trade) • Sales representative (retail trade)
7211 Call and contact centre occupations	• Call centre agent • Call centre operator • Customer service adviser (call centre) • Customer service operator
7212 Telephonists	• Call handler (motoring organisation) • Operator (telephone) • Switchboard operator (telephone) • Telephonist • Telephonist-receptionist
7213 Communication operators	• Call handler (emergency services) • Communications officer • Control room operator (emergency services) • Controller (taxi service) • Emergency medical despatcher • Radio operator
7219 Customer service occupations not elsewhere classified	• Complaints officer • Customer adviser • Customer service administrator

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Customer service adviser • Customer service assistant • Customer services representative
8111 Food, drink and tobacco process operatives	• Baker (food products mfr) • Bakery assistant • Factory worker (food products mfr) • Meat processor (meat packing) • Process worker (brewery) • Process worker (dairy)
8112 Textile process operatives	• Factory worker (clothing mfr) • Hosiery worker • Machinist (rope, twine mfr) • Process worker (textile mfr) • Spinner (paper twine mfr)
8114 Plastics process operatives	• Extrusion operator (plastics mfr) • Fabricator (plastics mfr) • Injection moulder • Laminator (fibreglass) • Process worker (plastic goods mfr)
8115 Metal making and treating process operatives	• Degreaser (metal trades) • Electroplater • Furnaceman (metal trades) • Process worker (nickel mfr) • Wire drawer

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
8119 Process operatives not elsewhere classified	• Glass worker • Moulder (rubber goods mfr) • Melting pot assistant (electric cable) • Process worker (fibreglass mfr) • Stone finisher (cast concrete products mfr)
8120 Metal working machine operatives	• Engineer (nos) • Machinist (metal trades) • Metal polisher • Process worker (metal trades) • Shot blaster
8131 Paper and wood machine operatives	• Box maker (cardboard) • Guillotine operator (printing) • Machinist (paper goods mfr) • Sawyer • Wood machinist
8132 Mining and quarry workers and related operatives	• Coal miner • Derrickman (oil wells) • Diamond driller (well sinking) • Plant operator (quarry) • Quarry operative
8135 Printing machine assistants	• Finishing operative (printing) • Lithographer (printing) • Machinist (printing)

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Print operator • Printer's assistant
8139 Plant and machine operatives not elsewhere classified	• Bench hand (metal trades) • Cable maker (spring mfr) • Laser operator • Manufacturer (metal goods mfr) • Saw doctor
8141 Assemblers (electrical and electronic products)	• Assembler (electrical, electronic equipment mfr) • Line operator (electrical) • Panel wirer • Solderer • Technical operator (circuit board mfr)
8142 Assemblers (vehicles and metal goods)	• Assembler (metal trades) • Car worker • Lineworker (vehicle mfr) • Manufacturing operator (metal trades) • Process worker (metal trades: assembly)
8144 Weighers, graders and sorters	• Grader (food products mfr) • Metal sorter • Selector (ceramics mfr) • Weighbridge clerk • Weighbridge operator

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
8145 Tyre, exhaust and windscreen fitters	• Tyre and exhaust fitter • Tyre fitter • Tyre technician • Windscreen fitter
8146 Sewing machinists	• Overlocker • Seamstress • Sewing machinist • Stitcher • Upholstery machinist
8149 Assemblers and routine operatives not elsewhere classified	• Assembler • Gluer (furniture mfr) • Paint line operator • Production assistant • Riveter (soft toy mfr)
8151 Scaffolders, stagers and riggers	• Bell hanger (church bells) • Rigger (film, television production) • Stage rigger (shipbuilding) • Tackleman (steelworks)
8152 Road construction operatives	• Asphalter • Concrete finisher (building construction) • Highways operative • Paver • Road worker • Tarmacer

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
8153 Rail construction and maintenance operatives	• Line Inspector (railways) • Maintenance man (railway maintenance and repair) • Relayer (railways) • Track maintenance engineer • Trackman (railways) • Ultrasonic engineer (railway maintenance and repair)
8159 Construction operatives not elsewhere classified	• Asbestos remover • Cable layer • Demolition worker • General handyman • Maintenance man • Public lighting operative • Thermal insulation engineer
8160 Production, factory and assembly supervisors	• Foreman (plasterboard mfr) • Leading hand (textile mfr) • Mill foreman (food products mfr) • Print room supervisor • Process supervisor (chemical mfr) • Production team leader (vehicle mfr)
8211 Heavy and large goods vehicle drivers	• Haulage contractor • LGV/HGV driver • Lorry driver

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Owner (HGV/LGV) • Tanker driver
8212 Bus and coach drivers	• Bus driver • Coach driver • Coach operator • Minibus driver • PSV driver
8213 Taxi and cab drivers and chauffeurs	• Carriage driver • Chauffeur • Mini cab driver • Taxi driver • Taxi owner
8214 Delivery drivers and couriers	• Courier-driver • Cash in transit driver • Customer service team member (delivery service) • Delivery driver • Meals on wheels driver • Parcel delivery driver • Van driver
8219 Road transport drivers not elsewhere classified	• Driver • Driver-cleaner • Driver-valeter

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Recovery driver • Test driver (vehicle mfr)
8221 Crane drivers	• Crane driver • Crane operator • Haulage engine driver • Grab driver • Winchman
8222 Fork-lift truck drivers	• Fork lift driver • Fork lift truck driver • Fork truck operator • Stacker-driver
8229 Mobile machine drivers and operatives not elsewhere classified	• Agricultural machinist • Digger driver • Dredger • Excavator driver • JCB driver • Plant operator • Rig operator • Tractor driver (agriculture)
8231 Train and tram drivers	• Diesel driver (railways) • Train driver • Train operator • Tram driver • Shunter driver

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
8233 Air transport operatives	• Aircraft dispatcher • Baggage handler • Cargo handler (airport) • Controller, airfield • Ground staff (airport) • Ramp agent • Refueller (airport)
8234 Rail transport operatives	• Protection master • Railway worker • Shunter • Signalman (railways) • Transport supervisor (railways)
8239 Other drivers and transport operatives not elsewhere classified	• Bus inspector • Marshal (transport) • Operations assistant (freight handling) • Test driver (motor vehicle mfr) • Transport supervisor • Yard foreman (road transport)
9111 Farm workers	• Agricultural worker • Farm labourer • Farm worker • Herdsman • Poultry catcher • Shepherd

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
9112 Forestry and related workers	• Arboricultural worker • Forestry contractor • Forestry worker • Lumberjack • Park keeper
9119 Fishing and other elementary agriculture occupations not elsewhere classified - all jobs not listed in Table 1 and Table 2	• Grass cutter • Hatchery worker (fishing) • Horticultural worker • Labourer (landscape gardening) • Mushroom picker • Nursery worker
9121 Groundworkers	• Drainage worker • Ground worker (building construction) • Trench digger
9129 Elementary construction occupations not elsewhere classified	• Building worker • Electrician’s mate (building construction) • Hod carrier • Labourer (building construction) • Odd job man • Sea diver’s assistant
9131 Industrial cleaning process occupations	• Cleaner and greaser • Factory cleaner • Hygiene operative

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Industrial cleaner • Pot washer
9132 Packers, bottlers, canners and fillers	• Factory worker (packing) • Packaging operator • Packer • Paint filler
9139 Elementary process plant occupations not elsewhere classified	• Factory worker • Fitter's mate • Labourer (engineering) • Material handler
9211 Postal workers, mail sorters and messengers	• Leaflet distributor • Mail sorter • Messenger • Paper boy • Paper girl • Postman • Postwoman
9219 Elementary administration occupations not elsewhere classified	• General assistant • Office junior • Office worker • Reprographic technician
9221 Window cleaners	• Window cleaner • Window cleaning contractor

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
9222 Street cleaners	• Cleansing operative (street cleaning) • Litter picker • Road sweeper • Street cleaner
9223 Cleaners and domestics	• Chambermaid • Cleaner • Domestic • Home help • School cleaner
9224 Launderers, dry cleaners and pressers	• Carpet cleaner • Dry cleaner • Garment presser • Laundry assistant • Laundry worker • Presser (laundry, launderette, dry cleaning)
9225 Refuse and salvage occupations	• Binman (local government: cleansing department) • Dustman • Hopper attendant (refuse destruction) • Recycling operative • Refuse collector • Salvage worker

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
9226 Vehicle valeters and cleaners	• Car washer • Carriage cleaner • Motor car polisher (garage) • Vehicle valeter
9229 Elementary cleaning occupations not elsewhere classified	• Amenity block attendant • Bin cleaner • Chimney sweep • Toilet cleaner
9231 Security guards and related occupations	• CCTV operator • Court usher • Door supervisor • Enforcement officer • Security guard • Security officer
9232 School midday and crossing patrol occupations	• Dinner lady (schools) • Lunchtime supervisor • Midday assistant • School crossing patrol officer
9233 Exam invigilators	• Invigilator
9241 Shelf fillers	• Customer team member (shelf filling) • Evening merchandiser • General assistant (retail trade) • Grocery assistant

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Shelf filler • Shelf stacker
9251 Elementary storage supervisors	• Despatch supervisor • Foreman (docks) • Warehouse supervisor • Yard foreman (auctioneers)
9252 Warehouse operatives	• Order picker • Storeman • Team member (warehousing) • Warehouse operative • Warehouseman
9253 Delivery operatives	• Driver’s mate • Delivery assistant • Furniture remover • Porter
9259 Elementary storage occupations not elsewhere classified	• Art handler • Dock worker • General assistant (wholesale trade) • Labourer (haulage contractor)
9261 Bar and catering supervisors	• Bar supervisor • Catering supervisor • Foreman (catering)Head waiter • Restaurant supervisor

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
9262 Hospital porters	• Hospital porter • Porter (hospital service) • Portering supervisor (hospital services)
9263 Kitchen and catering assistants	• Catering assistant • Crew member (fast food outlet) • Kitchen assistant • Kitchen porter • Sandwich artist
9264 Waiters and waitresses	• Food and beverage assistant • Silver service waiter • Steward (catering) • Waiter • Waitress
9265 Bar staff	• Barmaid • Bar staff • Bartender • Glass collector (public house) • Mixologist (beverages)
9266 Coffee shop workers	• Barista • Coffee shop assistant
9267 Leisure and theme park attendants	• Arcade assistant • Art gallery assistant • Cinema attendant

SOC 2020 occupation code	Examples of related job titles (non-exhaustive)
	• Museum attendant • Ride operator • Steward (sports ground) • Usher
9269 Other elementary services occupations not elsewhere classified	• Bingo caller • Cloak room attendant • Hotel assistant • Night porter • Porter (residential buildings) • Stage hand (entertainment)

Back to top

Immigration Rules

Appendix Immigration Salary List

Occupations where a reduced salary threshold applies in the Skilled Worker route.

SOC 2020 occupation code and any further criteria	Included on the Immigration Salary List in			
	England	Scotland	Wales	Northern Ireland
1212 Managers and proprietors in forestry, fishing and related services – only “fishing boat masters”	-	Yes	-	-
2111 Chemical scientists – only jobs in the nuclear industry	-	Yes	-	-
2112 Biological scientists and biochemists – all jobs	Yes	Yes	Yes	Yes
2115 Social and humanities scientists – only archaeologists	Yes	Yes	Yes	Yes
2142 Graphic and multimedia designers – all jobs	Yes	Yes	Yes	Yes
3111 Laboratory technicians – only jobs requiring 3 or more years’ related on-the-job experience. This experience must not have been gained through working illegally.	Yes	Yes	Yes	Yes
3212 Pharmaceutical technicians – all jobs	Yes	Yes	Yes	Yes
3411 Artists – all jobs	Yes	Yes	Yes	Yes

3414 Dancers and choreographers – only skilled classical ballet dancers or skilled contemporary dancers who meet the standard required by internationally recognised UK ballet or contemporary dance companies. The company must be endorsed as being internationally recognised by a UK industry body such as the Arts Councils (of England, Scotland or Wales).	Yes	Yes	Yes	Yes
3415 Musicians – only skilled orchestral musicians who are leaders, principals, sub-principals or numbered string positions, and who meet the standard required by internationally recognised UK orchestras. The orchestra must be a full member of the Association of British Orchestras.	Yes	Yes	Yes	Yes
3416 Arts officers, producers and directors – all jobs	Yes	Yes	Yes	Yes
5119 Agriculture and fishing trades not elsewhere classified – only jobs in the fishing industry	Yes	Yes	Yes	Yes
5213 Welding trades – only high integrity pipe welders, where the job requires 3 or more years' related on-the-job experience. This experience must not have been gained through working illegally.	Yes	Yes	Yes	Yes
5235 Boat and shop builders and repairers – all jobs	-	Yes	-	-

5312 Stonemasons and related trades – all jobs	Yes	Yes	Yes	Yes
5313 Bricklayers – all jobs	Yes	Yes	Yes	Yes
5314 Roofers, roof tilers and slaters – all jobs	Yes	Yes	Yes	Yes
5316 Carpenters and joiners – all jobs	Yes	Yes	Yes	Yes
5319 Construction and building trades not elsewhere classified – only retrofitters	Yes	Yes	Yes	Yes
6135 Care workers and home carers – all jobs, except jobs with a working location in England are only eligible in this SOC 2020 occupation code where the sponsor holds registration with the Care Quality Commission and is currently carrying on a regulated activity. Private households or individuals (other than sole traders sponsoring someone to work for their business) cannot sponsor Skilled Worker applicants.	Yes	Yes	Yes	Yes
6136 Senior care workers – all jobs, except jobs with a working location in England are only eligible in this SOC 2020 occupation code where the sponsor holds registration with the Care Quality Commission and is currently carrying on a regulated activity.	Yes	Yes	Yes	Yes
6129 Animal care services occupations not elsewhere classified – only racing grooms,	Yes	Yes	Yes	Yes

stallion handlers, stud grooms, stud hands, stud handlers and work riders				
9119 Fishing and other elementary agriculture occupations not elsewhere classified – only deckhands on large fishing vessels (9 metres and above) where the job requires the worker to have at least 3 years' full-time experience in using their skills. This experience must not have been gained through working illegally.	Yes	Yes	Yes	Yes

Back to top

Immigration Rules

Appendix Global Business Mobility routes

The Global Business Mobility – Senior or Specialist Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is a senior manager or specialist employee and is being assigned to a UK business linked to their employer overseas. This type of assignment is often called an intra-company transfer or ICT.

A partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Senior or Specialist Worker route is not a route to settlement.

Validity requirements for Global Business Mobility – Senior or Specialist Worker ("Senior or Specialist Worker")

SNR 1.1. A person applying for entry clearance or permission to stay as a Senior or Specialist Worker must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form "Global Business Mobility visa"; or
(b) for applicants inside the UK, form "Global Business Mobility".

SNR 1.2. An application for entry clearance or permission to stay as a Senior or Specialist Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SNR 1.3. The applicant must be aged 18 or over on the date of application.

SNR 1.4. An applicant applying for entry clearance or permission to stay as a Senior or Specialist Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SNR 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

SNR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B:

(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SNR 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SNR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

SNR 1.6. An application which does not meet all the validity requirements for a Senior or Specialist Worker may be rejected as invalid and not considered.

Suitability requirements for a Senior or Specialist Worker

SNR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SNR 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Senior or Specialist Worker

Entry requirements for a Senior or Specialist Worker

SNR 3.1. A person seeking to come to the UK as a Senior or Specialist Worker must apply for and obtain entry clearance as a Senior or Specialist Worker before their arrival in the UK.

SNR 3.2. A person applying for entry clearance as a Senior or Specialist Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Senior or Specialist Worker

SNR 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	SNR 5.1. to SNR 5.9.	20

Points requirements	Relevant rules	Points
Job at an appropriate skill level	SNR 6.1. to SNR 6.7.	20
Salary at required level	SNR 7.1. to SNR 9.3.	20

Points for Sponsorship for a Senior or Specialist Worker

SNR 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Senior or Specialist Worker, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and

(b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(e) unless the applicant is applying as a high earner, confirm that the applicant has worked outside the UK for the sponsor group for the period required at SNR 5.7.(b); and

(f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

SNR 5.2. The sponsor must be authorised by the Home Office to sponsor a Senior or Specialist Worker.

SNR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Senior or Specialist Worker and is applying to continue working for the same sponsor as in their last permission.

SNR 5.4. The sponsor must have paid in full any required Immigration Skills Charge.

SNR 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or

(b) is a sham; or

(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SNR 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or

(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third

party.

SNR 5.6A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

SNR 5.7. An applicant as a Senior or Specialist Worker must:

(a) be currently working for the sponsor group; and

(b) unless they are applying as a high earner must have worked outside the UK for the sponsor group for a cumulative period of at least 12 months.

SNR 5.8. In SNR 5.7.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:

(a) the applicant was continuously working for the sponsor group , whether in or out of the UK, from the start of the 12 months to the date of application; and

(b) any breaks in the continuous work in SNR 5.8.(a) were only for the following reasons:

(i) statutory maternity, paternity, parental, or shared parental leave; or

(ii) statutory adoption leave; or

(iii) sick leave; or

(iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or

(v) taking part in legally organised industrial action; or

(vi) jury service; or

(vii) attending court as a witness.

SNR 5.9. If the requirements in SNR 5.1. to SNR 5.8. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Senior or Specialist Worker

SNR 6.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes, unless the conditions at SNR 6.7. are met.

SNR 6.2. The sponsor must have chosen an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code for any of the following reasons:

(a) the most appropriate SOC 2020 occupation code is not eligible under the Global Business Mobility routes; or

(b) the most appropriate SOC 2020 occupation code has a higher going rate than the proposed salary.

SNR 6.3. To support the assessment in SNR 6.2., the decision maker may, in particular, consider:

(a) whether the sponsor has shown a genuine need for the job as described; and

(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and

(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
(d) any additional information from the sponsor.

SNR 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SNR 6.5. If the requirements in SNR 6.1. to SNR 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SNR 6.6.

SNR 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SNR 5.9.

Transitional arrangements for job at appropriate skill level for a Senior or Specialist Worker

SNR 6.7. If the date of application is before 4 April 2030, the applicant was granted permission as a Senior or Specialist Worker under the Rules in place before 4 April 2024, and they have had continuous permission as a Senior or Specialist Worker since then (except that where paragraph 39E applies, that period of overstaying will be disregarded), they may be sponsored for a job in a SOC 2020 occupation code listed in Table 2b of Appendix Skilled Occupations.

SNR 6.8. The SOC 2020 occupation code referred to in SNR 6.7. are the following:
(a) 3411 Artists; or
(b) 3412 Authors, writers and translators; or
(c) 3413 Actors, entertainers and presenters; or
(d) 3414 Dancers and choreographers; or
(e) 3422 Product, clothing and related designers.

Points for salary for a Senior or Specialist Worker

SNR 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:
(a) the general salary requirement in SNR 8.1. and SNR 8.2. unless the conditions at SNR 8.3. are met; and
(b) the going rate requirement in SNR 9.1. to SNR 9.3.

SNR 7.2. Salary under these requirements includes only:
(a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and
(b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

SNR 7.3. Where allowances under SNR 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 30% of the total salary package

SNR 7.4. Salary does not include other pay and benefits, such as any of the following:
(a) flexible working where the nature of the job means that hours fluctuate and

pay cannot be guaranteed; or
(b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or
(c) employer pension and national insurance contributions; or
(d) any allowances, other than those specified in SNR 7.2.(b); or
(e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or
(f) one-off payments, such as 'golden hellos'; or
(g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
(h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

SNR 7.5. If the requirements in SNR 7.1. to SNR 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to SNR 9.5.

SNR 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under SNR 5.9.

General salary requirement for a Senior or Specialist Worker
SNR 8.1. The general salary requirement is £48,500 per year, unless SNR 8.3 applies.

SNR 8.2. If the applicant is being sponsored to work more than 48 hours a week, subject to SNR 8.2A, only the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £15 per hour will be considered to have a salary of £37,440 (£15 x 48 x 52) per year and not £46,800 (£15 x 60 x 52).

SNR 8.2A. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:
(a) work in excess of 48 hours in some weeks can be considered towards the salary threshold of £45,800, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and
(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and
(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1 in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £20 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of just £41,600 (£20 x 40 x 52) per year.

Transitional general salary requirement for a Senior or Specialist Worker
SNR 8.3. The applicant does not need to meet the general salary requirement if the applicant is applying for permission to stay and was previously granted permission

as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E of these rules).

Going rate requirement for a Senior or Specialist Worker

SNR 9.1. If the applicant is being sponsored for a job in one of the SOC 2020 occupation codes listed in Table 2 or Table 2b of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate, which will be calculated as follows:

1 x (the going rate for the SOC 2020 occupation code stated in Table 2 or Table 2b of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37.5).

SNR 9.2. If the applicant is being sponsored for a job in one of the health or education SOC 2020 occupation codes listed in Table 3 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

SNR 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in a SOC 2020 occupation code with a going rate of £37,500 must be paid £60,000 (1 x £37,500 x 60 ÷ 37.5) per year, not £48,000 (1 x £37,500 x 48 ÷ 37.5).

Genuineness requirement for a Senior or Specialist Worker

SNR 9A.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by SNR 13.1.

Financial requirement for a Senior or Specialist Worker

SNR 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SNR 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment to an amount of at least £1,270.

SNR 10.3. If SNR 10.2.(a) applies, the applicant must show that they have held the

required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Senior or Specialist Worker
SNR 11.1. If the applicant is applying as a high earner, the grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 9 years in any 10-year period.

SNR 11.2. If the applicant is not applying as a high earner, the grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

SNR 11.3. When calculating the cumulative periods of permission referred to in SNR 11.1., SNR 11.2, and SNR 13.2. the following are included:

(a) all previous periods of permission granted on the Global Business Mobility routes; and

(b) all previous periods of permission granted on the Intra-Company routes; and

(c) if the applicant does not currently hold permission in the Global Business Mobility routes, any permission they could be granted under the current application, beginning on the start date of the job stated on the Certificate of Sponsorship; and

(d) if the applicant is applying for permission to stay and has, or last had, permission on the Global Business Mobility routes, any permission they could be granted under the current application, beginning on the date of decision; and

(e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Transitional arrangements for maximum length of assignments as a Senior or Specialist Worker
SNR 11.4. SNR 11.1. to SNR 11.3. do not apply and there is no maximum period of permission if the applicant is applying for permission to stay and was previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E).

Decision for a Senior or Specialist Worker
SNR 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Senior or Specialist Worker are met the application will be granted, otherwise the application will be refused.

SNR 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Senior or Specialist Worker
SNR 13.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) only the following work is permitted:
(i) the job for which the applicant is being sponsored; and
(ii) if the applicant is applying for permission to stay and was previously granted permission on the Intra-Company routes under the rules in force before 11 April 2022 and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E), supplementary employment is permitted; and
(iii) voluntary work is permitted; and
(iv) working out a contractual notice period is permitted, where the applicant was lawfully working in that job in the UK on the date of application; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

SNR 13.2. Subject to SNR 13.4., permission will be granted for a period which is the shortest of the following:
(a) 5 years after the start date of the job detailed in the Certificate of Sponsorship; or
(b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
(c) if the applicant is applying as a high earner, the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 9 years in any 10-year period; or
(d) if the applicant is not applying as a high earner, the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

SNR 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SNR 13.2. (but not from the cumulative period in SNR 11.3.).

Transitional arrangements for period of grant as a Senior or Specialist Worker
SNR 13.4. If the conditions in SNR 13.5. are met, SNR 13.2. does not apply, and permission will be granted for a period which is the shortest of the following:
(a) 5 years after the start date of the job detailed in the Certificate of Sponsorship; or
(b) 14 days after the end date of the job detailed in the Certificate of Sponsorship.

SNR 13.5. The conditions referred to in SNR 13.4. are the applicant is applying for permission to stay and was previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E).

Dependent Partner ("partner") and dependent child ("child") of a Senior or Specialist Worker

Validity requirements for a partner or child of a Senior or Specialist Worker

SNR 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Senior or Specialist Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SNR 14.2. An application for entry clearance or permission to stay as a partner or child of a Senior or Specialist Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay in the UK on the Global Business Mobility – Senior or Specialist Worker route that has not been decided; or

(ii) has entry clearance or permission to stay on the Global Business Mobility – Senior or Specialist Worker route.

SNR 14.3. A person applying as a partner must be aged 18 or over on the date of application.

SNR 14.4. A person applying for permission to stay as a partner or child of a Senior or Specialist Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

SNR 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

SNR 14.5. An application which does not meet all the validity requirements for a partner or child of a Senior or Specialist Worker may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a Senior or Specialist Worker

SNR 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SNR 15.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner or child of a Senior or Specialist Worker

Entry requirement for a partner or child of a Senior or Specialist Worker
SNR 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Senior or Specialist Worker before they arrive in the UK.

SNR 16.2. A person applying for entry clearance as the partner or child of a Senior or Specialist Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Senior or Specialist Worker
SNR 17.1. The applicant must be the partner of a person (P) where one of the following applies:
(a) P has permission as a Senior or Specialist Worker; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission as a Senior or Specialist Worker.

SNR 17.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SNR 17.3. DELETED

SNR 17.4. DELETED

Relationship requirement for a child of a Senior or Specialist Worker
SNR 18.1. DELETED.

SNR 18.2. DELETED.

SNR 18.3. DELETED.

Care requirement for a child of a Senior or Specialist Worker
SNR 19.1. DELETED.

Age requirement for a child of a Senior or Specialist Worker
SNR 20.1. DELETED.

SNR 20.2. DELETED.

Requirements for a dependent child of a Senior or Specialist Worker

SNR 20A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child of a Senior or Specialist Worker
SNR 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SNR 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

(a) funds of at least the amount required in SNR 21.3. must be held collectively by one or more of the following:
(i) the applicant; and
(ii) the Senior or Specialist Worker (P); and
(iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
(b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child, as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SNR 21.3.

SNR 21.3. The required funds are:

(a) £285 for a partner in the UK or applying for entry clearance; and
(b) £315 for the first child in the UK or applying for entry clearance; and
(c) £200 for any other child in the UK or applying for entry clearance.

SNR 21.4. If SNR 21.2.(a) applies, the funds held must be held in addition to any funds required for the Senior or Specialist Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SNR 21.5. If SNR 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Senior or Specialist Worker
SNR 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Senior or Specialist Worker the application will be granted, otherwise the application will be refused.

SNR 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions for a partner or child of a Senior or Specialist Worker
SNR 23.1. A partner will be granted permission which ends on the same date as the person who is their partner and has permission as a Senior or Specialist Worker.

SNR 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SNR 23.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Appendix Global Business Mobility – Graduate Trainee

The Global Business Mobility- Graduate Trainee route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is on a graduate training course leading to a senior management or specialist position and is required to do a work placement in the UK. This type of assignment is often called an intra-company transfer- graduate trainee or ICT.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Graduate Trainee route is not a route to settlement.

Validity requirements for a Global Business Mobility – Graduate Trainee ("Graduate Trainee")

GTR 1.1. A person applying for entry clearance or permission to stay as a Graduate Trainee must apply online on the gov.uk website on the specified form as follows:
(a) for applicants outside the UK, form "Global Business Mobility visa"; or
(b) for applicants inside the UK, form "Global Business Mobility".

GTR 1.2. An application for entry clearance or permission to stay as a Graduate Trainee must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document

which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than three months before the date of application.

GTR 1.3. The applicant must be aged 18 or over on the date of application.

GTR 1.4. An applicant applying for entry clearance or permission to stay as a Graduate Trainee who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

GTR 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

GTR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:
(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in GTR 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in GTR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

GTR 1.6. An application which does not meet all the validity requirements for a Graduate Trainee may be rejected as invalid and not considered.

Suitability requirements for a Graduate Trainee

GTR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GTR 2.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies,

that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a Graduate Trainee

Entry requirements for a Graduate Trainee
GTR 3.1. A person seeking to come to the UK as a Graduate Trainee must apply for and obtain entry clearance as a Graduate Trainee before their arrival in the UK.

GTR 3.2. A person applying for entry clearance as a Graduate Trainee must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Graduate Trainee
GTR 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	GTR 5.1. to GTR 5.7.	20
Job at an appropriate skill level	GTR 6.1. to GTR 6.7.	20
Salary at required level	GTR 7.1. to GTR 9.3.	20

Points for Sponsorship for a Graduate Trainee
GTR 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:
(a) confirm the applicant's name, that they are being sponsored as a Graduate Trainee, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and
(b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the applicant has worked for the sponsor group for the period required at GTR 5.6.(b); and
(f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

GTR 5.2. The sponsor must be authorised by the Home Office to sponsor a Graduate Trainee.

GTR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Graduate Trainee and is applying to continue working for the same sponsor as in their last permission.

GTR 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or

(b) is a sham; or

(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

GTR 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or

(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

GTR 5.5A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

GTR 5.6. An applicant as a Graduate Trainee must:

(a) be currently working for the sponsor group; and

(b) have worked outside the UK for the sponsor group for a continuous period of at least 3 months immediately before the date of application.

GTR 5.7. If the requirements in GTR 5.1. to GTR 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Graduate Trainee

GTR 6.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

GTR 6.1A. If the date of application is before 4 April 2030, the applicant was granted permission as a Graduate Trainee under the Rules in place before 4 April 2024, and they have had continuous permission as a Graduate Trainee since then (except that where paragraph 39E applies, that period of overstaying will be disregarded), they may be sponsored for a job in a SOC 2020 occupation code listed in Table 2b of Appendix Skilled Occupations.

GTR 6.2. The sponsor must have chosen an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code for any of the following reasons:

(a) the most appropriate SOC 2020 occupation code is not eligible under the Global Business Mobility routes; or

(b) the most appropriate SOC 2020 occupation code has a higher going rate than the proposed salary.

GTR 6.3. To support the assessment in GTR 6.2. the decision maker may, in particular, consider:

(a) whether the sponsor has shown a genuine need for the job as described; and

(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and

(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and

(d) any additional information from the sponsor.

GTR 6.4. The job must be part of a structured graduate training programme, with clearly defined progression towards a managerial or specialist role within the sponsor organisation.

GTR 6.5. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

GTR 6.6. If the requirements in GTR 6.1. to GTR 6.5. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to GTR 6.7.

GTR 6.7. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under GTR 5.7.

Points for salary for a Graduate Trainee

GTR 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:

(a) the general salary requirement in GTR 8.1. and GTR 8.2.; and

(b) the going rate requirement in GTR 9.1. to GTR 9.3.

GTR 7.2. Salary under these requirements includes only:

(a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and

(b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

GTR 7.3. Where allowances under GTR 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 40% of the total salary package.

GTR 7.4. Salary does not include other pay and benefits, such as any of the following:

(a) flexible working where the nature of the job means that hours fluctuate and pay cannot be guaranteed; or

(b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or

(c) employer pension and national insurance contributions; or

(d) any allowances, other than those specified in GTR 7.2.(b); or

(e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or

(f) one-off payments, such as ‘golden hellos’; or
(g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
(h) payments to cover business expenses, including (but not limited to) travel to and from the applicant’s country of residence, equipment, clothing, travel or subsistence.

GTR 7.5. If the requirements in GTR 7.1. to GTR 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to GTR 7.6.

GTR 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under GTR 5.7.

General salary requirement for a Graduate Trainee
GTR 8.1. The general salary requirement is £25,410 per year.

GTR 8.2. If the applicant is being sponsored to work more than 48 hours a week, subject to GTR 8.3, only the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £8 per hour will be considered to have a salary of £19,968 (£8 x 48 x 52) per year and not £24,960 (£8 x 60 x 52).

GTR 8.3. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:
(a) work in excess of 48 hours in some weeks can be considered towards the salary threshold of £24,220, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and
(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and
(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1 in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £12 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of £24,960 (£12 x 40 x 52) per year.

Going rate requirement for a Graduate Trainee
GTR 9.1. If the applicant is being sponsored for a job in one of the SOC 2020 occupation codes listed in Table 2 or Table 2b of Appendix Skilled Occupations, the going rate requirement is 70% of the pro-rated going rate, which will be calculated as follows:

0.7 x (the going rate for the occupation code stated in Table 2 or Table 2b of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37.5).

GTR 9.2. If the applicant is being sponsored for a job in one of the health or

education SOC 2020 occupation codes listed in Table 3 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

GTR 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in a SOC 2020 occupation code with a going rate of £37,500 must be paid £42,000 (0.7 x £37,500 x 60 ÷ 37.5) per year, not £33,600 (0.7 x £37,500 x 48 ÷ 37.5).

Genuineness requirement for a Graduate Trainee

GTR 9A.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by GTR 13.1.

Financial requirement for a Graduate Trainee

GTR 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GTR 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment to an amount of at least £1,270.

GTR 10.3. If GTR 10.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Graduate Trainee

GTR 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

GTR 11.2. When calculating the cumulative periods of permission referred to in GTR 11.1. and GTR 13.2.(c), the decision maker will include the following:

(a) all previous permission on the Global Business Mobility routes; and

(b) all previous permission on the Intra-Company routes; and

(c) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under the current application, beginning on the start date of the job stated on the Certificate of Sponsorship; and

(d) if the applicant is applying for permission to stay and has or last had

permission on a Global Business Mobility route, any permission they could be granted under the current application, beginning on the date of decision; and
(e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Graduate Trainee
GTR 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Graduate Trainee are met the application will be granted, otherwise the application will be refused.

GTR 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Graduate Trainee
GTR 13.1. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) the only work permitted is:
(i) in the job for which the applicant is being sponsored; and
(ii) voluntary work; and
(iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

GTR 13.2. Permission will be granted for a period which is the shortest of the following:
(a) 1 year after the start date of the job detailed in the Certificate of Sponsorship; or
(b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
(c) the date at which the applicant will have had cumulative permission in the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

GTR 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under GTR 13.2. (but not from the cumulative period in GTR 11.2.).

Dependent Partner (“partner”) or dependent child (“child”) of a Global Business Mobility - Graduate Trainee

Validity requirements for a partner or child of a Graduate Trainee

GTR 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Graduate Trainee must apply online on the gov.uk website on the

specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

GTR 14.2. An application for entry clearance or permission to stay as a partner or child of a Graduate Trainee must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay in the UK on the Global Business Mobility – Graduate Trainee route that has not been decided; or

(ii) has entry clearance or permission to stay on the Global Business Mobility – Graduate Trainee route.

GTR 14.3. A person applying as a partner must be aged 18 or over on the date of application.

GTR 14.4. A person applying for permission to stay as a partner or child of a Graduate Trainee must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

GTR 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

GTR 14.5. An application which does not meet all the validity requirements for a partner or child of a Graduate Trainee may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a Graduate Trainee

GTR 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GTR 15.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a partner or child of a Graduate Trainee

Entry requirement for a partner or child of a Graduate Trainee

GTR 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Graduate Trainee before they arrive in the UK.

GTR 16.2. A person applying for entry clearance as the partner or child of a Graduate Trainee must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Graduate Trainee

GTR 17.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission as a Graduate Trainee; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission as a Graduate Trainee.

GTR 17.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

GTR 17.3. DELETED

GTR 17.4. DELETED

Relationship requirement for a child of a Graduate Trainee

GTR 18.1. DELETED.

GTR 18.2. DELETED.

GTR 18.3. DELETED.

Care requirement for a child of a Graduate Trainee

GTR 19.1. DELETED.

Age requirement for a child of a Graduate Trainee

GTR 20.1. DELETED.

GTR 20.2. DELETED.

Requirements for a dependent child of a Graduate Trainee

GTR 20A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child of a Graduate Trainee

GTR 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GTR 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

(a) funds of at least the amount required in GTR 23.3 must be held collectively by one or more of the following:
    (i) the applicant; and
    (ii) the Graduate Trainee (P); and
    (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay at the same time as the applicant; or
(b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in GTR 21.3.

GTR 21.3. The required funds are:

(a) £285 for a partner in the UK or applying for entry clearance; and
(b) £315 for the first child in the UK or applying for entry clearance; and
(c) £200 for any other child in the UK or applying for entry clearance.

GTR 21.4. If GTR 21.2.(a) applies, the funds held must be held in addition to any funds required for the Graduate Trainee to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

GTR 21.5. If GTR 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Graduate Trainee

GTR 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Graduate Trainee the application will be granted, otherwise the application will be refused.

GTR 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Graduate Trainee

GTR 23.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission of a Graduate Trainee.

GTR 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

GTR 23.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Appendix Global Business Mobility – UK Expansion Worker

The Global Business Mobility – UK Expansion Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is a senior manager or specialist employee and is being assigned to the UK to undertake work related to a business's expansion to the UK.

This route can only be used when the business has not yet begun trading in the UK. If the business is already trading in the UK, workers should apply under Appendix Global Business Mobility – Senior or Specialist Worker instead.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – UK Expansion Worker route is not a route to settlement.

Validity requirements for a Global Business Mobility - UK Expansion Worker ("UK Expansion Worker")

UKX 1.1. A person applying for entry clearance or permission to stay as a UK Expansion Worker must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form "Global Business Mobility visa"; or

(b) for applicants inside the UK, form "Global Business Mobility".

UKX 1.2. An application for entry clearance or permission to stay as a UK Expansion Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

UKX 1.3. The applicant must be aged 18 or over on the date of application.

UKX 1.4. An applicant applying for entry clearance or permission to stay as a UK Expansion Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

UKX 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

UKX 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
    (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
    (ii) the Certificate of Sponsorship in UKX 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
    (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
    (ii) the Certificate of Sponsorship in UKX 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

UKX 1.6. An application which does not meet all the validity requirements for a UK Expansion Worker may be rejected as invalid and not considered.

Suitability requirements for a UK Expansion Worker

UKX 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKX 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a UK Expansion Worker

Entry requirements for a UK Expansion Worker

UKX 3.1. A person seeking to come to the UK as a UK Expansion Worker must apply for and obtain entry clearance as a UK Expansion Worker before their arrival in the UK.

UKX 3.2. A person applying for entry clearance as a UK Expansion Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a UK Expansion Worker

UKX 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	UKX 5.1. to UKX 5.8.	20
Job at an appropriate skill level	UKX 6.1. to UKX 6.6.	20
Salary at required level	UKX 7.1. to UKX 9.3.	20

Points for Sponsorship for a UK Expansion Worker

UKX 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a UK Expansion Worker, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and

(b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(e) confirm that the applicant has worked for the sponsor group for the period required at UKX 5.6.(b); and

(f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

UKX 5.2. The sponsor must be authorised by the Home Office to sponsor a UK Expansion Worker.

UKX 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless one of the following applies:

(a) the applicant was last granted permission as a UK Expansion Worker and is applying to continue working for the same sponsor as in their last permission; or

(b) the applicant holds the role of authorising officer on the sponsor's licence

and the sponsor has a provisional rating on the Home Office's register of licenced sponsors.

UKX 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or

(b) is a sham; or

(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

UKX 5.5. The sponsor must choose a SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or

(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

UKX 5.5A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

UKX 5.6. An applicant as a UK Expansion Worker must:

(a) be currently working for the sponsor group; and

(b) have worked outside the UK for the sponsor group for a cumulative period of at least 12 months, unless the applicant is either:

(i) applying as a high earner; or

(ii) a Japanese national seeking to establish a UK branch or subsidiary of the sponsor group under the UK-Japan Comprehensive Economic Partnership Agreement; or

(iii) a national or permanent resident of Australia seeking to establish a UK branch or subsidiary of the sponsor group under the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia (when the agreement comes into force or is provisionally applied).

UKX 5.7. In UKX 5.6.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:

(a) the applicant was continuously working for the business at UKX 5.6.(a), whether in or out of the UK, from the start of the 12 months to the date of application; and

(b) any breaks in the continuous work in UKX 5.7.(a) were only for the following reasons:

(i) statutory maternity, paternity, parental, or shared parental leave; or

(ii) statutory adoption leave; or

(iii) sick leave; or

(iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or

(v) taking part in legally organised industrial action; or
(vi) jury service; or
(vii) attending court as a witness.

UKX 5.8. If the requirements in UKX 5.1. to UKX 5.7. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a UK Expansion Worker
UKX 6.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

UKX 6.1A. If the date of application is before 4 April 2030, the applicant was granted permission as a UK Expansion Worker under the rules in place before 4 April 2024, and they have had continuous permission as a UK Expansion Worker since then (except that where paragraph 39E applies, that period of overstaying will be disregarded), they may be sponsored for a job in a SOC 2020 occupation code listed in Table 2b of Appendix Skilled Occupations.

UKX 6.2. The decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code for any of the following reasons:
(a) the most appropriate SOC 2020 occupation code is not eligible under the Global Business Mobility routes; or
(b) the most appropriate SOC 2020 occupation code has a higher going rate than the proposed salary.

UKX 6.3. To support the assessment in UKX 6.2, the decision maker may, in particular, consider:
(a) whether the sponsor has shown a genuine need for the job as described; and
(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
(d) any additional information from the sponsor.

UKX 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

UKX 6.5. If the requirements in UKX 6.1. to UKX 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to UKX 6.6.

UKX 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under UKX 5.8.

Points for salary for a UK Expansion Worker
UKX 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:
(a) the general salary requirement in UKX 8.1 and UKX 8.2; and

(b) the going rate requirement in UKX 9.1. to UKX 9.3.

UKX 7.2. Salary under these requirements includes only:

(a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and

(b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

UKX 7.3. Where allowances under UKX 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 30% of the total salary package.

UKX 7.4. Salary does not include other pay and benefits, such as any of the following:

(a) flexible working where the nature of the job means that hours fluctuate and pay cannot be guaranteed; or

(b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or

(c) employer pension and national insurance contributions; or

(d) any allowances, other than those specified in UKX 7.2.(b); or

(e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or

(f) one-off payments, such as 'golden hellos'; or

(g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or

(h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

UKX 7.5. If the requirements in UKX 7.1. to UKX 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to UKX 7.6.

UKX 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under UKX 5.8.

General salary requirement for a UK Expansion Worker

UKX 8.1. The general salary requirement is £48,500 per year.

UKX 8.2. If the applicant is being sponsored to work more than 48 hours a week, subject to UKX 8.3, only the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £15 per hour will be considered to have a salary of £37,440 (£15 x 48 x 52) per year and not £46,800 (£15 x 60 x 52).

UKX 8.3. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:

(a) work in excess of 48 hours in some weeks can be considered towards the

salary threshold of £45,800, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and

(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and

(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1 in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £20 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of just £41,600 (£20 x 40 x 52) per year.

Going rate requirement for a UK Expansion Worker

UKX 9.1. UKX 9.1. If the applicant is being sponsored for a job in one of the SOC 2020 occupation codes listed in Table 2 or Table 2b of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate, which will be calculated as follows:

1 x (the going rate for the SOC 2020 occupation code stated in Table 2 or Table 2b of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37.5).

UKX 9.2. If the applicant is being sponsored for a job in one of the health or education SOC 2020 occupation codes listed in Table 3 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

UKX 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in an SOC 2020 occupation code with a going rate of £37,500 must be paid £60,000 (1 x £37,500 x 60 ÷ 37.5) per year, not £48,000 (1 x £37,500 x 48 ÷ 37.5).

Genuineness requirement for a UK Expansion Worker

UKX 9A.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by UKX 13.1.

Financial requirement for a UK Expansion Worker

UKX 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

UKX 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months, the applicant must have funds of at least £1,270.

UKX 10.3. The applicant must show that they have held the level of funds required by UKX 10.2. for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a UK Expansion Worker

UKX 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission in the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

UKX 11.2. When calculating the cumulative periods of permission referred to in UKX 11.1. and UKX 13.2.(d), the decision maker will include the following:

(a) all previous periods of permission on the Global Business Mobility routes; and

(b) all previous periods of permission on the Intra-Company routes; and

(c) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and

(d) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and

(e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a UK Expansion Worker

UKX 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a UK Expansion Worker are met the application will be granted, otherwise the application will be refused.

UKX 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a UK Expansion Worker

UKX 13.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is:

(i) the job for which the applicant is being sponsored; and

(ii) voluntary work; and

(iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

UKX 13.2. Permission will be granted for a period which is the shortest of the following:

(a) 1 year after the start date of the job detailed in the Certificate of Sponsorship; or

(b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or

(c) the date at which the applicant will have had continuous permission as a UK Expansion Worker totalling 2 years; or
(d) the date at which the applicant will have had cumulative permission in the Global Business Mobility routes totalling 5 years in any 6-year period.

UKX 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under UKX 13.2. (but not from the cumulative period in UKX 11.2.).

Dependent Partner (partner") and dependent child ("child") of a UK Expansion Worker

Validity requirements for a partner or child of a UK Expansion Worker

UKX 14.1. A person applying for entry clearance or permission to stay as a partner or child of a UK Expansion Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

UKX 14.2. An application for entry clearance or permission to stay as a partner or child of a UK Expansion Worker must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – UK Expansion Worker route that has not been decided; or
(ii) has entry clearance or permission to stay on the Global Business Mobility – UK Expansion Worker route.

UKX 14.3. A person applying as a partner must be aged 18 or over on the date of application.

UKX 14.4. A person applying for permission to stay as a partner or child of a UK Expansion Worker must be in the UK on the date of application and must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

UKX 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

UKX 14.5. An application which does not meet all the validity requirements for a partner or child of a UK Expansion Worker may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a UK Expansion Worker

UKX 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKX 15.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner or child of a UK Expansion Worker

Entry requirement for a partner or child of a UK Expansion Worker

UKX 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a UK Expansion Worker before they arrive in the UK.

UKX 16.2. A person applying for entry clearance as the partner or child of a UK Expansion Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a UK Expansion Worker

UKX 17.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Global Business Mobility – UK Expansion Worker route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – UK Expansion Worker route.

UKX 17.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

UKX 17.3. DELETED

UKX 17.4. DELETED

Relationship requirement for a child of a UK Expansion Worker
UKX 18.1. DELETED.

UKX 18.2. DELETED.

UKX 18.3. DELETED.

Care requirement for a child of a UK Expansion Worker
UKX 19.1. DELETED.

Age requirement for a child of a UK Expansion Worker
UKX 20.1. DELETED.

UKX 20.2. DELETED.

Requirements for a dependent child of a UK Expansion Worker

UKX 20A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child of a UK Expansion Worker
UKX 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

UKX 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, funds of at least the amount required in UKX 21.3. must be held collectively by one or more of the following:

(a) the applicant; and
(b) the UK Expansion Worker (P); and
(c) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time.

UKX 21.3. The required funds are:

(a) £285 for a partner in the UK or applying for entry clearance; and
(b) £315 for the first child in the UK or applying for entry clearance; and
(c) £200 for any other child in the UK or applying for entry clearance.

UKX 21.4. If UKX 23.2.(a) applies, the funds held must be held in addition to any funds required for the UK Expansion Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

UKX 21.5. If UKX 23.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a UK Expansion Worker
UKX 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a UK Expansion Worker the application will be granted, otherwise the application will be refused.

UKX 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a UK Expansion Worker
UKX 23.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a UK Expansion Worker.

UKX 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

UKX 23.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Appendix Global Business Mobility – Service Supplier

The Global Business Mobility – Service Supplier route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is either a contractual service supplier employed by an overseas service provider or a self-employed independent professional based overseas, and they need to undertake an assignment in the UK to provide services covered by one of the UK's international trade agreements.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Service Supplier route is not a route to settlement.

Validity requirements for a Global Business Mobility - Service Supplier ("Service Supplier")

SSU 1.1. A person applying for entry clearance or permission to stay as a Service Supplier must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form “Global Business Mobility visa”; or
(b) for applicants inside the UK, form “Global Business Mobility”.

SSU 1.2. An application for entry clearance or permission to stay as a Service Supplier must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SSU 1.3. The applicant must be aged 18 or over on the date of application.

SSU 1.4. An applicant applying for entry clearance or permission to stay as a Service Supplier who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SSU 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

SSU 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:
(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in SSU 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in SSU 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

SSU 1.6. An application which does not meet all the validity requirements for a Service Supplier may be rejected as invalid and not considered.

Suitability requirements for a Service Supplier

SSU 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SSU 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Service Supplier

Entry requirements for a Service Supplier

SSU 3.1. A person seeking to come to the UK as a Service Supplier must apply for and obtain entry clearance as a Service Supplier before their arrival in the UK.

SSU 3.2. A person applying for entry clearance as a Service Supplier must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Service Supplier

SSU 4.1. The applicant must be awarded 40 points from the table below:

Points requirements	Relevant rules	Points
Sponsorship	SSU 5.1. to SSU 5.7.	20
Job at an appropriate skill level (option A) or Job at an appropriate skill level (option B)	SSU 6.1. to SSU 6.6. SSU 7.1. to SSU 7.5.	20

SSU 4.2. An applicant as a Service Supplier can be awarded 20 points by meeting the requirements of either SSU 6.1. to SSU 6.6. or SSU 7.1. to SSU 7.5.

Points for Sponsorship for a Service Supplier

SSU 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which must:

(a) confirm the applicant's name, that they are being sponsored as a Service Supplier, and details of the job the sponsor is offering them; and

(b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(e) DELETED

(f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies; and

(g) confirm which of the sponsor's contracts registered with the Home Office the applicant will work on.

SSU 5.2. The sponsor must be authorised by the Home Office to sponsor a Service Supplier.

SSU 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Service Supplier and is applying to continue working for the same sponsor as in their last permission.

SSU 5.4. The sponsor must have a contract with an overseas service provider, where that contract:

(a) has been registered with the Home Office; and

(b) is for a service covered by:

(i) one of the UK's international trade agreements (other than the Comprehensive and Progressive Agreement for TransPacific Partnership (CPTPP)) where that agreement is currently in force or provisionally applied; or;

(ii) the Comprehensive and Progressive Agreement for TransPacific Partnership (CPTPP), where the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to that agreement has entered into force for the UK, and both the country where the overseas service provider is located, and the country of which the service supplier is a national, have ratified the UK's accession to the agreement.

(c) is the contract on which the applicant will work as a Service Supplier.

SSU 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or

(b) is a sham; or

(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SSU 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or

(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SSU 5.6A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

SSU 5.7. If the requirements in SSU 5.1. to SSU 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Service Supplier – Option A
SSU 6.1. The applicant must be sponsored for a job in an SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

SSU 6.1A. If the date of application is before 4 April 2030, the applicant was granted permission as a Service Supplier under the rules in place before 4 April 2024, and they have had continuous permission as a Service Supplier since then (except that where paragraph 39E applies, that period of overstaying will be disregarded), they may be sponsored for a job in a SOC 2020 occupation code listed in Table 2b of Appendix Skilled Occupations.

SSU 6.2. The sponsor must choose an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code due to the most appropriate SOC 2020 occupation code not being eligible under the Global Business Mobility routes.

SSU 6.3. To support the assessment in SSU 6.2., the decision maker may, in particular, consider:

(a) whether the sponsor has shown a genuine need for the job as described; and
(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
(d) any additional information from the sponsor.

SSU 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SSU 6.5. If the requirements in SSU 6.1. to SSU 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SSU 6.6.

SSU 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SSU 5.7.

Points for job at appropriate skill level for a Service Supplier – Option B
SSU 7.1. The applicant must have a university degree or equivalent level technical qualification unless they are employed by an overseas service provider supplying one of the following services, in which case the qualification requirements in the following table apply:

Services	**Qualification**
Fashion and modelling	None required
Chef de cuisine	An advanced technical qualification
Entertainment services (excluding audio-visual services under the CARIFORUM-UK Economic Partnership	None required

Services	Qualification
Agreement)	
Management consulting services and services related to management consulting (managers and senior consultants)	University degree (equivalent level technical qualification not permitted)
Advertising or translation	Relevant qualifications
Technical testing and analysis	University degree or a relevant technical qualification

SSU 7.2. The applicant must hold any professional qualifications or registrations required to provide the services under UK law or sectoral requirements.

SSU 7.3. The applicant must have professional experience in the sector in which they will supply services as follows:

(a) 3 years' experience; or

(b) if they are supplying chef de cuisine services under the CARIFORUM-UK Economic Partnership Agreement, 6 years' experience; or

(c) if they are a self-employed overseas service provider, 6 years' experience.

SSU 7.4. If the requirements in SSU 7.1. to SSU 7.3. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SSU 7.5.

SSU 7.5. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SSU 5.7.

Nationality requirement for a Service Supplier

SSU 8.1. The applicant must be:

(a) a national of the country or territory in which the overseas service provider is based; or

(b) where the service that the applicant will provide is covered by a commitment in the General Agreement on Trade in Services and the applicant's employer is established in a country or territory that has made a notification under Article XXVIII(k)(ii)(2) of that agreement, a permanent resident of that country or territory; or

(c) where the service that the applicant will provide is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland; or

(d) where the service that the applicant will provide is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or any other person included in the definition of "natural person of a Party" for the European Union in Article 512(k) of that agreement; or

(e) where the service that the applicant will provide is covered by a contractual service supplier commitment in the CARIFORUM-United Kingdom Economic Partnership Agreement, a national of any CARIFORUM State that has provisionally applied or brought into force that agreement; or

(f) where the service that the applicant will provide is covered by a commitment in the Free Trade Agreement between the United Kingdom of

Great Britain and Northern Ireland and Australia, a permanent resident of Australia; or

(g) where the service that the applicant will provide is covered by a commitment in the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and New Zealand, a permanent resident of New Zealand; or

(h) where the service that the applicant will provide is covered by a commitment in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), a national of a party to that agreement or a permanent resident of Australia, Canada or New Zealand, subject to the provisions of paragraph (i);

(i) Where the commitment in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) falls into a category in the first column of the table, the applicant must be a national of a country in the second column of the table below (or to the extent that Australia, Canada or New Zealand is listed in that column, a permanent resident of that country):

Category	**CPTPP Parties with access**
Contractual Service Suppliers	Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, Peru, Vietnam
Independent Professionals	Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, Peru, New Zealand

Overseas work requirement for a Service Supplier

SSU 9.1. The applicant must:

(a) be currently working as or for an overseas service provider that will provide services to the sponsor; and

(b) have worked as or for the overseas service provider outside the UK for a cumulative period of 12 months.

SSU 9.2. In SSU 9.1. the 12 months' work outside the UK can have been accumulated over any period provided that:

(a) the applicant was either:

(i) continuously working for the overseas service provider at SSU 9.1., whether in or out of the UK, from the start of the 12 months to the date of application; or

(ii) if the applicant is a self-employed overseas service provider, continuously working in the same sector as the service they will provide to the sponsor, whether in or out of the UK, from the start of the 12 months to the date of application; and

(b) any breaks in the continuous work in SSU 9.2.(a) were only for the following reasons:

(i) statutory maternity, paternity, parental, or shared parental leave; or

(ii) statutory adoption leave; or

(iii) sick leave; or

(iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the overseas service provider; or

(v) taking part in legally organised industrial action; or

(vi) jury service; or
(vii) attending court as a witness.

Genuineness requirement for a Service Supplier

SSU 9A.1. The applicant must:
(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by SSU 13.1.

Financial requirement for a Service Supplier
SSU 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SSU 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:
(a) the applicant must have funds of at least £1,270; or
(b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment to an amount of at least £1,270.

SSU 10.3. If SSU 10.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Service Supplier
SSU 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

SSU 11.2. When calculating the cumulative periods of permission referred to in SSU 11.1., the decision maker will include the following:
(a) all previous periods of permission on the Global Business Mobility routes; and
(b) all previous periods of permission on the Intra-Company routes; and
(c) if the applicant does not currently hold permission in the Global Business Mobility routes, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
(d) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and
(e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Service Supplier
SSU 12.1. If the decision maker is satisfied that all the suitability and eligibility

requirements for a Service Supplier are met the application will be granted, otherwise the application will be refused.

SSU 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Service Supplier

SSU 13.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is:

(i) the job for which the applicant is being sponsored; and

(ii) voluntary work; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

SSU 13.2. If the application is for entry clearance, permission will be granted for a period which is the shortest of the following:

(a) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or

(b) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period; or

(c) the maximum single assignment period which is:

(i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement, 12 months; or

(ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, 12 months; or

(iia) if the applicant is an Australian national or permanent resident covered by a relevant commitment in the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia, 12 months; or

(iib) if the applicant is covered by a relevant commitment in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), and is a person included in the definition of “business person” under Article 12.1 of that agreement, 12 months, or;

(iii) in all other cases, 6 months.

SSU 13.3. If the application is for permission to stay, the permission will be granted for a period which is the shortest of the following:

(a) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or

(b) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period; or

(c) the maximum single assignment period which is:

(i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of "natural person of a Party" for the European Union in Article 512(k) of that agreement, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
(ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
(iia) if the applicant is an Australian national or permanent resident covered by a relevant commitment in the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
(iib) if the applicant is covered by a relevant commitment in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
(iii) in all other cases, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 6 months.

SSU 13.4. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SSU 13.2. and SSU 13.3. (but not from the cumulative period in SSU 11.2.).

Dependent Partner ("partner") and dependent child ("child") of a Service Supplier

Validity requirements for a partner or child of a Service Supplier

SSU 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Service Supplier must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SSU 14.2. An application for entry clearance or permission to stay as a partner or child of a Service Supplier must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – Service Supplier route that has not been decided; or

(ii) has entry clearance or permission to stay on the Global Business Mobility – Service Supplier route.

SSU 14.3. A person applying as a partner must be aged 18 or over on the date of application.

SSU 14.4. A person applying for permission to stay as a partner or child of a Service Supplier must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a domestic worker in a private household; or

(f) outside the immigration rules.

SSU 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

SSU 14.5. An application which does not meet all the validity requirements for a partner or child of a Service Supplier may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a Service Supplier

SSU 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SSU 15.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Service Supplier

Entry requirement for a partner or child of a Service Supplier
SSU 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Service Supplier before they arrive in the UK.

SSU 16.2. A person applying for entry clearance as the partner or child of a Service Supplier must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Service Supplier
SSU 17.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Global Business Mobility – Service Supplier route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – Service Supplier route.

SSU 17.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SSU 17.3. DELETED

SSU 17.4. DELETED

Relationship requirement for a child of a Service Supplier
SSU 18.1. DELETED.

SSU 18.2. DELETED.

SSU 18.3. DELETED.

Care requirement for a child of a Service Supplier
SSU 19.1. DELETED.

Age requirement for a child of a Service Supplier
SSU 20.1. DELETED.

SSU 20.2. DELETED.

Requirements for a dependent child of a Service Supplier

SSU 20A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a partner or child of a Service Supplier

SSU 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SSU 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

(a) funds of at least the amount required in SSU 21.3 must be held collectively by one or more of the following:

(i) the applicant; and

(ii) the Service Supplier (P); and

(iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time as the applicant; or

(b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SSU 21.3.

SSU 21.3. The required funds are:

(a) £285 for a partner in the UK or applying for entry clearance; and

(b) £315 for the first child in the UK or applying for entry clearance; and

(c) £200 for any other child in the UK or applying for entry clearance.

SSU 21.4. If SSU 21.2.(a) applies, the funds held must be held in addition to any funds required for the Service Supplier to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SSU 21.5. If SSU 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Service Supplier

SSU 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Service Supplier the application will be granted, otherwise the application will be refused.

SSU 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Service Supplier

SSU 23.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a Service Supplier.

SSU 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SSU 23.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Appendix Global Business Mobility – Secondment Worker

The Global Business Mobility – Secondment Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is being seconded to the UK as part of a high value contract or investment by their employer overseas.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Secondment Worker route is not a route to settlement.

Validity requirements for a Global Business Mobility - Secondment Worker ("Secondment Worker")

SEC 1.1. A person applying for entry clearance or permission to stay as a Secondment Worker must apply online on the gov.uk website on the specified form as follows:
(a) for applicants outside the UK, form "Global Business Mobility visa"; or
(b) for applicants inside the UK, form "Global Business Mobility".

SEC 1.2. An application for entry clearance or permission to stay as a Secondment Worker must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SEC 1.3. The applicant must be aged 18 or over on the date of application.

SEC 1.4. An applicant applying for entry clearance or permission to stay as a Secondment Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SEC 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:
(a) as a Visitor; or

(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

SEC 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in SEC 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in SEC 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

SEC 1.6. An application which does not meet all the validity requirements for a Secondment Worker may be rejected as invalid and not considered.

Suitability requirements for a Secondment Worker

SEC 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SEC 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a Secondment Worker

Entry requirements for a Secondment Worker

SEC 3.1. A person seeking to come to the UK as a Secondment Worker must apply for and obtain entry clearance as a Secondment Worker before their arrival in the UK.

SEC 3.2. A person applying for entry clearance as a Secondment Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Secondment Worker

SEC 4.1. The applicant must be awarded 40 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	SEC 5.1. to SEC 5.7.	20
Job at an appropriate skill level	SEC 6.1. to SEC 6.6.	20

Points for Sponsorship for a Secondment Worker

SEC 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Secondment Worker, and details of the job the sponsor is offering them; and
(b) include a start date for the job, stated by the sponsor, which must be no more than 3 months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) DELETED
(f) confirm whether or not the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies; and
(g) confirm on which of the sponsor's contracts registered with the Home Office the applicant will work.

SEC 5.2. The sponsor must be authorised by the Home Office to sponsor a Secondment Worker.

SEC 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Secondment Worker and is applying to continue working for the same sponsor as in their last permission.

SEC 5.4. The sponsor must have a contract with an overseas business, where that contract has been registered with the Home Office, and on which an applicant as a Secondment Worker will work.

SEC 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

(a) does not exist; or
(b) is a sham; or
(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SEC 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

(a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of

the nature or length of any arrangement between the sponsor and the third party.

SEC 5.6A. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

SEC 5.7. If the requirements in SEC 5.1. to SEC 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Secondment Worker
SEC 6.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

SEC 6.1A.If the date of application is before 4 April 2030, the applicant was granted permission as a Secondment Worker under the Rules in place before 4 April 2024, and they have had continuous permission as a Secondment Worker since then (except that where paragraph 39E applies, that period of overstaying will be disregarded), they may be sponsored for a job in a SOC 2020 occupation code listed in Table 2b of Appendix Skilled Occupations.

SEC 6.2. The sponsor must choose an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code due to the most appropriate SOC 2020 occupation code not being eligible under the Global Business Mobility routes.

SEC 6.3. To support the assessment in SEC 6.2, the decision maker may, in particular, consider:

(a) whether the sponsor has shown a genuine need for the job as described; and
(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
(d) any additional information from the sponsor.

SEC 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SEC 6.5. If the requirements in SEC 6.1. to SEC 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SEC 6.6.

SEC 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SEC 5.7.

Overseas Work requirement for a Secondment Worker
SEC 7.1 The applicant must meet the overseas work requirement at SEC 7.2. unless the applicant:

(a) is applying for permission to stay; and
(b) has, or last had, permission as a Secondment Worker; and
(c) is applying to continue working for the same sponsor as in their last permission.

SEC 7.2 The overseas requirement will be met where the applicant:
(a) is currently working for an overseas business that has a contract with the sponsor that has been registered with the Home Office by the sponsor; and
(b) has worked outside the UK for that overseas business for a cumulative period of at least 12 months.

SEC 7.3. In SEC 7.2.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:
(a) the applicant was continuously working for the overseas businesses in SEC 7.2.(a), whether in or out of the UK, from the start of the 12 months to the date of application; and
(b) any breaks in the continuous work in SEC 7.3.(a) were only for the following reasons:
(i) statutory maternity, paternity, parental, or shared parental leave; or
(ii) statutory adoption leave; or
(iii) sick leave; or
(iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the overseas business in SEC 7.2(a); or
(v) taking part in legally organised industrial action; or
(vi) jury service; or
(vii) attending court as a witness.

Genuineness requirement for a Secondment Worker

SEC 7A.1. The applicant must:
(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by SEC 11.1.

Financial requirement for a Secondment Worker
SEC 8.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SEC 8.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:
(a) the applicant must have funds of at least £1,270; or
(b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment to an amount of at least £1,270.

SEC 8.3. If SEC 8.2.(a) applies, the applicant must show that they have held the

required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Secondment Worker
SEC 9.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and the Intra-Company routes totalling more than 5 years in any 6-year period.

SEC 9.2. When calculating the cumulative periods of permission referred to in SEC 9.1. and SEC 11.2.(d), the decision maker will include the following:

(a) all previous periods of permission on the Global Business Mobility routes; and

(b) all previous periods of permission on the Intra-Company routes; and

(c) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and

(d) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and

(e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Secondment Worker
SEC 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Secondment Worker on the Global Business Mobility route are met the application will be granted, otherwise the application will be refused.

SEC 10.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Secondment Worker
SEC 11.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is:

(i) the job for which the applicant is being sponsored; and

(ii) voluntary work; and

(iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS

(d) DELETED

SEC 11.2. Permission will be granted for a period which is the shortest of the following:

(a) 1 year after the start date of the job detailed in the Certificate of Sponsorship; or

(b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or

(c) the date at which the applicant will have had a continuous permission as a Secondment Worker totalling 2 years.

(d) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

SEC 11.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SEC 11.2. (but not from the cumulative period in SEC 9.2.).

Dependant Partner ("partner") and dependent child ("child") of a Secondment Worker

Validity requirements for a partner or child of a Secondment Worker

SEC 12.1. A person applying for entry clearance or permission to stay as a partner or child of a Secondment Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SEC 12.2. An application for entry clearance or permission to stay as a partner or child of a Secondment Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – Secondment Worker route that has not been decided; or

(ii) has entry clearance or permission to stay on the Global Business Mobility – Secondment Worker route.

SEC 12.3. A person applying as a partner must be aged 18 or over on the date of application.

SEC 12.4. A person applying for permission to stay as a partner or child of a Secondment Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or
(f) outside the immigration rules.

SEC 12.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

SEC 12.5. An application which does not meet all the validity requirements for a partner or child of a Secondment Worker may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a Secondment Worker

SEC 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SEC 13.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner or child of a Secondment Worker

Entry requirement for a partner or child of a Secondment Worker

SEC 14.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Secondment Worker before they arrive in the UK.

SEC 14.2. A person applying for entry clearance as the partner or child of a Secondment Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Secondment Worker

SEC 15.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Global Business Mobility – Secondment Worker route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – Secondment Worker route.

SEC 15.2. The applicant must show that the relationship meets the relationship

requirements as specified in Appendix Relationship with Partner.

SEC 15.3. DELETED

SEC 15.4. DELETED

Relationship requirement for a child of a Secondment Worker
SEC 16.1. DELETED.

SEC 16.2. DELETED.

SEC 16.3. DELETED.

Care requirement for a child of a Secondment Worker
SEC 17.1. DELETED.

Age requirement for a child of a Secondment Worker
SEC 18.1. DELETED.

SEC 18.2. DELETED.

Requirements for a dependent child of a Secondment Worker

SEC 18A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child of a Secondment Worker
SEC 19.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SEC 19.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

(a) funds of at least the amount required in SEC 19.3 must be held collectively by one or more of the following:
    (i) the applicant; and
    (ii) the Secondment Worker (P); and
    (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
(b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SEC 19.3.

SEC 19.3. The required funds are:

(a) £285 for a partner in the UK or applying for entry clearance; and
(b) £315 for the first child in the UK or applying for entry clearance; and
(c) £200 for any other child in the UK or applying for entry clearance.

SEC 19.4. If SEC 19.2.(a) applies, the funds held must be held in addition to any funds required for the Secondment Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SEC 19.5. If SEC 19.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner and child of a Secondment Worker
SEC 20.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Secondment Worker the application will be granted, otherwise the application will be refused.

SEC 20.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Secondment Worker
SEC 21.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a Secondment Worker.

SEC 21.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SEC 21.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Back to top

Immigration Rules

Appendix T2 Minister of Religion

This route is for a person who has a key leading role within their faith-based organisation or a religious order in the UK.

A dependent partner and dependent children of a T2 Minister of Religion can apply on this route.

T2 Minister of Religion is a route to settlement.

Validity requirements for a T2 Minister of Religion

MOR 1.1. A person applying for entry clearance or permission to stay as a T2 Minister of Religion must apply online on the gov.uk website on the specified form as follows:

a) for applicants outside the UK, form “Tier 2 (Minister of Religion) visa”; or
b) for applicants inside the UK, form “Tier 2 (Minister of Religion) leave to remain”.

MOR 1.2. An application for entry clearance or permission to stay as a T2 Minister of Religion must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

MOR 1.3. The applicant must be aged 18 or over on the date of application.

MOR 1.4. If the applicant has, in the last 12 months before the date of application, received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

MOR 1.5. A person applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

MOR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in MOR 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) the Certificate of Sponsorship in MOR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

MOR 1.6. An application which does not meet all the validity requirements for a T2 Minister of Religion may be rejected as invalid and not considered.

Suitability Requirements for a T2 Minister of Religion

MOR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 2.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility Requirements for a T2 Minister of Religion

Entry requirements for a T2 Minister of Religion
MOR 3.1. A person seeking to come to the UK as a T2 Minister of Religion must apply for and obtain entry clearance as a T2 Minister of Religion before their arrival in the UK.

MOR 3.2. A person applying for entry clearance as a T2 Minister of Religion must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirements for a T2 Minister of Religion
MOR 4.1. An applicant must be awarded 70 points from the table below.

Points requirements (all mandatory)	Points
Certificate of Sponsorship	50
Financial requirement	10
English language skills at level B2 (intermediate)	10

Sponsorship requirements for a T2 Minister of Religion

MOR 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which to be valid, must:

(a) confirm the applicant's name, that they are being sponsored as a T2 Minister of Religion and details of the job and salary the sponsor is offering them, as well as any other remuneration; and
(b) include a start date, stated by the sponsor, which must be no more than three months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the applicant is qualified to do the job of a T2 Minister of Religion; and
(f) confirm that the applicant is a member of the sponsor's religious order (if the sponsor's organisation is a religious order); and
(g) confirm that the applicant will perform religious duties within the sponsor's organisation or directed by the sponsor's organisation in the UK (which may include preaching, pastoral and non-pastoral work); and
(h) confirm that the applicant's role will not involve mainly non-pastoral duties, such as school teaching, media production, domestic work or administrative and clerical work, unless the role is a senior position within the sponsor's organisation; and
(i) confirm that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role and compliant with, or exempt from, the national minimum wage.

MOR 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the T2 Minister of Religion route.

MOR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a T2 Minister of Religion and is applying to continue working for the same sponsor as in their last permission.

MOR 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for a T2 Minister of Religion

MOR 6.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted at MOR 10.3.

Financial requirement for a T2 Minister of Religion

MOR 7.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

MOR 7.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been living in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or
(b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

MOR 7.3. If MOR 7.2.(a) applies, the applicant must have held the required level of funds for a 28-day period and must show funds as specified in Appendix Finance.

English language requirement for a T2 Minister of Religion

MOR 8.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B2.

MOR 8.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Decision on an application as a T2 Minister of Religion

MOR 9.1. If the decision maker is satisfied all the suitability and eligibility requirements for a T2 Minister of Religion are met the application will be granted, otherwise the application will be refused.

MOR 9.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a T2 Minister of Religion

MOR 10.1. If the applicant is applying for entry clearance, permission will be granted for whichever is the shorter of:

(a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
(b) 3 years and 1 month.

MOR 10.2. If the applicant is applying for permission to stay, it will be granted for whichever is the shorter of:

(a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
(b) 3 years; or
(c) the difference between 6 years and the period they have already been granted permission as a T2 Minister of Religion, International Sportsperson, or Skilled Worker (or any combination of these routes).

MOR 10.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is:
    (i) work in the job the applicant is being sponsored for; and
    (ii) supplementary employment, provided the applicant is still doing the job they were sponsored for; and
    (iii) voluntary work; and
    (iv) working out a contractual notice for a job the person was lawfully working in on the date of application; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Settlement as a T2 Minister of Religion

Validity requirements for settlement as a T2 Minister of Religion

MOR 11.1. A person who is applying for settlement as a T2 Minister of Religion must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

MOR 11.2. An application for settlement must meet all the following requirements:
(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK on the date of application.

MOR 11.3. The applicant must have, or have last been granted, permission as a T2 Minister of Religion.

MOR 11.4. An application which does not meet all the validity requirements for settlement for a T2 Minister of Religion may be rejected as invalid and not considered.

Suitability Requirements for settlement as a T2 Minister of Religion

MOR 12.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 12.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement as a T2 Minister of Religion

Sponsorship requirement for settlement as a T2 Minister of Religion

MOR 13.1. The sponsor in the applicant's most recent permission must still be approved by the Home Office to sponsor a T2 Minister of Religion.

MOR 13.2. The sponsor must confirm that they still require the applicant to work for them for the foreseeable future, and that the applicant is paid, and will be paid for the foreseeable future, the appropriate salary under MOR 5.1.(i).

Qualifying period requirement for settlement as a T2 Minister of Religion
MOR 14.1. The applicant must have spent a continuous period of 5 years in the UK, and that period must consist of time with permission on any (or a combination) of the following routes:

(a) T2 Minister of Religion; or
(b) International Sportsperson; or
(c) Skilled Worker; or
(d) Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur); or
(e) Representative of an Overseas Business; or
(f) Innovator Founder; or
(g) Global Talent; or
(h) Scale-up

Continuous residence requirement for settlement as a T2 Minister of Religion
MOR 15.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous residence for the period in MOR 14.1.

Knowledge of Life in the UK requirement for settlement as a T2 Minister of Religion
MOR 16.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement as a T2 Minister of Religion
MOR 17.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a T2 Minister of Religion are met the applicant will be granted settlement, otherwise the application will be refused.

MOR 17.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of a T2 Minister of Religion

Validity requirements for a dependent partner ("partner") or dependent child ("child") of a T2 Minister of Religion

MOR 18.1. A person applying for entry clearance or permission to stay as a partner or child of a T2 Minister of Religion must apply online on the gov.uk website on the specified form as follows:

Location of partner or child	Specified form
Outside the UK	Dependant partner visa Dependant child visa

Location of partner or child	Specified form
Inside the UK	If applying at the same time as the T2 Minister of Religion, they can be included in the Tier 2 (Minister of Religion) leave to remain form. If applying separately from the T2 Minister of Religion: • Dependant partner • Dependant child

MOR 18.2. An application for entry clearance or permission to stay as a partner or child of a T2 Minister of Religion must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality: and
(d) the applicant must be applying as partner or child of a person (P) who:
    (i) has made a valid application for entry clearance or permission to stay on the T2 Minister of Religion route that has not been decided; or
    (ii) has permission on the T2 Minister of Religion route; or
    (iii) is settled or has become a British citizen, providing that P had permission on the T2 Minister of Religion route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

MOR 18.3. An applicant applying as a partner must be aged 18 or over on the date of application.

MOR 18.4. An applicant who is applying for permission to stay as a partner or child of a T2 Minister of Religion must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household: or
(f) outside the Immigration Rules.

MOR 18.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
    (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

MOR 18.5. An application which does not meet all the validity requirements for a partner or child of a T2 Minister of Religion may be rejected as invalid and not considered.

Suitability requirements for a partner or child of a T2 Minister of Religion

MOR 19.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 19.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner or child of a T2 Minister of Religion

Entry requirement for a partner or child of a T2 Minister of Religion
MOR 20.1. A person seeking to come to the UK as a partner or child of a T2 Minister of Religion must apply for and obtain an entry clearance as a partner or child of a T2 Minister of Religion before they arrive in the UK.

MOR 20.2. A person applying for entry clearance as the partner or child of a T2 Minister of Religion must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a T2 Minister or Religion
MOR 21.1. The applicant must be the partner of a person (P) where one of the following applies:
(a) P has permission as a T2 Minister of Religion; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission as a T2 Minister of Religion; or
(c) P is settled or has become a British citizen, providing P had permission as a T2 Minister of Religion when they settled, and the applicant had permission as P's partner at that time.

MOR 21.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

MOR 21.3. DELETED

MOR 21.4. DELETED

Relationship requirement for a child of a T2 Minister of Religion
MOR 22.1. DELETED.

MOR 22.2. DELETED.

MOR 22.3. DELETED.

Age requirement for a child of a T2 Minister of Religion
MOR 23.1. DELETED.

MOR 23.2. DELETED.

Care requirement for a child of a T2 Minister of Religion
MOR 24.1. DELETED.

Requirements for a dependent child of a T2 Minister of Religion

MOR 24A.1. The applicant must meet the following requirements for a dependent child in Appendix Children

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child of a T2 Minister of Religion
MOR 25.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

MOR 25.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in MOR 25.3. must be held collectively by one or more of the following:
    (i) the applicant; and
    (ii) the T2 Minister of Religion; and
    (iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
(b) the T2 Minister of Religion's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the partner and/or any dependent child as well as the T2 Minister of Religion, up to the end of the first month of each of their grants of permission, to at least the amounts required in MOR 25.3.

MOR 25.3. The funds required are:

(a) £285 for a partner in the UK, or applying for entry clearance; and
(b) £315 for the first dependent child in the UK, or applying for entry clearance; and
(c) £200 for any other dependent child in the UK, or applying for entry clearance.

MOR 25.4. If MOR 25.2(a) applies, the funds held for the applicant must be held in addition to any funds required for the T2 Minister of Religion to meet the financial requirement and any other dependents in the UK or applying at the same time.

MOR 25.5. If MOR 25.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application as a dependent partner or child of a T2 Minister of Religion

MOR 26.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a partner or child of a T2 Minister of Religion are met, the application will be granted, otherwise the application will be refused.

MOR 26.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a T2 Minister of Religion

MOR 27.1. A partner will be granted:

(a) permission which ends on the same date as their partner's permission as a T2 Minister of Religion; or

(b) 3 years' permission if the T2 Minister of Religion was (or is being) granted settlement as a T2 Minister of Religion.

MOR 27.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British citizenship, in which case the child will be granted permission for 3 years.

MOR 27.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted; except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Settlement as a partner or child of a T2 Minister of Religion

Validity requirements for settlement as a partner or child of a T2 Minister of Religion

MOR 28.1. A person applying for settlement as a partner or child of a T2 Minister of Religion must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

MOR 28.2. An application for settlement as a partner or child of a T2 Minister of Religion must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK on the date of application; and
(e) the applicant must be applying as a partner or child of a person (P) who:
(i) has made a valid application for settlement in the UK on the T2 Minister of Religion route and that application has not been decided; or
(ii) is settled or has become a British citizen, provided that P had permission on the T2 Minister of Religion route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

MOR 28.3. An application which does not meet all the validity requirements for settlement as a partner or child of a T2 Minister of Religion may be rejected as invalid and not considered.

Suitability requirements for settlement as a partner or child of a T2 Minister of Religion

MOR 29.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 29.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement as a partner or child of a T2 Minister of Religion

Relationship requirement for settlement as a partner or child of a T2 Minister of Religion
MOR 30.1. The applicant must be the partner or child of a person (P) where one of the following applies:
(a) P is, at the same time, being granted settlement as a T2 Minister of Religion; or
(b) P is settled or has become a British citizen, providing P had permission as a T2 Minister of Religion when they settled and the applicant either:
(i) had permission as P's partner or child at that time; or
(ii) is applying as a child of P and was born in the UK before P settled.

MOR 30.2. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

MOR 30.3. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children
Age requirement for settlement as a child of a T2 Minister of Religion
MOR 31.1. DELETED.

MOR 31.2. DELETED.

Care requirement for settlement as a child of a T2 Minister of Religion
MOR 32.1. DELETED.

Requirements for settlement as a dependent child of a T2 Minister of Religion

MOR 32A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and
(b) age and independent life requirement.

Qualifying period requirement for settlement as a partner of a T2 Minister of Religion
MOR 33.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a dependent partner of the person (P) in MOR 30.1.

Continuous residence requirement for settlement as a partner of a T2 Minister of Religion
MOR 34.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in MOR 33.1.

English language requirement for settlement as a partner or child of a T2 Minister of Religion
MOR 35.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

MOR 35.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or child of a T2 Minister of Religion
MOR 36.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a partner or child of a T2 Minister of Religion

MOR 37.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a partner or child of a T2 Minister of Religion, the application will be granted, otherwise the application will be refused.

MOR 37.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Representative of an Overseas Business

A person applying as a Representative of an Overseas Business must either be a Media Representative or applying for an extension or settlement as a Sole Representative.

A Media Representative is an employee of an overseas media organisation posted to the United Kingdom on a long-term assignment.

A Sole Representative is a senior employee of an overseas business who is assigned to the United Kingdom for the purpose of establishing a branch or subsidiary.

A dependent partner and dependent children can apply under this route.

Representative of an Overseas Business is a route to settlement.

Sole Representatives can no longer apply for an initial period of permission in the Representative of an Overseas Business route. Overseas businesses wishing to establish a UK branch or subsidiary may be able to send workers on the Global Business Mobility - UK Expansion Worker route.

Validity requirements for a Representative of an Overseas Business

ROB 1.1. A person applying for entry clearance or permission to stay as a Representative of an Overseas Business must apply online on gov.uk on the specified form as follows:

(a) for entry clearance, form “Other work” on the “Find and apply for other visas from outside the UK” form; or

(b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

ROB 1.2. An application for entry clearance or permission to stay as the Representative of an Overseas Business must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

ROB 1.3. The applicant must be aged 18 or over on the date of application.

ROB 1.4. If the applicant has, in the last 12 months before the date of application, received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

ROB 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

ROB 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

ROB 1.6. An application which does not meet all the validity requirements for a Representative of an Overseas Business may be rejected as invalid and not considered.

Suitability requirements for a Representative of an Overseas Business

ROB 2.1. The applicant must not fall for refusal Part 9: grounds for refusal.

ROB 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for Representative of an Overseas Business

Entry requirement for Representative of an Overseas Business

ROB 3.1. A person seeking to come to the UK as a Representative of an Overseas Business must have applied for and obtained entry clearance as a Representative of an Overseas Business before their arrival in the UK.

ROB 3.2. A person applying for entry clearance as a Representative of an Overseas Business must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Work requirement for Representative of an Overseas Business

ROB 4.1. The overseas business or media organisation that the applicant represents must be active and trading outside the UK, with its headquarters and principal place of business remaining outside the UK.

ROB 4.2. The applicant must have been recruited and taken on as an employee outside the UK by the business they will represent.

ROB 4.3. The applicant must intend to work full-time as the representative of the overseas business or media organisation and must not intend to undertake work for any other business or engage in business of their own.

ROB 4.4. An applicant must be either:

(a) a Sole Representative who already has, or was last granted, permission as a Sole Representative and is a senior employee of an overseas business, who is assigned to the UK to establish and supervise a branch or subsidiary of an overseas business, where that branch or subsidiary will actively trade in the same type of business as the overseas business; or

(b) a Media Representative who is posted on a long-term assignment to the UK on behalf of a newspaper, news agency or broadcasting organisation.

Genuineness requirement for the Representative of an Overseas Business

ROB 5.1. The decision maker must be satisfied that the applicant is a genuine Representative of an Overseas Business.

ROB 5.2. The decision maker must not have reasonable grounds to believe the business is being established in the UK by the overseas business, or the applicant has been appointed as a representative of the overseas business or media organisation, mainly so the applicant can apply for entry clearance or permission to stay.

English language requirement for a Representative of an Overseas Business

ROB 6.1. The applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

ROB 6.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Financial requirement for a Representative of an Overseas Business

ROB 7.1. The decision maker must be satisfied that the applicant can, and will, adequately maintain and accommodate themselves, and any dependants in the UK, without access to public funds.

ROB 7.2. Funds must be shown as specified in Appendix Finance.

Additional business requirements for a Sole Representative on the Representative of an Overseas Business route

ROB 8.1. Where the applicant is applying as a Sole Representative on the Representative of an Overseas Business route, the applicant must meet the additional business requirements set out in ROB 8.2. to ROB 8.6.

ROB 8.2. The applicant must be a senior employee of the overseas business with the skills, experience and knowledge of the business necessary to undertake the

role, with full authority to negotiate and take operational decisions on behalf of the overseas business.

ROB 8.3. The applicant must not have a majority stake in, or otherwise own or control a majority of the overseas business they represent, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

ROB 8.4. DELETED.

ROB 8.5. DELETED.

ROB 8.6. The applicant must meet all the following requirements:

(a) the applicant must have established the registered branch or wholly-owned subsidiary of the overseas business for which they were last granted permission under this route; and
(b) the applicant must be engaged in full time employment and must supervise the registered branch or wholly-owned subsidiary which they have established, and must be required by their employer to continue in that role; and
(c) the applicant must provide all of the following:
(i) evidence of business that has been generated, principally with firms in the UK, on behalf of their employer since their last grant of permission, in the form of accounts, copies of invoices or letters from businesses with whom the applicant has done business, including the value of transactions; and
(ii) a Companies House certificate of registration as a UK establishment (for a branch), or a certificate of incorporation (for a subsidiary), together with either a copy of the share register or a letter from the overseas business's accountant confirming that the UK business is wholly owned by the overseas business; and
(iii) a letter from the applicant's employer confirming that the applicant supervises the UK branch or subsidiary and is required to continue in that employment; and
(iv) evidence of salary paid by the employer in the 12 months immediately before the date of application and details of the remuneration package the employee receives.

Additional business requirements for a Media Representative on the Representative of an Overseas Business route

ROB 9.1. Where the applicant is applying as a Media Representative on the Representative of Overseas Business route, the applicant must meet the additional business requirements in ROB 9.2. and ROB 9.3.

ROB 9.2. The applicant must be an employee of an overseas newspaper, news agency or broadcasting organisation undertaking a long-term assignment as a representative of their overseas employer.

ROB 9.3. Where the applicant is applying for permission to stay and has, or was last granted, permission as a Media Representative, the applicant must meet all the following:

(a) the applicant must be engaged in full time employment for which their last period of permission was granted and be required by their employer to continue in that role; and

(b) the applicant must provide the following:

(i) a letter from the applicant's employer confirming that the applicant is required to continue in their employment; and

(ii) evidence of the applicant's salary paid in the 12 months immediately before the date of application and details of the remuneration package the employee receives.

Decision on application as Representative of an Overseas Business

ROB 10.1. If the decision maker is satisfied that all the suitability and relevant eligibility requirements are met as a Representative of an Overseas Business the application will be granted, otherwise the application will be refused.

ROB 10.2. If the application is refused, a person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant

ROB 11.1. If the applicant is applying for entry clearance as a Media Representative under the Representative of an Overseas Business route or is applying for permission to stay as a Media Representative and does not have, or did not last have, permission on the Representative of an Overseas Business route they will be granted permission for a period not exceeding 3 years.

ROB 11.2. If the applicant has or last had, permission under the Representative of an Overseas Business route, they will be granted permission for a period not exceeding 2 years.

ROB 11.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) no work permitted other than working for the overseas business which the applicant represents; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Settlement as a Representative of an Overseas Business Route

Validity requirements for Settlement by a Representative of an Overseas Business

ROB 12.1. A person applying for settlement as a Representative of an Overseas Business must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

ROB 12.2. An application for settlement as a Representative of an Overseas Business must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a valid passport or other travel document which satisfactorily establishes their identity and nationality.

ROB 12.3. The applicant must be in the UK and have, or have last been granted, permission as a Representative of an Overseas Business.

ROB 12.4. An application which does not meet the validity requirements for settlement as a Representative of an Overseas Business may be rejected as invalid and not considered.

Suitability requirements for settlement by a Representative of an Overseas Business

ROB 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ROB 13.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement by a Representative of an Overseas Business

Qualifying period requirement for settlement by a Representative of an Overseas Business

ROB 14.1. The applicant must have spent the last 5 years before the date of application in the UK with permission as a Representative of an Overseas Business.

Continuous residence requirement for settlement by a Representative of an Overseas Business

ROB 15.1. The applicant must meet the continuous resident requirement in Appendix Continuous Residence during the period in ROB 14.1.

Work requirement for settlement by a Representative of an Overseas Business

ROB 16.1. Throughout the period in ROB 14.1:
(a) the overseas business or media organisation that the applicant represents must have been active and trading with its headquarters and principal place of business remaining outside the UK; and
(b) the applicant must have been employed and working fulltime for the overseas business or media organisation they represent, or for that business's UK branch or subsidiary, and
(c) the applicant must not have undertaken work for any other business or engaged in business of their own.

ROB 16.2. The applicant must provide:
(a) evidence of salary paid by their employer in the 12 months immediately before the date of application and details of the renumeration package the employee receives; and
(b) a letter from their employer confirming that they still require the applicant to work for them, and that the applicant will be required for the foreseeable future.

ROB 16.3. The applicant must be required by their employer to continue in the role for which their last period of permission was granted.

Additional business requirements for settlement by a Sole Representative on the Representative of an Overseas Business route

ROB 16A.1. Where the applicant has, or was last granted permission as a Sole Representative, the applicant must meet the additional business requirements set out in ROB 16A.2. and ROB 16A.3.

ROB 16A.2. Throughout the period in ROB 14.1, the applicant must have met the following requirements:
(a) they must not have had a majority stake in, or otherwise owned or controlled a majority of the overseas business they represent, whether that ownership or control was by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement; and
(b) the applicant must have established and then supervised the registered a branch or wholly owned subsidiary of the overseas business they represent in the UK, where that branch or subsidiary was actively trading in the same type of business as the overseas business.

ROB 16A.3. The applicant must provide all of the following:
(a) evidence of business that has been generated, principally with firms in the UK, on behalf of their employer since their last grant of permission, in the form of accounts, copies of invoices or letters from businesses with whom the applicant has done business, including the value of transactions; and
(b) either a copy of the share register or a letter from the overseas business's accountant confirming that the UK business is wholly owned by the overseas business; and
(c) a letter from the applicant's employer confirming that the applicant has supervised the UK branch or subsidiary since the last grant of permission.

Additional business requirements for settlement by a Media Representative on the Representative of an Overseas Business route

ROB 16B.1. Where the applicant has, or was last granted, permission as a Media Representative, the applicant must meet the additional business requirements set out in ROB 16B.2.

ROB 16B.2. Throughout the period in ROB 14.1, the applicant must have met the following requirements:
(a) they must have been an employee of an overseas newspaper, news agency or broadcasting organisation undertaking a longterm assignment as a representative of their overseas employer; and
(b) the applicant must have been engaged in the employment for which their last period of permission was granted.

English language requirement for settlement by a Representative of an Overseas Business

ROB 17.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ROB 17.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement by a Representative of an Overseas Business

ROB 18.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement as a Representative of an Overseas Business Route

ROB 19.1. If the decision maker is satisfied all the suitability and relevant eligibility requirements are met for settlement by a Representative of an Overseas Business**,** the applicant will be granted settlement, otherwise the application will be refused.

ROB 19.2. If the application is refused, a person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of Representatives of Overseas Businesses

Validity requirements for a dependent partner or dependent child of a Representative of an Overseas Business

ROB.20.1. A person applying for entry clearance or permission to stay as a partner or child on the Representative of an Overseas Business route must apply online on the gov.uk website on the specified form as follows:

(a) for entry clearance, “Join or accompany a family member” on the “Find and apply for other visas from outside the UK” form; or

(b) for permission to stay, “Application to extend stay in the UK: FLR(IR)”.

ROB 20.2. An application for entry clearance or permission to stay as a partner or child of a Representative of an Overseas Business must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the Representative of an Overseas Business route that has not been decided; or
(ii) has entry clearance or permission on the Representative of an Overseas Business route; or
(iii) is settled or has become a British citizen, providing that person (P) had permission on the Representative of an Overseas Business route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

ROB 20.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

ROB 20.4. A person applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal worker; or

(e) as a Domestic worker in a private household: or

(f) outside the Immigration Rules.

ROB 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

ROB 20.5. An application which does not meet all the validity requirements for a partner or child of a Representative of an Overseas Business may be rejected as invalid and not considered.

Suitability requirements for a partner or child on the Representative of an Overseas Business route

ROB 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ROB 21.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a partner or child on the Representative of an Overseas Business route

Entry requirement for a partner or child on the Representative of an Overseas Business route

ROB 22.1. A person seeking to come to the UK as a partner or child must apply for and obtain an entry clearance as a partner or child before they arrive in the UK.

ROB 22.2. A person applying for entry clearance as the partner or child of a Representative of an Overseas Business must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of a Representative of an Overseas Business route

ROB 23.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission on the Representative of an Overseas Business route; or

(b) P is, at the same time, applying for (and is granted) permission on the Representative of an Overseas Business route; or

(c) P is settled or has become a British citizen, providing they had permission on a Representative of an Overseas Business route when they settled and the applicant had permission as their partner at that time.

ROB 23.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

ROB 23.3. DELETED

ROB 23.4. DELETED

Relationship requirement for a dependent child on the Representative of an Overseas Business route

ROB 24.1. DELETED.

ROB 24.2. DELETED.

Care requirement for a dependent child on the Representative of an Overseas Business route

ROB 25.1. DELETED.

Age requirement for a dependent child on the Representative of an Overseas Business route

ROB 26.1. DELETED.

ROB 26.2. DELETED.

Requirements for a dependent child on the Representative of an Overseas Business route

ROB 26A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a partner or child on the Representative of an Overseas Business route

ROB 27.1. The decision maker must be satisfied that the applicant or the Representative of an Overseas Business can and will adequately maintain and accommodate the applicant, and any other dependants in the UK, or applying for entry clearance, without access to public funds.

ROB 27.2. Funds must be shown as specified in Appendix Finance.

Overseas business requirement for a partner or child on the Representative of an Overseas Business route

ROB 28.1. If the person (P) in ROB 23.1. is a Sole Representative, the applicant must not have a majority stake in, or otherwise own or control a majority of the overseas business P represents, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

Decision on application for a dependent partner and dependent child on the Representative of an Overseas Business route

ROB 29.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the Representative of an Overseas Business route the application will be granted, otherwise the application will be refused.

ROB 29.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner and dependent child on the Representative of an Overseas Business route

ROB 30.1. A partner will be granted:

(a) permission which ends on the same date as the permission as the Representative of an Overseas Business; or

(b) 2 years' permission if the Representative of an Overseas Business was (or is being) granted settlement as a Representative of an Overseas Business.

ROB 30.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 30 months.

ROB 30.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Settlement by dependent partner and dependent child on the Representative of an Overseas Business route

Validity requirements for settlement by a dependent partner or dependent child on the Representative of an Overseas Business route

ROB 31.1. A partner or child on the Representative of an Overseas Business route who is applying for settlement must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

ROB 31.2. An application for settlement as a partner or child of a Representative of an Overseas Business must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK; and
(e) the applicant must be applying as a partner or child of a person (P) who:
(i) has made a valid application for settlement in the UK as a Representative of an Overseas Business and that application has not been decided; or
(ii) is settled or has become a British citizen, providing P had permission as a Representative of an Overseas Business when they settled and the applicant either had permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

ROB 31.3. DELETED.

ROB 31.4. An application which does not meet all the validity requirements for settlement as a partner or child on the Representative of an Overseas Business route may be rejected as invalid and not considered.

Suitability Requirements for settlement by a dependent partner and dependent child on the Representative of an Overseas Business route

ROB 32.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ROB 32.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement by a dependent partner or dependent child on the Representative of an Overseas Business route

Relationship requirement for settlement by a partner or child on the Representative of an Overseas Business route

ROB 33.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as a Representative of an Overseas Business; or

(b) P is settled in the UK or has become a British citizen, providing P had permission as a Representative of an Overseas Business when they settled and the applicant either:

i) had permission as P's partner or child at that time; or
ii) is applying as a child of P, and was born in the UK before P settled.

ROB 33.1A. The applicant must either:
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in ROB 33.1; or
(b) have been born in the UK and be applying as a child of the person (P) in ROB 33.1.

ROB 33.2. If applying as a child, the applicant must meet the relationship requirement for settlement for a dependent child in Appendix Children.

ROB 33.3. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

Care requirement for settlement by a child on the Representative of an Overseas Business route

ROB 34.1. DELETED.

Age requirement for settlement by a child on the Representative of an Overseas Business route

ROB 35.1. DELETED.

ROB 35.2. DELETED.

Requirements for settlement as a dependent child on the Representative of an Overseas Business route

ROB 35A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and

(b) age and independent life requirement.

English language requirement for settlement by a partner or child on the Representative of an Overseas Business route

ROB 36.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ROB 36.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement by a partner or child on the Representative of an Overseas Business route

ROB 37.1. If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement by a partner or child on the Representative of an Overseas Business route

ROB 38.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the Representative of an Overseas Business route, the applicant will be granted settlement, otherwise the application will be refused.

ROB 38.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix UK Ancestry

The UK Ancestry route is for a Commonwealth citizen aged 17 or over who wants to live and work in the UK and who has a grandparent who was born in the UK or Islands.

A dependent partner and dependent children can apply under this route.

UK Ancestry is a route to settlement.

Validity requirements for UK Ancestry

UKA 1.1. A person applying for entry clearance or permission to stay on the UK Ancestry route must apply online on the gov.uk website on the specified form as follows:

(a) for entry clearance, form “UK Ancestry, Right of Abode or Returning Residents visa”; or
(b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

UKA 1.2. An application for entry clearance or permission to stay on the UK Ancestry route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

UKA 1.3. The applicant must be a Commonwealth citizen.

UKA 1.4. If applying for entry clearance, the applicant must be aged 17 or over on the date of their intended arrival in the UK.

UKA 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must have previously been granted permission on the UK Ancestry route as a person with UK Ancestry.

UKA 1.6. An application which does not meet all the validity requirements for the UK Ancestry route may be rejected as invalid and not considered.

Suitability requirements for UK Ancestry

UKA 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKA 2.2. If applying for permission to stay, the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for UK Ancestry

Entry requirements for UK Ancestry

UKA 3.1. A person seeking to come to the UK on the UK Ancestry route must apply for and obtain entry clearance on the UK Ancestry route before they arrive in the UK.

UKA 3.2. A person applying for entry clearance on the UK Ancestry route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Grandparent born in the UK or Islands requirement

UKA 4.1. The applicant must have a grandparent born in the UK or Islands.

Financial requirement for UK Ancestry

UKA 5.1. The decision maker must be satisfied that the applicant can and will adequately maintain and accommodate themselves, and any dependants in the UK, or applying for entry clearance, without recourse to public funds.

UKA 5.2. Funds must be shown as specified in Appendix Finance.

UKA 5.3. In assessing whether the applicant meets the financial requirement in UKA 5.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

Work requirement for UK Ancestry

UKA 6.1. The applicant must be able to work and intend to seek and take employment in the UK.

Parental consent requirement for UK Ancestry applicant aged under 18

UKA 7.1. The applicant must meet the parental consent requirement for an applicant not applying as a dependent child in Appendix Children.

UKA 7.2. DELETED.

Decision on an application for UK Ancestry

UKA 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for UK Ancestry, the application will be granted, otherwise the application will be refused.

UKA 8.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant on the UK Ancestry route

UKA 9.1. The applicant will be granted permission for 5 years.

UKA 9.2. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work is permitted (including self-employment); and
(c) voluntary work is permitted; and
(d) study is permitted, subject to the ATAS condition in Appendix ATAS.
(e) DELETED

Settlement on the UK Ancestry route

Validity requirements for settlement on the UK Ancestry route

UKA 10.1. A person on the UK Ancestry route who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

UKA 10.2. An application for settlement must meet all the following requirements:
(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK.

UKA 10.3. The applicant must be a Commonwealth citizen on the date of application.

UKA 10.4. An application which does not meet all the validity requirements for settlement on the UK Ancestry route may be rejected as invalid and not considered.

Suitability Requirements for settlement on the UK Ancestry route

UKA 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKA 11.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that

period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement on the UK Ancestry route

UKA 12.1. The applicant must continue to meet the eligibility requirements of UKA 4.1 to UKA 6.1.

Qualifying period requirement for settlement on the UK Ancestry route

UKA 13.1. The applicant must have spent 5 years in the UK with permission on the UK Ancestry route as a person with UK Ancestry.

Continuous residence requirement for settlement on the UK Ancestry route

UKA 14.1. The applicant must meet the continuous residence requirement in Appendix Continuous Residence during the period in UKA 13.1.

English language requirement for settlement on the UK Ancestry route

UKA 15.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

UKA 15.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement on the UK Ancestry route

UKA 16.1. The applicant must meet the knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement on the UK Ancestry route

UKA 17.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement on the UK Ancestry route, the applicant will be granted settlement, otherwise the application will be refused.

UKA 17.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of a person with UK Ancestry

Validity requirements for a dependent partner or dependent child on the UK Ancestry route

UKA 18.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the UK Ancestry route must apply online on the gov.uk website on the specified form as follows:

(a) for entry clearance, “Join or accompany a family member” on the “Find and apply for other visas from outside the UK” form; or

(b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

UKA 18.2. An application for entry clearance or permission to stay as a partner or child of a person on the UK Ancestry route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay on the UK Ancestry route that has not been decided; or

(ii) has entry clearance or permission to stay on the UK Ancestry route; or

(iii) is settled or has become a British citizen, providing that person (P) had permission on the UK Ancestry route when they settled.

UKA 18.3. An applicant who is applying for permission to stay must be in the UK on the date of application must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

UKA 18.3A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

UKA 18.4. An application which does not meet all the validity requirements for a partner or child on the UK Ancestry route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child on the UK

Ancestry route

UKA 19.1. The suitability requirements for a dependent partner or dependent child on the UK Ancestry route are that they must not fall for refusal under Part 9: grounds for refusal.

UKA 19.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child on the UK Ancestry route

Entry requirement for a dependent partner or dependent child on the UK Ancestry route

UKA 20.1. A person seeking to come to the UK as a partner or child must apply for and obtain an entry clearance as a partner or child before they arrive in the UK.

UKA 20.2. A person applying for entry clearance as a partner or child on the UK Ancestry route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner on the UK Ancestry route

UKA 21.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission on the UK Ancestry route; or

(b) P is, at the same time, applying for (and is granted) permission on the UK Ancestry route; or

(c) if the applicant is applying for permission to stay, P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 21.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

UKA 21.3. DELETED

UKA 21.4. DELETED

Relationship requirement for a dependent child on the UK Ancestry route

UKA 22.1. DELETED.

UKA 22.2. DELETED.

Care requirement for a dependent child on the UK Ancestry route

UKA 23.1. DELETED.

Age requirement for a dependent child on the UK Ancestry route

UKA 24.1. DELETED.

UKA 24.2. DELETED.

Requirements for a dependent child on the UK Ancestry route

UKA 24A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child on the UK Ancestry route

UKA 25.1. The decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant, the person with UK Ancestry, and any other dependants in the UK, without recourse to public funds.

UKA 25.2. Funds must be shown as specified in Appendix Finance.

UKA 25.3. In assessing whether the applicant meets the financial requirement in UKA 25.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

Decision on an application for a dependent partner and dependent child on the UK Ancestry route

UKA 26.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the UK Ancestry route, the application will be granted, otherwise the application will be refused.

UKA 26.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner and dependent child on the UK Ancestry route

UKA 27.1. Unless UKA 27.2 applies, the applicant will be granted permission which ends on the same date as the person with UK Ancestry.

UKA 27.2. If the application is for permission to stay, and the person with UK Ancestry is being, or has been, granted settlement on the UK Ancestry route, or has become a British Citizen having previously had permission on the UK Ancestry route, the applicant will be granted permission to stay for 30 months.

UKA 27.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Settlement by a dependent partner and dependent child on the UK Ancestry route

Validity requirements for settlement by a dependent partner or dependent child on the UK Ancestry route

UKA 28.1. A partner or child on the UK Ancestry route who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

UKA 28.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK; and
(e) the applicant must be applying as a partner or child of a person (P) who:
(i) has made a valid application for settlement on the UK Ancestry route

and that application has not been decided; or
(ii) is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 28.3. The applicant must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

UKA 28.3A. An applicant who has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:
(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

UKA 28.4. An application which does not meet the validity requirements for settlement as a partner or child on the UK Ancestry route may be rejected as invalid and not considered.

Suitability requirements for settlement by a dependent partner and dependent child on the UK Ancestry route

UKA 29.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKA 29.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement by a dependent partner or dependent child on the UK Ancestry route

Relationship requirement for settlement by a partner or child on the UK Ancestry route

UKA 30.1. The applicant must be the partner or child of a person (P) where one of the following applies:
(a) P is, at the same time, being granted settlement on the UK Ancestry route; or

(b) P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 30.2. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

UKA 30.3. DELETED

UKA 30.4. DELETED

UKA 30.5. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

Care requirement for settlement by a child on the UK Ancestry route

UKA 31.1. DELETED.

Age requirement for settlement by a child on the UK Ancestry route

UKA 32.1. DELETED.

UKA 32.2. DELETED.

Requirements for settlement as a dependent child on the UK Ancestry route

UKA 32A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and

(b) age and independent life requirement.

Financial requirement for settlement for a partner or child on the UK Ancestry route

UKA 33.1. The decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant, the person with UK Ancestry, and any other dependants in the UK, without recourse to public funds.

UKA 33.2. Funds must be shown as specified in Appendix Finance.

UKA 33.3. In assessing whether the applicant meets the financial requirement in UKA 33.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

English language requirement for settlement by a partner or child on the UK Ancestry route

UKA 34.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

UKA 34.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement by a partner or child on the UK Ancestry route

UKA 35.1 If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement by a partner or child on the UK Ancestry route

UKA 36.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the UK Ancestry route the applicant will be granted settlement, otherwise the application will be refused.

UKA 36.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Global Talent

The Global Talent route is for people aged 18 or over in the field of science, engineering, humanities, social science, medicine, digital technology or arts and culture who can show they have exceptional talent or exceptional promise.

For most individuals there is a two-part application process. The first part is an application for endorsement (guidance on the relevant evidence and its format is set out from time to time by the Secretary of State on gov.uk/global talent); the second part is an application for entry clearance or permission to stay.

A person can make the application for endorsement before making the application for permission, or they can make both applications at the same time.

Alternatively, a person who has been awarded a prestigious prize listed in Appendix Global Talent: Prestigious Prizes is considered as showing exceptional talent and is therefore not required to apply for an endorsement.

A dependent partner and dependent children can apply under this route.

Global Talent is a route to settlement.

Part 1- Global Talent Endorsement application

Validity requirements for a Global Talent Endorsement application

GTE 1.1. A person applying for Global Talent endorsement must apply on the specified form as follows:

(a) all applicants must apply on “Apply for Global Talent endorsement - stage 1” online on the gov.uk website; and

(b) applicants for endorsement by Tech Nation must also complete the additional form found on the Tech Nation website: http://technation.io/visa/apply.

GTE 1.2. An application for Global Talent endorsement must meet both the following requirements:

(a) the endorsement application fee must have been paid; and

(b) the application must be for endorsement by an endorsing body in the field relevant to the applicant.

GTE 1.3. An application which does not meet all the validity requirements for a Global Talent endorsement may be rejected as invalid and not considered.

Eligibility requirements for a Global Talent Endorsement application

GTE 2.1. An application for endorsement must be made under one of the fields

below and must meet the endorsement requirements for that field.

Arts and Culture endorsement

Arts and Culture field track record requirements

GTE 3.1. An applicant for endorsement in the field of Arts and Culture must satisfy the endorsing body that they have either been recognised as an exceptional talent, or someone with exceptional promise, in the field of arts and culture and:

(a) be professionally engaged in producing outstanding performed, presented, distributed or internationally exhibited work; and

(b) show regular professional engagement in their field in the last 5 years; and

(c) if evidencing exceptional talent, show a substantial track record in at least 2 countries; and

(d) if evidencing exceptional promise:

(i) be at an early stage in their career; and

(ii) show a developing track record in 1 or more countries.

Arts and Culture field track record evidential requirements

GTE 3.2. An applicant must provide all of the following:

(a) a CV which sets out their professional arts and culture career to date; and

(b) 3 dated letters of recommendation supporting the Global talent application of which:

(i) 2 must be from well-established arts and culture organisations that the applicant has worked with, who are acknowledged as experts in the applicant's field, and at least one of the organisations must be based in the UK; and

(ii) the third must be from another well-established arts and culture organisation, or an individual that the applicant has worked with, who has recognised experience in the applicant's field.

GTE 3.3. An applicant who is evidencing exceptional talent in their field must provide at least two of the following:

(a) evidence from at least 2 countries (which can include their country of residence) of 2 or more examples of significant media recognition for their work as an individual or as a named member of a group or as a contributor; or

(b) evidence of winning, or significantly contributing to winning, at least 1 international award for excellence; or

(c) evidence from at least 2 countries (which can include their country of residence) of proof of professional appearances, performances, publications or exhibitions considered internationally significant in their field, or evidence of extensive international distribution and sales for their work as an individual or as a named member of a group or as a contributor.

GTE 3.4. An applicant who is evidencing exceptional promise in their field must provide at least 2 of the following:

(a) evidence from at least 1 country (which can include their country of

residence) of at least 2 examples of recent media recognition for their work as an individual, as a named member of a group or as a contributor; or
(b) evidence of winning, or significantly contributing to winning, or significantly contributing to being nominated or shortlisted for, or being nominated or shortlisted for, at least 1 international award for excellence; or
(c) evidence from at least 1 country (which can include their country of residence) of proof of professional appearances, performances, publications or exhibitions recognised in their field, or evidence of international distribution and sales for their work as an individual, as a named member of a group or as a contributor.

Architecture endorsement

Architecture field track record requirement

GTE 4.1. An applicant for endorsement in the field of Architecture must satisfy the endorsing body that they have either been recognised as an exceptional talent, or someone with exceptional promise, in the field of architecture and:
(a) be professionally engaged in producing outstanding presented, published or internationally exhibited work; and
(b) show regular professional engagement in their field in the last 5 years; and
(c) show either a substantial track record in at least 2 countries if evidencing exceptional talent, or a developing track record in at least 1 country if evidencing exceptional promise.

Architecture field track record evidential requirements

GTE 4.2. An applicant must provide 3 letters of recommendation of which:
(a) 2 must be from well-established organisations acknowledged as experts in the applicant's field, and at least 1 of the organisations must be based in the UK; and
(b) the third must be from another well-established organisation, or an individual, with recognised expertise in the applicant's field.

GTE 4.3. An applicant who is evidencing exceptional talent in their field must provide at least 2 of the following:
(a) evidence of winning, or significantly contributing to winning, at least 1 international award for excellence; or
(b) evidence from at least 2 countries (which can include their country of residence) of a minimum of 2 examples of significant media recognition for their individual work; or
(c) evidence from at least 2 countries (which can include their country of residence) of a minimum of 2 examples of publications or exhibitions considered internationally significant in the applicant's field.

GTE 4.4. An applicant who is evidencing exceptional promise in their field must provide at least 2 of the following:
(a) evidence of winning, significantly contributing to winning, or being nominated or shortlisted for, at least 1 international award for excellence in the last 5 years; or
(b) evidence from at least 1 country (which can include their country of residence) of a minimum of 2 examples of recent media recognition for

their individual work or their work as a contributor; or

(c) evidence from at least 1 country (which can include their country of residence) of a minimum of 2 examples of publications or exhibitions in the last 5 years considered internationally significant in the applicant's field.

Fashion Design Industry endorsement

Fashion Design Industry field track record requirement

GTE 5.1. An applicant for endorsement in the field of fashion design must satisfy the endorsing body that they have either been recognised as an exceptional talent, or someone with exceptional promise, in the field of fashion design and:

(a) have a leading design role in the fashion business; and

(b) show regular professional engagement in the fashion design industry in the last 5 years; and

(c) if evidencing exceptional talent, show professional engagement in producing outstanding work that has been sold or exhibited internationally through catwalk or other exhibitions and a substantial track record in at least 2 countries; and

(d) if evidencing exceptional promise, show a developing track record in at least 1 country and professional engagement in producing outstanding work that has been recognised by leading industry players.

Fashion Design Industry field track record evidential requirements

GTE 5.2. An applicant must provide 3 letters of recommendation from established organisations with nationally or internationally recognised expertise in fashion and, where an applicant is evidencing exceptional talent, at least 1 letter must be from an organisation based in the UK.

GTE 5.3. An applicant who is evidencing exceptional talent in the fashion design industry field must provide at least 2 of the following:

(a) evidence of winning, or significantly contributing to winning, or being nominated or shortlisted for, or significantly contributing to being nominated or shortlisted for, at least 1 international award for excellence; or

(b) evidence from at least 2 countries (which can include their country of residence) of at least 2 examples of significant media recognition for their individual work; or

(c) evidence of catwalk shows, presentations or exhibitions considered internationally significant in the fashion design industry; or

(d) evidence of extensive distribution and sales of their collections via internationally renowned retailers, their retail outlet or their ecommerce platform.

GTE 5.4. An applicant who is evidencing exceptional promise in the fashion design industry must provide at least 2 of the following:

(a) at least 2 examples of recent UK or international media recognition for their individual work; or

(b) evidence of support and sponsorship through one of the following:

(i) British Fashion Council support schemes; or

(ii) Fashion East support scheme; or

(iii) The Sarabande Foundation; or
(iv) The Centre of Fashion Enterprise; or
(v) an international counterpart of the British Fashion Council; or

(c) evidence of at least 1 order placed by a luxury retailer or boutique; or
(d) evidence of recognition by leading industry players of an exceptional graduating collection.

Film and Television endorsement

Film and Television field track record requirement

GTE 6.1. An applicant for an exceptional talent endorsement in the field of Film and Television must satisfy the endorsing body that they have been recognised as an exceptional talent in the field of film and television and show 1 of the following:

(a) that they have won at any time a "Main Award" which means:
(i) an Academy Award; or
(ii) a British Academy of Film and Television Arts (BAFTA) (film, television, television craft, Cymru, Scotland, Games awards only); or
(iii) a Golden Globe; or
(iv) an Emmy Award; or

(b) in the last 10 years they have been nominated for, or made a significant contribution to winning, or being nominated for any of the Main Awards; or

(c) in the last 15 years, they have achieved a minimum of 2 nominations for the Main Awards; or

(d) they have notable industry recognition through achieving international distribution sales, media recognition and a specified combination of awards from Pact's Notable Industry List as set out in http://www.pact.co.uk/services/talent-visas.html

Film and Television field track record evidential requirements

GTE 6.2. An applicant must provide 3 letters of recommendation of which:

(a) 2 must be from well-established organisations acknowledged as experts in the film and television industry, at least 1 of these must be from an organisation based in the UK; and
(b) 1 must be from another well-established organisation or from an individual with recognised expertise in the film or television industry.

Digital Technology endorsement

Digital Technology field track record requirement

GTE 7.1. An applicant for endorsement in the field of digital technology must:

(a) satisfy the endorsing body that they have either been recognised as an exceptional talent, or someone with exceptional promise, in the field of digital technology in the last 5 years; and
(b) show one of the following:
(i) if they are a technical applicant, that they have proven technical expertise with the latest technologies in building, using, deploying or exploiting a technology stack and building technical infrastructure; or

(ii) if they are a business applicant, that they have proven commercial, investment or product expertise in building digital products or leading investments in significant digital product businesses.

Digital Technology track record evidential requirements

GTE 7.2. The applicant must provide all of the following with the Tech Nation online application form:

(a) a CV with career and publication history included; and

(b) 3 dated letters of recommendation from 3 different well-established individuals acknowledged as experts in the digital technology field, with detailed knowledge of the applicant's work over a period of 12 months or more, supporting the Global Talent application, which include all of the following: (i) how the author knows the applicant; and
(ii) the applicant's achievements in the relevant field; and
(iii) how the author considers the applicant shows exceptional talent or promise; and
(iv) the contribution the applicant would be expected to make to the UK digital economy.

GTE 7.3. An applicant evidencing exceptional talent must provide at least 2 pieces of evidence for 2 of the following:

(a) a proven track record for innovation as a founder or senior executive of a product-led digital technology company or as an employee working on a new digital field or concept; or

(b) proof of recognition for work beyond the applicant's occupation that contributes to the advancement of the field; or

(c) they have made significant technical, commercial or entrepreneurial contributions to the field as a founder, senior executive, board member or employee of a product-led digital technology company; or

(d) they have demonstrated exceptional ability in the field by academic contributions through research published or endorsed by an expert.

GTE 7.4. An applicant evidencing exceptional promise must:

(a) provide at least 2 pieces of evidence for 2 of the following:
(i) innovation as a founder of a product-led digital technology company or as an employee working on a new digital field or concept; or
(ii) a proof of recognition for work beyond the applicant's occupation that contributes to the advancement of the field; or
(iii) they have made significant technical, commercial or entrepreneurial contributions to the field as a founder or employee of a product-led digital technology company; or
(iv) they have demonstrated exceptional ability in the field by academic contributions through research endorsed by an expert; and

(b) be at an early stage in their career.

GTE 7.5. An applicant must provide evidence of any commercially successful established businesses, share ownership or businesses dissolved in the last 5 years where the applicant has been a founder or senior executive.

Science, engineering, humanities, social science and medicine fields

endorsement

Science, engineering, humanities, social science and medicine fields track record requirement

GTE 8.1. An applicant for endorsement in the field of science, engineering, humanities, social science and medicine must be an active researcher in an academic, industry or government research institution.

Fast track endorsement

GTE 8.2. An applicant applying for endorsement on the fast track must provide evidence of one of the following:

(a) that they hold, or have held in the 5 years before the date of application, a peer reviewed research fellowship or award named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy; or

(b) that they have been appointed to an eligible academic or research position at an approved UK Higher Education Institution or research institute named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy; or

(c) that they will be hosted or employed in a UK research organisation named on the UKRI published list and will provide critical contributions to work supported by a substantial research grant or award from an endorsed funder named on the UKRI published list.

GTE 8.3. DELETED.

GTE 8.4. An applicant applying for endorsement on the fast track under GTE 8.2.(c) must either:

(a) direct independently, or under the supervision of a Principal Investigator, a unique research or innovation project and meet all the following requirements:

(i) they must have a PhD qualification or equivalent research experience (including industrial or clinical research); and

(ii) they must actively participate in a relevant field in a University, research institute or industry; and

(iii) they must have their name or post listed on the grant or award as the Principal or co-investigator, Researcher Co-investigator, Post-doctoral researcher or Research Assistant, or an equivalent position acceptable to UKRI; or

(b) make critical contributions to research by providing core technical or domain excellence or in developing new technologies and methodologies and meet both the following requirements:

(i) they must have a UK bachelor's degree or equivalent overseas research degree or equivalent research experience (including industrial or clinical research); and

(ii) they must have research experience within a University, Research Institute or Industry.

Fast Track endorsement - evidential requirements

GTE 8.5. An applicant on the fast track applying under GTE 8.2.(a) must provide

written confirmation from an awarding body named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy that they hold, or have held in the last 5 years, an eligible peer reviewed fellowship or award.

GTE 8.6. An applicant on the fast track applying under GTE 8.2.(b) must hold an eligible academic or research position at an approved UK Higher Education Institution or Research Institute named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy and they must provide both:

(a) a job description setting out the duties and responsibilities of the position; and

(b) a statement of guarantee from the Director of Human Resources, or equivalent, which confirms:

(i) the job was advertised, and an open competition was held, or where it was not, an explanation as to why not; and

(ii) the applicant has accepted the job offer; and

(iii) the job title and department in which the applicant will be based; and

(iv) the applicant:

(1) has responsibility for academic, research or innovation leadership and development; or

(2) will direct or lead an individual or team research project or research programme of work; or

(3) will direct or lead an individual or team innovation project or innovation programme of work; and

(v) at least two references were received; and

(vi) at least three academic, research or innovation representatives were on the interview panel(s); and

(vii) at least one expert in the applicant's field was on the interview panel(s), or at least one relevant expert, independent of the employing institution, was consulted before the job offer was made.

GTE 8.7. An applicant on the fast track applying under GTE 8.2.(c) must provide a declaration from the Director of Human Resources, or equivalent at the UKRI-approved UK research organisation which confirms all the following:

(a) that the applicant has accepted the job offer or hosting agreement; and

(b) the job title and department in which the applicant will be based; and

(c) that there is at least one year remaining on their employment contract or hosting agreement; and

(d) that they will provide critical contributions to work supported by a substantial research grant or award from an endorsed funder; and

(e) that they are essential to the execution of the grant or award; and

(f) that at least 50% of the applicant's time will be spent working on the grant or award by the endorsed funder (Principal investigators and co-investigators can aggregate time spent on multiple eligible awards or grants to demonstrate this requirement); and

(g) that a robust recruitment process has been completed where the applicant was not named on the grant application.

GTE 8.7A. An applicant on the fast track applying under GTE 8.2.(c) must show that the grant or award from an endorsed funder is worth at least £30,000, covers a minimum of two years; and is either funded by a one-off grant or award that has

been won in open competition or attributed to a large institutional, renewable award that is subject to periodic peer review, by either:

(a)providing a link to the grant or award on a UKRI-approved database the details on which would be checked by UKRI against the above requirements; or

(b)providing written confirmation of the grant or award from the endorsed funder that the above requirements are met.

Full peer review endorsement

GTE 8.8. An applicant evidencing exceptional talent under full peer review endorsement must satisfy the endorsing body they have been recognised as an exceptional talent in the field of science, engineering, humanities, social science or medicine; and must:

(a) be an active researcher in a relevant field, typically in a university, research institute or in industry; and

(b) have a PhD or equivalent research experience (including industrial or clinical research).

GTE 8.9. An applicant evidencing exceptional promise under full peer review endorsement must satisfy the endorsing body they have been recognised as having exceptional promise in the field of science, engineering, humanities, social science or medicine; and must:

(a) be an active researcher in a relevant field, typically in a university, research institute or in industry; and

(b) have a PhD or equivalent research experience (including industrial or clinical research); and

(c) be at an early stage in their career.

Full peer review endorsement evidential requirements

GTE 8.10. A full peer review endorsement applicant must:

(a) provide a CV which sets out their career and publication history; and

(b) provide a letter of personal recommendation from an eminent person resident in the UK supporting the Global Talent application which includes all of the following:

(i) how the author knows the applicant; and

(ii) the applicant's achievements in the relevant field; and

(iii) how the author considers the applicant shows exceptional talent or promise; and

(iv) the contribution the applicant would make to UK research excellence and wider society; and

(c) if evidencing exceptional talent, provide a letter from an additional eminent person in the applicant's field, which includes all of the following:

(i) a statement confirming that the author is a senior member of a reputable UK organisation concerned with research or innovation in the applicant's field; and

(ii) how the author considers the applicant's work to show exceptional talent; and

(iii) the contribution the applicant would be expected to make to UK research or innovation excellence and wider society; and

(iv) a statement confirming that the author's assessment is provided on the basis of their capacity as an objective expert in their field and is an objective assessment of the applicant's reputation in the field, notwithstanding any personal knowledge they may have of the applicant or any direct involvement they may have (or previously have had) in the applicant's work.

Part 2- Application for entry clearance or permission on the Global Talent Route

Validity Requirements for Global Talent route

GT 1.1. A person applying for entry clearance or permission to stay on the Global Talent route must apply online on the specified form on gov.uk website as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: • Global Talent using the UK Immigration: ID Check app (when available); or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Global Talent visa – stage 2
Applicants inside the UK	Global Talent permission to stay – stage 2

GT 1.2. An application for entry clearance or permission to stay on the Global Talent route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have been issued with an endorsement letter by a Home Office approved endorsing body or have been awarded a prize listed in Appendix Global Talent: Prestigious Prizes; and
(e) if applying for the first grant of permission on the Global Talent route using an endorsement letter, the date of application must be no more than 3 months after the date on the endorsement letter; and
(f) the applicant's endorsement or prize must not have been withdrawn or suspended.

GT 1.3. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written

consent to the application from that Government or agency.

GT 1.4. The applicant must be aged 18 or over on the date of application.

GT 1.5. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a domestic worker in a private household; or
(f) outside the Immigration Rules.

GT 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:
(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

GT 1.6. An application which does not meet all the validity requirements for the Global Talent route may be rejected as invalid and not considered.

Suitability Requirements for Global Talent route

GT 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 2.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility Requirements for Global Talent route

Entry requirements for Global Talent route
GT 3.1. A person seeking to come to the UK on the Global Talent route must apply for and obtain entry clearance on the Global Talent route before their arrival in the UK.

GT 3.2. A person applying for entry clearance on the Global Talent route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for Global Talent route

GT 4.1. An applicant applying for entry clearance or permission to stay must be awarded 70 points based on the table below.

Requirement	Points available
An applicant making an initial application: • has been awarded a qualifying prize listed in Appendix Global Talent: Prestigious Prizes.	70
An applicant making an initial application relying on an endorsement: • has been issued with an endorsement letter by an endorsing body; and • the date of application is no more than 3 months after the date on the endorsement letter; and • the endorsement has not been withdrawn by the endorsing body.	70
An applicant applying for an extension of their permission: • has met the earned money requirement; and • if they were granted their initial application using an endorsement, has not had their endorsement withdrawn by the endorsing body.	70
Total number of points required in each case	70

GT 4.1ZA. An applicant who has held permission on the Global Talent route in the 12 months immediately before the date of application will be considered under the extension of permission requirements in GT 5.1.

Points for initial application on the Global Talent route

GT 4.1A. Applicants relying on a prize in Appendix Global Talent: Prestigious Prizes to score points must meet both of the following requirements:

(a) they must be the named recipient of the prize (prizes given to an organisation or group the applicant is associated with are not acceptable); and

(b) the prize issued by the relevant body must not have been withdrawn or suspended.

GT 4.2. Applicants relying on an endorsement to score points must meet both of the following requirements:

(a) the endorsement issued by the endorsing body must not have been withdrawn; and

(b) the endorsing body must continue to be approved by the Home Office on the date of decision.

GT 4.3. If the requirements in GT4.1A or GT 4.2. are met 70 points will be awarded for an initial application on the Global Talent route.

Points for extension of stay on the Global Talent route

GT 5.1. An applicant who has, or last had, permission on the Global Talent route and is applying for an extension of permission must meet the following requirements:

(a) the applicant must have earned money in the UK during their last period of permission in either:

(i) a field related to the subject matter of their prize if they were granted their initial application using a prize listed in Appendix Global Talent: Prestigious Prizes; or

(ii) the field in which they were previously endorsed in the Global Talent route if they were granted their initial application using an endorsement; and

(b) if the applicant was granted their initial application using an endorsement:

(i) the endorsement letter issued by a Home Office approved endorsing body must not have been withdrawn; and

(ii) the endorsing body must continue to be approved by the Home Office on the date of decision.

GT 5.2. DELETED.

GT 5.3. If the requirements in GT 5.1. are met 70 points will be awarded for an application for an extension of stay on the Global Talent route.

Decision on Global Talent route

GT 6.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Global Talent route are met the application will be granted, otherwise the application will be refused.

GT 6.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant on Global Talent route

GT 7.1. Permission will be granted for the period of years the applicant requests, up to a maximum of 5 years on each application.

GT 7.2. There is no limit on the total period of permission that may be granted on the Global Talent route.

GT 7.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Settlement by a person on the Global Talent route

Validity requirements for settlement by a person on the Global Talent route

GT 8.1. A person applying for settlement on the Global Talent route must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

GT 8.2. An application for settlement on the Global Talent route must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK; and
(e) the applicant’s endorsement or prize listed in Appendix Global Talent: Prestigious Prizes must not have been withdrawn or suspended.

GT 8.3. The applicant must have, or have last been granted, permission on the Global Talent route.

GT 8.4. An application which does not meet all the validity requirements for settlement on the Global Talent route may be rejected as invalid and not considered.

Suitability requirements for settlement by a person on the Global Talent route

GT 9.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 9.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement by a person on the Global Talent route

Endorsement requirement for settlement by a person on the Global Talent route

GT 10.1. If the applicant was granted their initial application using an endorsement, the endorsement must not have been withdrawn by the endorsing body.

GT 10.2. The applicant must have earned money in the UK during their last period of permission in the field in either:

(a) a field related to the subject matter of their prize if they were granted for their initial application using a prize listed in Appendix Global Talent: Prestigious Prizes; or
(b) the field in which they were previously endorsed in the Global Talent route if they were granted their initial application using an endorsement.

Qualifying period requirement for settlement by a person on the Global Talent route

GT 11.1. The applicant must have spent a continuous period of 3 years in the UK if:

(a) they were endorsed by the Royal Society, British Academy, Royal Academy of Engineering or UKRI; or
(b) they were endorsed under the exceptional talent criteria by Arts Council England or Tech Nation; or
(c) they were granted their initial application using a prize listed in Appendix Global Talent: Prestigious Prizes.

GT 11.2. The applicant must have spent a continuous period of 5 years in the UK if they were endorsed under the exceptional promise criteria by Arts Council England or Tech Nation.

GT 11.3. The continuous period must consist of time with permission on any of (or any combination of), the following routes:

(a) Global Talent; or
(b) Innovator Founder; or
(c) Skilled Worker; or
(d) T2 Minister of Religion; or
(e) International Sportsperson; or
(f) Tier 1 Migrant, other than Tier 1 (Graduate Entrepreneur); or
(g) Scale-up; or
(h) Representative of an Overseas Business.

Continuous residence requirement for settlement by a person on the Global Talent route

GT 12.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence.

English language requirement for settlement by a person on the Global Talent route

GT 13.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

GT 13.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement by a person on the Global Talent route

GT 14.1. The applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement by a person on the Global Talent route

GT 15.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement on the Global Talent route the applicant will be granted settlement, otherwise the application will be refused.

GT 15.2. If the application is refused the person can apply for an Administrative

Review under Appendix AR: Administrative Review.

Dependants on the Global Talent route

Validity requirements for a dependent partner or dependent child on the Global Talent route

GT 16.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the Global Talent route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Global talent applicant, they can be included in the form “Global talent – stage 2” where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

GT 16.2. An application for entry clearance or permission to stay as a partner or child of a person on the Global Talent route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay on the Global Talent route that has not been decided; or

(ii) has entry clearance or permission to stay on the Global Talent route; or

(iii) is settled or has become a British citizen, providing that P had permission on the Global Talent route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

GT 16.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

GT 16.4. DELETED.

GT 16.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a domestic worker in a private household; or
(f) outside the Immigration Rules.

GT 16.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
    (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
    (ii) have completed at least 24 months of study on that course.

GT 16.6. An application which does not meet all the validity requirements for a partner or child on the Global Talent route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child on the Global Talent route

GT 17.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 17.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child on the Global Talent route

Entry requirement for a dependent partner or dependent child on the Global Talent route

GT 18.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child on the Global Talent route before they arrive in the UK.

GT 18.2. A person applying for entry clearance as a partner or child on the Global Talent route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a dependent partner on the Global Talent route

GT 19.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission on the Global Talent route; or

(b) P is, at the same time, applying for (and is granted) permission on the Global Talent route; or

(c) P is settled or has become a British citizen, providing P had permission on the Global Talent route and the applicant had permission as P's partner at that time.

GT 19.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

GT 19.3. DELETED

GT 19.4. DELETED

Relationship requirement for a dependent child on the Global Talent route

GT 20.1. DELETED.

GT 20.2. DELETED.

Care requirement for a dependent child on the Global Talent route

GT 21.1. DELETED.

Age requirement for a dependent child on the Global Talent route

GT 22.1. DELETED.

GT 22.2. DELETED.

Requirements for a dependent child on the Global Talent route

GT 22A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Decision on an application as a dependent partner or dependent child on the Global Talent route

GT 23.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the Global Talent

route are met, the application will be granted, otherwise the application will be refused.

GT 23.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child on the Global Talent route

GT 24.1. A partner will be granted:

(a) permission which ends on the same date as their partner's permission on the Global Talent route; or

(b) 3 years' permission if the partner was (or is being) granted settlement on the Global Talent route.

GT 24.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 3 years.

GT 24.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson or sports coach; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS, if the applicant is over age 18.

(d) DELETED

Settlement as a dependent partner or dependent child on the Global Talent route

Validity requirements for settlement as a dependent partner or dependent child on the Global Talent route

GT 25.1. A person applying for settlement as a dependent partner or dependent child on the Global Talent route must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

GT 25.2. An application for settlement as a dependent partner or dependent child on the Global Talent route must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK.

(e) the applicant must be applying as a partner or child of a person (P) who:

(i) has made a valid application for settlement on the Global Talent route and that application has not been decided; or

(ii) is settled or has become a British citizen, providing P had permission on the Global Talent route when they settled and the applicant either had permission as their partner or child at that time or

the applicant is applying as a child of P and the applicant was born in the UK before P settled.

GT 25.3. An application which does not meet the validity requirements for settlement as a partner or child on the Global Talent route may be rejected as invalid and not considered.

Suitability requirements for settlement as a dependent partner or dependent child on the Global Talent route

GT 26.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 26.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement as a dependent partner or dependent child on the Global Talent route

Relationship requirement for settlement for a dependent partner or child on the Global Talent route

GT 27.1. The applicant must be the partner or child of a person (P) where one of the following applies:
(a) P is, at the same time, being granted settlement as a Global Talent; or
(b) P is settled or has become a British citizen, providing P had permission as a Global Talent when they settled and the applicant either:
i) had permission as P's partner or child at that time; or
ii) is applying as a child of P, and was born in the UK before P settled.

GT 27.2. The applicant must either:
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in GT 27.1.
(b) have been born in the UK and be applying as a child of the person (P) in GT 27.1.

GT 27.3. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

GT 27.4. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

Care requirement for settlement as a dependent child on the Global Talent route

GT 28.1. DELETED.

Age requirement for settlement as a dependent child on the Global talent route

GT 29.1. DELETED.

GT 29.2. DELETED.

Requirements for settlement as a dependent child on the Global Talent route

GT 29A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:
(a) care requirement; and
(b) age and independent life requirement.

Qualifying period requirement for settlement as a dependent partner on the Global Talent route
GT 30.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a dependent partner of the person (P) in GT 27.1.

Continuous residence requirement for settlement as a dependent partner of on the Global Talent route
GT 31.1. The applicant must meet the continuous resident requirement as set out in Appendix Continuous Residence during the period in GT 30.1.

English language requirement for a dependent partner or dependent child on the Global Talent route
GT 32.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

GT 32.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a dependent partner or dependent child on the Global Talent route
GT 33.1 If the applicant is aged 18 or over on the date of application, they must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent partner or dependent child on the Global Talent route
GT 34.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the Global Talent route, the applicant will be granted settlement, otherwise the application will be refused.

GT 34.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Global Talent: Prestigious Prizes

Applicants who hold one of the following prestigious prizes are eligible to apply for a Global Talent visa without the need to obtain an endorsement. These prizes have been identified by the relevant Global Talent endorsing bodies as demonstrating exceptional talent.

Table 1: Arts and culture prizes

Qualifying Prize	**Name of Awarding Body**
Bessie – Outstanding Performer	The New York Dance and Performance Awards (The Bessie Awards)
Booker Prize	The Booker Prizes
Brit Awards – International Artist	British Phonographic Industry
Brit Awards – International Female	British Phonographic Industry
Brit Awards – International Male	British Phonographic Industry
Critics Circle Award – Best Male	Critics' Circle National Dance Awards
Critics Circle Award – Best Female	Critics' Circle National Dance Awards
Dorothy and Lillian Gish Prize	JP Morgan Chase
Grammy Award – Lifetime Achievement Award	The Recording Academy
Hugo Boss Prize	Guggenheim Foundation
ICMA – Artist of the year	International Classical Music Awards
ICMA – Lifetime Achievement Award	International Classical Music Awards
International Booker Prize	The Booker Prizes
International Chopin Piano Competition – First place	Fryderyk Chopin Institute of Warsaw
International Dublin Literary Award	International Dublin Literary Award
MOBO – Best International Act	MOBO Organisation
Olivier Award – Best Actor	Society of London Theatre

Qualifying Prize	Name of Awarding Body
Olivier Award – Best Actress	Society of London Theatre
Olivier Award – Best Director	Society of London Theatre
Olivier Award – Best Original Score or New Orchestrations	Society of London Theatre
Olivier Award – Best Theatre Choreographer	Society of London Theatre
Olivier Award – Outstanding Achievement in Dance	Society of London Theatre
Olivier Award – Outstanding Achievement in Music	Society of London Theatre
Olivier Award – Outstanding Achievement in Opera	Society of London Theatre
Queen Elisabeth Competition – Cello - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Piano - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Violin - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Voice - First Prize	Queen Elisabeth Competition
Tchaikovsky Prize – Grand Prix	International Tchaikovsky Competition
Tony Award – Best Play Author	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actor in a Leading Role in a Play	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actress in a Leading Role in a Play	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actor in a Leading Role in a Musical	The American Theatre Wing and The Broadway League

Qualifying Prize	Name of Awarding Body
Tony Award – Best Performance by an Actress in a Leading Role in a Musical	The American Theatre Wing and The Broadway League
Tony Award – Best Direction of a Play	The American Theatre Wing and The Broadway League
Tony Award– Best Direction of a Musical	The American Theatre Wing and The Broadway League
Tony Award – Best Choreography	The American Theatre Wing and The Broadway League
Tony Award – Special Tony Award for Lifetime Achievement in the Theatre	The American Theatre Wing and The Broadway League
Van Cliburn International Piano Competition – Gold Medallist	Van Cliburn Foundation
Wihuri Sibelius Prize	Wihuri Foundation
WOMEX – Artist Award	WOMEX – Artist Award

Table 2: Architecture prizes

Qualifying Prize	Name of Awarding Body
Pritzker Prize	Hyatt Foundation
Royal Gold Medal	Royal Institute of British Architects

Table 3: Fashion design industry prizes

Qualifying Prize	Name of Awarding Body
Fashion Award – Accessories Designer of the Year	The Fashion Awards – British Fashion Council
Fashion Award - BFC Foundation Award	The Fashion Awards – British Fashion Council
Fashion Award – Designer of the Year	The Fashion Awards – British Fashion Council
Fashion Award – Outstanding Achievement	The Fashion Awards – British Fashion Council

Table 4: Film and television

Qualifying Prize	Name of Awarding Body
Academy Awards – Actor in a Leading Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Actress in a Leading Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Best Actor in a Supporting Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Best Actress in a Supporting Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Cinematography	Academy of Motion Picture Arts and Sciences
Academy Awards – Directing	Academy of Motion Picture Arts and Sciences
Academy Awards – Writing (Adapted Screenplay)	Academy of Motion Picture Arts and Sciences
Academy Awards – Writing (Original Screenplay)	Academy of Motion Picture Arts and Sciences
BAFTA – Director (Film)	British Academy of Film and Television Arts
BAFTA – Leading Actor (Film)	British Academy of Film and Television Arts
BAFTA – Leading Actress (Film)	British Academy of Film and Television Arts
BAFTA – Supporting Actor (Film)	British Academy of Film and Television Arts
BAFTA – Supporting Actress (Film)	British Academy of Film and Television Arts
BAFTA – Leading Actor (Television)	British Academy of Film and Television Arts
BAFTA – Leading Actress (Television)	British Academy of Film and Television Arts

Qualifying Prize	Name of Awarding Body
BAFTA – Supporting Actor (Television)	British Academy of Film and Television Arts
BAFTA – Supporting Actress (Television)	British Academy of Film and Television Arts
Golden Globes – Best Actor in a Drama (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Drama (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Actor in a Musical/Comedy (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Musical/Comedy (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Director (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Screenplay (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actor (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actress (Motion Picture)	Hollywood Foreign Press Association
Golden Globes – Best Actor in a Drama (TV)	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Drama (TV)	Hollywood Foreign Press Association
Golden Globes – Best Actor in a Motion Picture (TV)	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Motion Picture (TV)	Hollywood Foreign Press Association
Golden Globes – Best Actor in a Musical/Comedy (TV)	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Musical/Comedy (TV)	Hollywood Foreign Press Association

Qualifying Prize	Name of Awarding Body
Golden Globes – Best Supporting Actor (TV)	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actress (TV)	Hollywood Foreign Press Association
Golden Globes – Carol Burnett Award	Hollywood Foreign Press Association
Golden Globes – Cecil B. deMille Award	Hollywood Foreign Press Association

Table 5: Digital technology prizes

Qualifying Prize	Name of Awarding Body
ACM Prize in Computing	Association for Computing Machinery (ACM)
Turing Award	Association for Computing Machinery (ACM)

Table 6: Science, engineering, humanities, social science and medicine prizes

Qualifying Prize	Name of Awarding Body
Abel Prize	Norwegian Academy of Science and Letters
AF Harvey Engineering Research Prize	Institution of Engineering and Technology
Albert Lasker Basic Medical Research Award	Lasker Foundation
Annual Review Prize Lecture	Physiological Society
Bakerian Medal and Lecture	Royal Society
Balzan Prize	International Balzan Prize Foundation
Benjamin Franklin Medal	Franklin Institute
Berggruen Prize for Philosophy and Culture	Berggruen Institute

Qualifying Prize	Name of Awarding Body
Blue Planet Prize	Asahi Glass Foundation
Cadman Award	Energy Institute
Centenary Prize	Royal Society of Chemistry
Charles Stark Draper Prize for Engineering	US National Academy of Engineering
Copley Medal	Royal Society
Crafoord Prize	Royal Swedish Academy of Sciences and Crafoord Foundation
Croonian Medal and Lecture	Royal Society
Davis Medal	IChemE
Distinguished Fellowship	British Computing Society
Faraday Medal	Institution of Engineering and Technology
Fritz J. and Dolores H. Russ Prize	National Academy of Engineering
Fields Medal	International Mathematical Union
Fyssen Internation Prize	Fondation Fyssen
Gold Medal	Institution of Civil Engineers
Honorary Membership	British Ecological Society
Holberg Prize	Holberg Committee
Humboldt Research Award	Alexander von Humboldt Foundation
IEEE Medal of Honor	Institute of Electrical and Electronics Engineers
INCOSE Pioneer Award	International Council on Systems Engineering
Individual Gold Medal	Royal Aeronautical Society
International Award	Biochemical Society
International Medal	Institution of Civil Engineers

Qualifying Prize	Name of Awarding Body
Isaac Newton Medal and Award	Institute of Physics
IStructE Gold Medal	Institution of Structural Engineers
J J Thompson Medal for Electronics	Institution of Engineering and Technology
James Watt International Medal	Institution of Mechanical Engineering
Japan Prize	The Japan Prize Foundation
John W. Kluge Prize for Achievement in the Study of Humanity	John W. Kluge Centre
King Faisal Prize – Medicine	King Faisal International Fund
King Faisal Prize - Science	King Faisal International Fund
Kyoto Prize – Advanced Technology	Inamori Foundation
Kyoto Prize – Basic Science	Inamori Foundation
Kyoto Prize – Arts and Philosophy	Inamori Foundation
Lasker-Debakey Clinical Medical Research Award	Lasker Foundation
Lasker-Koshland Special Achievement Award in Medical Science	Lasker Foundation
Lasker-Bloomberg Public Service Award	Lasker Foundation
L'Oréal-UNESCO Award for Women in Science	L'Oréal-UNESCO
Louis-Jeantet Prize	The Louis-Jeantet Foundation
Lovelace Medal	British Computing Society
Melchett Award	Energy Institute
Mensforth Manufacturing Gold Medal	Institution of Engineering and Technology
Millennium Technology Prize	Technology Academy Finland

Qualifying Prize	Name of Awarding Body
Mountbatten Medal	Institution of Engineering and Technology
Nine Dots Prize	Kadas Prize Foundation
Nobel Prize - Chemistry	The Royal Swedish Academy of Sciences
Nobel Prize - Economic Science	The Royal Swedish Academy of Sciences
Nobel Prize - Literature	The Swedish Academy
Nobel Prize - Physics	The Royal Swedish Academy of Sciences
Nobel Prize - Medicine	Nobel Assembly at Karolinska Institutet
President’s Award	Energy Institute
Prince Phillip Medal	Royal Academy of Engineering
Queen Elizabeth Prize for Engineering	The Queen Elizabeth Prize for Engineering Foundation
Rayleigh Medal	Institute of Acoustics
Robert Koch Award	Robert Koch Foundation
Robert Koch Gold Medal	Robert Koch Foundation
Princess Royal Silver Medal	Royal Academy of Engineering
Silver Medal	Royal Academy of Engineering
Vane Medal	British Pharmacological Society
W H Pierce Prize	Society for Applied Microbiology
Wolf Prize - Agriculture	Wolf Foundation
Wolf Prize - Arts	Wolf Foundation
Wolf Prize – Chemistry	Wolf Foundation
Wolf Prize – Mathematics	Wolf Foundation

Qualifying Prize	Name of Awarding Body
Wolf Prize - Medicine	Wolf Foundation
Wolf Prize - Physics	Wolf Foundation

Back to top

Immigration Rules

Appendix High Potential Individual

This route is for recent graduates of top global universities, who want to work, or look for work in the UK, following the successful completion of an eligible course of study equivalent to UK bachelor's degree-level or above. The study must have been with an institution listed on the Global Universities List.

The High Potential Individual route is an unsponsored route.

A dependent partner and dependent children can apply on this route.

The High Potential Individual route is not a route to settlement.

Validity requirements for a High Potential Individual

HPI 1.1. A person applying for entry clearance or permission to stay as a High Potential Individual must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form "High Potential Individual visa"; or
(b) for applicants inside the UK, form "High Potential Individual".

HPI 1.2. An application for entry clearance or permission to stay as a High Potential Individual must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

HPI 1.3. The applicant must be aged 18 or over on the date of application.

HPI 1.4. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

HPI 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

HPI 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

HPI 1.6. The applicant must not have been previously granted permission under the Student Doctorate Extension Scheme, as a Graduate or as a High Potential Individual.

HPI 1.7 An application which does not meet all the validity requirements for a High Potential Individual may be rejected as invalid and not considered.

Suitability requirements for a High Potential Individual

HPI 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HPI 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a High Potential Individual

Entry requirements for a High Potential Individual

HPI 3.1. A person seeking to come to the UK as a High Potential Individual must apply for and obtain entry clearance as a High Potential Individual before they arrive in the UK.

HPI 3.2. A person applying for entry clearance as a High Potential Individual must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a High Potential Individual

HPI 4.1. The applicant must be awarded a total of 70 points based on the table below.

Requirement	**Relevant rules**	**Points available**
Global Universities List degree requirement	HPI 5.1 to 5.4	50

Requirement	Relevant rules	Points available
English Language requirement at level B1	HPI 6.1 to 6.3	10
Financial requirement	HPI 7.1 to 7.4	10

Global Universities List degree requirement
HPI 5.1. The applicant must, in the 5 years immediately before the date of the application, have been awarded an overseas degree level academic qualification which Ecctis confirms meets, or exceeds, the recognised standard of a UK bachelor's or UK postgraduate degree.

HPI 5.2. The institution at which the applicant was awarded the degree in HPI 5.1 must appear on the Global Universities List in respect of the date the applicant was awarded the degree.

HPI 5.3 The date the applicant was awarded the degree will be the date as confirmed by Ecctis.

HPI 5.4. If the requirements in HPI 5.1. to HPI 5.3. are met, the applicant will be awarded 50 points.

English language requirement for High Potential Individual
HPI 6.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B1.

HPI 6.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

HPI 6.3. If the requirements in HPI 6.1. and HPI 6.2. are met, the applicant will be awarded 10 points for meeting the English language requirement.

Financial requirement for High Potential Individual
HPI 7.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

HPI 7.2. An applicant who is applying for entry clearance, or who is applying for permission to stay and has been in the UK for less than 12 months at the date of application, must have funds of at least £1,270.

HPI 7.3. The applicant must show that they have held the required level of funds for a 28-day period and must show funds as specified in Appendix Finance.

HPI 7.4. If the requirements in HPI 7.1. to HPI 7.3. are met, the applicant will be awarded 10 points for meeting the Financial requirement.

Decision on an application as a High Potential Individual

HPI 8.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for a High Potential Individual are met, the application will be granted, otherwise the application will be refused.

HPI 8.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a High Potential Individual

HPI 9.1. The applicant will be granted entry clearance or permission to stay for the period as set out in the table below based on the qualification relied on to meet the Global Universities List degree requirement.

Type of Degree Qualification	Period granted
PhD or other doctoral level qualification	3 years
All other degree qualifications	2 years

HPI 9.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, apart from work as a professional sportsperson (including as a sports coach); and

(c) study is permitted, except study with an education provider which is a Student sponsor, and which would meet the approved qualification and level of study requirements of the Student route which are set out in Appendix Student; and

(d) study is subject to the ATAS condition in Appendix ATAS.

(e) DELETED

Dependent partner ("partner") and dependent child ("child") of a High Potential Individual

Validity requirements for a partner or child of a High Potential Individual

HPI 10.1. A person applying for entry clearance or permission to stay as a partner or child of a High Potential Individual must apply online on the gov.uk website on the specified form as follows:

Location of Partner or Child	Specified form
Applicant outside the UK	• Dependant partner visa • Dependant child visa
Applicant inside the UK	• Dependant partner • Dependant child

HPI 10.2. An application for entry clearance or permission to stay as a partner or child of a High Potential Individual must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the High Potential Individual route that has not been decided; or
(ii) has entry clearance or permission on the High Potential Individual route.

HPI 10.3. A person applying as a partner must be aged 18 or over on the date of application.

HPI 10.4. A person applying for permission to stay as a partner or child of a person on the High Potential Individual route must be in the UK and must not have, or have last been granted, permission:
(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

HPI 10.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:
(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

HPI 10.5. An application which does not meet all the validity requirements as a partner or child of a High Potential individual may be rejected as invalid and not considered.

Suitability requirements for a partner and child of a High Potential Individual

HPI 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HPI 11.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner and child of a High Potential Individual

Entry requirement for a partner and child of a High Potential Individual

HPI 12.1. A person seeking to come to the UK as a partner or child of a High Potential Individual must apply for and obtain entry clearance as a partner or child of a High Potential Individual before they arrive in the UK.

HPI 12.2. A person applying for entry clearance as the partner or child of a High Potential Individual must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of a High Potential Individual

HPI 13.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission as a High Potential Individual; or

(b) P is, at the same time, applying for (and is granted) permission as a High Potential Individual.

HPI 13.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

HPI 13.3. DELETED

HPI 13.4. DELETED

Relationship requirement for a child on the High Potential Individual route

HPI 14.1. DELETED.

HPI 14.2. DELETED.

HPI 14.3. DELETED.

Age requirement for a child on the High Potential Individual route

HPI 15.1. DELETED.

HPI 15.2. DELETED.

Care requirement for a child on the High Potential Individual route

HPI 16.1. DELETED.

Requirements for a dependent child on the High Potential Individual route

HPI 16A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a partner or child on the High Potential Individual route

HPI 17.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

HPI 17.2. If the applicant is applying for entry clearance or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in HPI 17.3 must be held collectively by one or more of the following:

(a) the applicant; and
(b) the High Potential Individual (P); and
(c) if the applicant is applying as a child, their parent who is lawfully in the UK or being granted entry clearance.

HPI 17.3. The funds required are:

(a) at least £285 for a partner in the UK or applying to come to the UK; and
(b) at least £315 for the first child in the UK or applying to come to the UK; and
(c) at least £200 for each additional child in the UK or applying to come to the UK.

HPI 17.4. The funds held must be in addition to any funds required by the High Potential Individual to meet the financial requirement or any dependants in the UK or applying at the same time.

HPI. 17.5. The required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a partner and child on the High Potential Individual route

HPI 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child on the High Potential Individual route, the application will be granted, otherwise the application will be refused.

HPI 18.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner and child on the High Potential Individual route

HPI 19.1. A partner will be granted entry clearance or permission to stay which ends on the same date as their partner's permission as a High Potential Individual.

HPI 19.2. A child will be granted entry clearance or permission to stay which ends on the same date as their parents' permission.

HPI 19.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) is permitted; except from work as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the person is aged over 18).

(d) DELETED

Back to top

Immigration Rules

Appendix Scale-up

The Scale-up route is for talented individuals recruited by a UK Scale-up Sponsor, who have the skills needed to enable the Scale-up business to continue growing.

The person must have a high-skilled job offer from a qualifying Scale-up business at the required salary level.

A dependent partner and dependent children can apply on this route.

The Scale-up route is a route to settlement.

Validity requirements for a Scale-up Worker

SCU 1.1. A person applying for entry clearance or permission to stay as a Scale-up Worker must apply online on the gov.uk website on the specified form as follows:

(a) for applicants outside the UK, form “Scale-up visa”; or
(b) for applicants inside the UK, form “Scale-up”.

SCU 1.2. An application for entry clearance or permission to stay as a Scale-up Worker must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) if the applicant is making a sponsored application, they must have a Certificate of Sponsorship that was issued to them by their Sponsor no more than 3 months before the date of application.

SCU 1.3. The applicant must be aged 18 or over on the date of application.

SCU 1.4. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

SCU 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

SCU 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B:

(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SCU 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SCU 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

SCU 1.6. An application which does not meet all the validity requirements for the Scale-up route may be rejected as invalid and not considered.

Suitability requirements for a Scale-up Worker

SCU 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Scale-up Worker

Entry requirements for a Scale-up Worker

SCU 3.1. A person seeking to come to the UK as a Scale-up Worker must apply for and obtain entry clearance as a Scale-up Worker before they arrive in the UK.

SCU 3.2. A person applying for entry clearance as a Scale-up Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Scale-up Worker

SCU 4.1. The applicant must be awarded 70 points from the table below. An applicant may only be awarded points from one of the first two rows of the table. All applicants must meet the requirements in the final two rows of the table.

SCU 4.2. An applicant may only make a Sponsored Application and score 50 points in the first row of the table if the conditions for making an Unsponsored Application in SCU 4.3. are not met.

SCU 4.3. An applicant must make an Unsponsored Application and score 50 points in the second row of the table if they have been employed as a Scale-up Worker by a sponsor for at least 6 months in a previous permission on the Scale-up route and -

(a) the applicant has permission as a Scale-up Worker on the date of application; or

(b) the applicant last had permission as a Scale-up Worker and

(i) if the applicant is applying for entry clearance, that permission expired less than 6 months before the date of application; or

(ii) if the applicant is applying for permission to stay, paragraph 39E applies.

Type of application	**Relevant requirements to be met**	**Relevant rules**	**Points**
Sponsored Application	Sponsorship	SCU 5.1 to SCU 5.6	50
	Job at an appropriate skill level	SCU 6.1 to SCU 6.4	
	Appropriate salary	SCU 7.1 to SCU 7.6	
Unsponsored Application	UK earnings during most recent permission on the Scale-up route	SCU 8.1 to SCU 8.7	50
All applications	English language requirement at level B1	SCU 9.1 to SCU 9.3	10
All applications	Financial requirement	SCU 10.1 to SCU 10.4	10

Sponsored Application

Sponsorship requirement for Sponsored Application

SCU 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which must:

(a) confirm the applicant's name, that they are being sponsored as a Scale-up Worker, details of the job and salary the Sponsor is offering them and PAYE details; and

(b) include a start date for the job, stated by the Sponsor, which is no more than 3 months after the date of application; and

(c) confirm the applicant is expected to work for the Sponsor for at least the first 6 months of their permission; and

(d) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(e) not have been withdrawn by the Sponsor or cancelled by the Home Office; and
(f) confirm whether or not the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

SCU 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Scale-up route.

SCU 5.3. The Sponsor must be listed as A-rated on the Home Office's register of licensed sponsors.

SCU 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:
(a) does not exist; or
(b) is a sham; or
(c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SCU 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:
(a) the hire of the applicant to a third party who is not the Sponsor to fill a position with that party, whether temporary or permanent; or
(b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SCU 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Job at an appropriate skill level requirement for Sponsored Application
SCU 6.1. The applicant must be sponsored for a job in a SOC 2020 occupation code listed in Table 2 or Table 3 of Appendix Skilled Occupations that is identified as eligible for the Scale-up route.

SCU 6.2. The sponsor must have chosen an appropriate SOC 2020 occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate SOC 2020 occupation code for any of the following reasons:
(a) the most appropriate SOC 2020 occupation code is not eligible under the Scale-up route; or
(b) the most appropriate SOC 2020 occupation code has a higher going rate than the proposed salary.

SCU 6.3. To support the assessment in SCU 6.2, the decision maker may, in particular, consider:

(a) whether the Sponsor has shown a genuine need for the job as described; and
(b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
(c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
(d) any additional information from the sponsor.

SCU 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

Appropriate salary requirement for Sponsored Application

SCU 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed all of the following:

(a) £36,300 per year; and
(b) the going rate for the SOC 2020 occupation code.
(c) DELETED.

SCU 7.2. Salary only includes guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions).

SCU 7.3. Salary does not include other pay and benefits, such as any of the following:

(a) pay which cannot be guaranteed because the nature of the job means that hours fluctuate; or

(b) additional pay such as shift, overtime or bonus pay, (whether or not it is guaranteed); or

(c) employer pension and employer national insurance contributions; or

(d) any allowances, such as accommodation or cost of living allowances; or

(e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or

(f) one-off payments, such as 'golden hellos'; or

(g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or

(h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

SCU 7.4. If the applicant is being sponsored to work more than 48 hours a week, subject to SCU 7.4A, only the salary for the first 48 hours a week will be considered towards the salary requirements set out in SCU 7.1 (a).

For example, an applicant who works 60 hours a week for £12.50 per hour will be considered to have a salary of £31,200 (£12.50 x 48 x 52) per year and not £39,000 (£12.50 x 60 x 52).

SCU 7.4A. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:

(a) work in excess of 48 hours in some weeks can be considered towards the salary threshold of £36,300, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and

(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and

(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1 in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £12 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of just £24,960 (£12 x 40 x 52) per year.

SCU 7.5. Going rates in Table 2 of Appendix Skilled Occupations are based on a 37.5-hour week and will be pro-rated to the applicant's working pattern, as follows:

(a) (the going rate for the SOC 2020 occupation code stated in Table 2 of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37.5)

(b) the applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

SCU 7.6. If the requirements in SCU 5.1. to SCU 7.5. are met, the applicant will be awarded 50 points for meeting the Sponsored Application requirements.

Genuineness requirement for a Scale-Up Worker

SCU 7A.1. The applicant must genuinely intend, and be able, to undertake the role for which they are being sponsored.

Unsponsored Application

UK earnings in most recent grant of permission as a Scale-up Worker requirement for Unsponsored Application

SCU 8.1. The applicant must, during at least 50% of their most recent permission as a Scale-up Worker (for example, an applicant with 2 years' permission as a Scale-up Worker must have had this level of earnings during at least 12 months of that permission), have had monthly PAYE earnings in the UK equivalent to at least:

(a) £36,300 per year; or

(b) £34,600 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned between 12 April 2023 and 3 April 2024; or

(c) £33,000 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned on or before 11 April 2023.

SCU 8.2. For the purpose of meeting the requirement in SCU 8.1, periods of absence from work for any of the following reasons will be treated as periods during which the applicant was paid at the required level:

(a) statutory maternity, paternity, parental, or shared parental leave; or
(b) statutory adoption leave; or
(c) sick leave

Providing at the time the absence starts the applicant's job had PAYE earnings equivalent to at least:

(i) £36,300 per year; or
(ii) £34,600 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned between 12 April 2023 and 3 April 2024; or
(iii) £33,000 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned on or before 11 April 2023.

For example, an applicant with 2 years' permission, who spent 6 months on the above types of leave during a 2-year permission as a Scale-up Worker, must have had PAYE earnings in the UK equivalent to the level stated in SCU 8.1. per year during at least 6 months of the remaining 18 months of that permission.
SCU 8.3. PAYE means the guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), recorded through PAYE.

SCU 8.4. Earnings do not include other sources of income, such as any of the following:

(a) earnings from self-employment; or
(b) earnings from outside the UK; or
(c) payments not recorded through PAYE; or
(d) employer pension and employer national insurance contributions; or
(e) income from savings, investments, property, inheritance, gambling or competitions.

SCU 8.5. The decision maker must not have reasonable grounds to believe the PAYE earnings, or any part of the PAYE earnings, the applicant is relying on have been fabricated or inflated or do not relate to genuine employment.

SCU 8.6. To support the assessment in SCU 8.5, the decision maker may in particular consider any of the following:

(a) whether the business from which the earnings are claimed can be shown to exist and be lawfully and genuinely trading; and
(b) any payments made by the applicant to other parties; and
(c) any additional information.

SCU 8.7. If the requirements in SCU 8.1. to SCU 8.6. are met, the applicant will be awarded 50 points for meeting the Unsponsored Application requirements.

All Applications by Scale-up Workers

English language requirement for Scale-up Worker
SCU 9.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B1.

SCU 9.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

SCU 9.3. If the requirements in SCU 9.1. and SCU 9.2. are met, the applicant will be awarded 10 points for meeting the English language requirement.

Financial requirement for Scale-up Worker

SCU 10.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SCU 10.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) if the applicant is applying as a sponsored applicant, the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the applicant up to the end of the first month of their employment, to an amount of at least £1,270.

SCU 10.3. If SCU 10.2.(a) applies, the applicant must show that they have held the required funds for a 28-day period and must show funds as specified in Appendix Finance.

SCU 10.4. If the requirements in SCU 10.1 to SCU 10.3. are met, the applicant will be awarded 10 points for meeting the financial requirement.

Decision on an application as a Scale-up worker

SCU 11.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for a Scale-up Worker are met, the application will be granted, otherwise the application will be refused.

SCU 11.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Scale-up Worker

SCU 12.1. If the applicant was awarded 50 points for meeting the Sponsored Application requirements, they will be granted entry clearance or permission to stay for 2 years.

SCU 12.2. If the applicant was awarded 50 points for meeting the Sponsored Application requirements, the grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) for the first 6 months of their permission, the applicant must be employed in the job for which the applicant is being sponsored; and

(c) in addition to (b), work (including self-employment and voluntary work) is permitted, except for work as a professional sportsperson (including as a sports coach); and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS.

(e) DELETED.

SCU 12.3. If the applicant was awarded 50 points for meeting the Unsponsored Application requirements, they will be granted entry clearance or permission to stay for 3 years.

SCU 12.4. If the applicant was awarded 50 points for meeting the Unsponsored Application requirements, the grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) is permitted, except for work as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED.

Settlement as a Scale-up Worker

Validity requirements for settlement as a Scale-up Worker

SCU 13.1. A person applying for settlement as a Scale-up Worker must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

SCU 13.2. An application for settlement as a Scale-up Worker must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK on the date of application.

SCU 13.3. The applicant must have, or have last been granted, permission as a Scale-up Worker.

SCU 13.4. An application which does not meet all the validity requirements for settlement as a Scale-up Worker may be rejected as invalid and not considered.

Suitability requirements for settlement as a Scale-up Worker

SCU 14.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 14.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement as a Scale-up Worker

Qualifying period requirement for settlement as a Scale-up Worker

SCU 15.1. The applicant must have spent a continuous period of 5 years in the UK.

SCU 15.2. The 5-year continuous period must consist of time with permission on any of, or any combination of, the following routes:

(a) Scale-up; or
(b) Skilled Worker; or
(c) Global Talent; or
(d) Innovator; or
(e) T2 Minister of Religion; or
(f) International Sportsperson; or
(g) Representative of an Overseas Business; or
(h) as a Tier 1 Migrant, other than Tier 1 (Graduate Entrepreneur).

Continuous residence requirement for settlement as a Scale-up Worker
SCU 16.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SCU 15.1.

Knowledge of life in the UK requirement for settlement as a Scale-up Worker
SCU 17.1. Unless an exemption applies, the applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

UK earnings in most recent permission requirement
SCU 18.1. On the date of application, the applicant must be in employment in the UK with a salary paid through PAYE of at least:

(a) £36,300 per year; or
(b) £34,600 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned between 12 April 2023 and 3 April 2024; or
(c) £33,000 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned on or before 11 April 2023.

SCU 18.2. The applicant must, during at least 24 months of the three years immediately before the date of application, have had monthly PAYE earnings in the UK equivalent to at least:

(a) £36,300 per year; or
(b) £34,600 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned between 12 April 2023 and 3 April 2024; or
(c) £33,000 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned on or before 11 April 2023.

SCU 18.3. For the purpose of meeting the requirement in SCU 18.2, periods of absence from work, for any of the following reasons will be treated as periods during which the applicant was paid at the required level:

(a) statutory maternity, paternity, parental, or shared parental leave; or
(b) statutory adoption leave; or
(c) sick leave.

Providing at the time the absence starts the applicant's job had PAYE earnings equivalent to:

(i) £36,300 per year; or

(ii) £34,600 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned between 12 April 2023 and 3 April 2024; or
(iii) £33,000 per year if their most recent permission on the route was on the basis of a Certificate of Sponsorship assigned on or before 11 April 2023.

For example, an applicant, who spent 6 months on the above types of leave during their last 3-year's permission as a Scale-up Worker, must have had monthly PAYE earnings in the UK equivalent to at least £36,300 per year during at least 18 months of the remaining 30 months of that permission.

SCU 18.4. Earnings only include guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), recorded through PAYE.

SCU 18.5. Earnings do not include other sources of income, such as any of the following:
(a) earnings from self-employment; or
(b) earnings from outside the UK; or
(c) payments not recorded through PAYE; or
(d) employer pension and employer national insurance contributions; or
(e) income from savings, investments, property, inheritance, gambling or competitions.

SCU 18.6. The decision maker must not have reasonable grounds to believe the PAYE earnings the applicant is relying on have been inflated or fabricated or do not relate to genuine employment.

SCU 18.7. To support the assessment in SCU 18.6, the decision maker may in particular consider any of the following:
(a) whether the business from which the earnings are claimed can be shown to exist and be lawfully and genuinely trading; and
(b) any payments made by the applicant to other parties; and
(c) any other relevant information.

Decision on an application for settlement as a Scale-up Worker
SCU 19.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a Scale-up Worker are met, the applicant will be granted settlement, otherwise the application will be refused.

SCU 19.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependent partner ("partner") and dependent child ("child") of a Scale-up Worker

Validity requirements for a partner or child on the Scale-up route

SCU 20.1. A person applying for entry clearance or permission to stay as a partner or child on the Scale-up Worker route must apply online on the gov.uk website on the specified form as follows:

Location of Partner or Child	**Specified form**
Applicant outside the UK	• Dependant partner visa • Dependant child visa
Applicant inside the UK	• Dependant partner • Dependant child

SCU 20.2. An application for entry clearance or permission to stay as a partner or child of a Scale-up Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay on the Scale-up route that has not been decided; or

(ii) has entry clearance or permission to stay on the Scale-up route; or

(iii) is settled or has become a British citizen, providing that P had permission on the Scale-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SCU 20.3. A person applying as a partner must be aged 18 or over on the date of application.

SCU 20.4. A person who is applying for permission to stay as a partner or child of a Scale-up Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

SCU 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

SCU 20.5. An application which does not meet all the validity requirements as partner or child on the Scale-up route may be rejected as invalid and not considered.

Suitability requirements for a partner or child on the Scale-up route

SCU 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 21.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner and child on the Scale-up route

Entry requirement for a partner and child on the Scale-up route
SCU 22.1. A person seeking to come to the UK as a partner or child of a Scale-up Worker must apply for and obtain entry clearance as a partner or child of a Scale-up Worker before they arrive in the UK.

SCU 22.2. A person applying for entry clearance as the partner or child on the Scale-up router must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner on the Scale-up route
SCU 23.1. The applicant must be the partner of a person (P) and one of the following must apply:
(a) P has permission on the Scale-up route; or
(b) P is, at the same time, applying for (and is granted) permission on the Scale-up route; or
(c) P is settled or has become a British citizen, providing P had permission on the Scale-up route when they settled, and the applicant had permission as P's partner at that time.

SCU 23.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SCU 23.3. DELETED

SCU 23.4. DELETED

Relationship requirement for a dependent child on the Scale-up route
SCU 24.1. DELETED.

SCU 24.2. DELETED.

SCU 24.3. DELETED.

Age requirement for a dependent child on the Scale-up route
SCU 25.1. DELETED.

SCU 25.2. DELETED.

Care requirement for a dependent child on the Scale-up route
SCU 26.1. DELETED.

Requirements for a dependent child on the Scale-up route
SCU 26A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child on the Scale-up route
SCU 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SCU 27.2. If an applicant is applying for entry clearance, or has been living in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in SCU 27.4. must be held collectively by one or more of the following:
    (i) the applicant; and
    (ii) the Scale-up Worker (P); and
    (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
(b) the Scale-up Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the partner and/or any child as well as the Scale-up Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in SCU 27.4.

SCU 27.3. An applicant may only rely on the option in SCU 27.2(b) if the date of application is at least one calendar month before the end of the first 6 months of the Scale-up Worker's first grant of permission on the Scale-up route.

SCU 27.4. The funds required are:

(a) at least £285 for a partner in the UK or applying for entry clearance; and
(b) at least £315 for the first child in the UK or applying for entry clearance; and
(c) at least £200 for each additional child in the UK or applying for entry clearance.

SCU 27.5. If SCU 27.2(a) applies, the funds held by the applicant must be held in addition to any funds required for the Scale-up Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

SCU 27.6. If SCU 27.2(a) applies, the funds must have been held for a 28-day period and as set out in Appendix Finance.

Decision on application for a partner and child of a Scale-up Worker

SCU 28.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Scale-up Worker, the application will be granted, otherwise the application will be refused.

SCU 28.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner and child on the Scale-up route

SCU 29.1. A partner will be granted:

(a) entry clearance or permission to stay which ends on the same date as their partner's permission as a Scale-up Worker; or
(b) 3 years' entry clearance or permission if the Scale-up Worker was (or is being) granted settlement as a Scale-up Worker.

SCU 29.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 3 years.

SCU 29.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except work as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the person is aged over 18).
(d) DELETED.

Settlement for a partner or child on the Scale-up route

Validity requirements for settlement as a partner or child on the Scale-up route

SCU 30.1. A person applying for settlement as a partner or child of a Scale-up Worker must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

SCU 30.2. An application for settlement as a partner or child of a Scale-up Worker must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK on the date of application; and
(e) the applicant must be applying as a partner or child of a person (P) who:
(i) has made a valid application for settlement in the UK on the Scale-up route and that application has not been decided; or

(ii) is settled or has become a British citizen, provided that P had permission on the Scale-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SCU 30.3. An application which does not meet the validity requirements for settlement as a partner or child of a Scale-up Worker may be rejected as invalid and not considered.

Suitability requirements for settlement as a dependent partner or dependent child on the Scale-up route

SCU 31.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 31.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement as a dependent partner or dependent child on the Scale-up route

Relationship requirement for settlement as a dependent partner or dependent child of a Scale-up Worker
SCU 32.1. The applicant must be the partner or child of a person (P) where one of the following applies:
(a) P is, at the same time, being granted settlement as a Scale-up Worker; or
(b) P is settled in the UK or has become a British citizen, providing P had permission as a Scale-up Worker when they settled and the applicant either:
(i) had permission as P's partner or child at that time; or
(ii) is applying as a child of P and was born in the UK before P settled.

SCU 32.2. The applicant must either:
(a) have last been granted permission as a partner or child of the person (P) in SCU 32.1; or
(b) have been born in the UK and be applying as a child of the person (P) in SCU 32.1.

SCU 32.3. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SCU 32.4. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

Age requirement for settlement as a dependent child on the Scale-up route
SCU 33.1. DELETED.

SCU 33.2. DELETED.

Care requirement for settlement as a dependent child of a Scale-up Worker
SCU 34.1. DELETED.

Requirements for settlement as a dependent child on the Scale-up route

SCU 34A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and
(b) age and independent life requirement.

Qualifying period requirement for settlement as a partner on the Scale-up route
SCU 35.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a partner of the person (P) in SCU 32.1.

Continuous residence requirement for settlement as a partner on the Scale-up route
SCU 36.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SCU 35.1.

English language requirement for settlement as a partner or child on the Scale-up route
SCU 37.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

SCU 37.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or child on the Scale-up route
SCU 38.1. Unless an exemption applies, the applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a partner or child on the Scale-up route
SCU 39.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a partner or child of a Scale-up Worker, the application will be granted settlement, otherwise the application will be refused.

SCU 39.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Start-up

The Start-up route is for a person seeking to establish a business in the UK for the first time.

From 13 April 2023 this route is only available to those who hold a valid Start-up endorsement issued before the 13 April 2023.

From 13 July 2023 the Start-up route will be closed to all new applications.

The person must have an innovative, viable and scalable business idea which is supported by an endorsing body approved by the Home Office.

A person on the Start-up route can bring a dependent partner and dependent children to the UK.

Start-up is not a route to settlement. A person may be eligible to progress from Start-up to the Innovator route, which is a route to settlement.

Validity requirements for Start-up route

SU 1.1. A person applying for entry clearance or permission to stay on the Start-up route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: • Start-up or Innovator using the UK Immigration: ID Check app (when available); or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Start-up or Innovator visa
Applicants inside the UK	Start-up or Innovator permission to stay

SU 1.2. An application for entry clearance or permission to stay on the Start-up route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document

which satisfactorily establishes their identity and nationality; and
(d) the applicant must have been issued with an endorsement letter by an endorsing body dated no more than 3 months before the date of application, and issued before the 13 April 2023, and that endorsement must not have been withdrawn.

SU 1.3. The applicant must be aged 18 or over on the date of application.

SU 1.4. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

SU 1.5. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a domestic worker in a private household; or
(f) outside the Immigration Rules.

SU 1.6. An application which does not meet all the validity requirements for the Start-up route may be rejected as invalid and not considered.

Suitability requirements for the Start-up route
SU 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SU 2.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for the Start-up route

Entry requirements for the Start-up route
SU 3.1. A person seeking to come to the UK on the Start-up route must apply for and obtain entry clearance on the Start-up route before they arrive in the UK.

SU 3.2. A person applying for entry clearance on the Start-up route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for Start-up
SU 4.1. The applicant must be awarded a total of 70 points from the table below.

Requirement (mandatory)	Points available
Business is innovative, viable and scalable.	25
The applicant has not previously established a business in the UK	25
English Language at level B2	10
Financial requirement	10
Total number of points required	70

Innovative, viable and scalable business requirement for Start-up route
SU 5.1. An applicant will meet the innovative, viable and scalable business venture requirement if all the following requirements are met:

(a) the applicant has a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage; and
(b) the applicant's business plan is realistic and achievable based on the applicant's available resources; and
(c) the applicant has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business; and
(d) there is evidence of structured planning and of potential for job creation and growth into national markets.

No other established business in the UK requirement for Start-up route
SU 6.1. The applicant must not have previously established any business in the UK which commenced trading, unless this business commenced trading during the applicant's last period of permission and that permission was for any of the following routes:

(a) Start-up; or
(b) Tier 1 (Graduate Entrepreneur); or
(c) Student on the doctorate extension scheme.

Genuine Start-up requirement
SU 7.1. The applicant must be a genuine Start-up applicant.

Financial requirement for the Start-up route
SU 8.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement and do not need to show funds.

SU 8.2. If an applicant is applying for entry clearance or has been in the UK for

less than 12 months at the date of application, they must have funds of at least £1,270.

SU 8.3. The applicant must show that they have held the required level of funds for a 28 day period and as set out in Appendix Finance unless their endorsing body confirms they have been awarded funding of at least the amount in SU 8.2.

English language requirement for the Start-up route

SU 9.1. The applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B2.

SU 9.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Endorsement requirement for the Start-up route

SU 10.1. The applicant must provide a letter from their endorsing body which includes all the following information:

(a) the name of the endorsing body; and
(b) the endorsement reference number; and
(c) the name, telephone number, email and workplace address of a person at the endorsing body who will verify the contents of the letter to the Home Office if requested; and
(d) the date of endorsement; and
(e) the applicant's name, date of birth, nationality and passport or other travel document number; and
(f) a short description of the applicant's business venture and the main products or services it will provide to its customers; and
(g) confirmation that in the view of the endorsing body the applicant's business is innovative, viable and scalable as set out at SU 5.1.; and
(h) confirmation that the endorsing body is satisfied that the applicant will spend the majority of their working time in the UK on developing their business venture; and
(i) confirmation that the endorsing body is satisfied the applicant is either the sole founder of the business or an instrumental member of the founding team; and
(j) confirmation the endorsing body is satisfied that the applicant has created and is relying on their own business plan.

Decision on the Start-up route

SU 11.1. If the decision- maker is satisfied that all the suitability and eligibility requirements are met for the Start-up route, the application will be granted, otherwise the application will be refused.

SU 11.2. If the application is refused the person can apply for Administrative Review under Appendix AR: Administrative Review.

Conditions and period of grant on the Start-up route

SU 12.1. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson, including as a sports coach; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

SU 12.2. The applicant will be granted permission for a maximum period of 2 years, and a person must not be granted further permission which would result in them spending more than 2 years with permission on the Start-up route, or a combination of the Start-up route and the Tier 1 (Graduate Entrepreneur) route.

Dependants on the Start-up route

Validity requirements for a dependent partner or dependent child on the Start-up route

SU 13.1. An application as a partner or child on the Start-up route must be made online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Start-Up route applicant, they can be included in the form “Start-Up or Innovator permission to stay” where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

SU 13.2. An application for entry clearance or permission to stay as a partner or child of a person on the Start-up route must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person (P) who:
(i) has made a valid application for entry clearance or permission to

stay on the Start-up not been decided; or

(ii) has entry clearance or permission to stay on the Start-up route; or

(iii) is settled or has become a British citizen, providing that P had permission on the Start-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SU 13.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

SU 13.4. DELETED.

SU 13.5. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a domestic worker in a private household; or
(f) outside the Immigration Rules.

SU 13.6. An application which does not meet all the validity requirements as a partner or child on the Start-up route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child on the Start-up route

SU 14.1. The suitability requirements for a partner or child on the Start-up route are that they must not fall for refusal under Part 9: grounds for refusal.

SU 14.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a dependent partner and dependent child on the Start-up route

Entry requirement for a dependent partner and dependent child on the Start-up route

SU 15.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

SU 15.2. A person applying for entry clearance as a partner or child on the Start-up route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a dependent partner on the Start-up route

SU 16.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission on the Start-up route; or

(b) P is, at the same time, applying for (and is granted) permission on the Start-up route.

SU 16.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SU 16.3. DELETED

SU 16.4. DELETED

Relationship requirement for a dependent child on the Start-up route

SU 17.1. DELETED.

SU 17.2. DELETED.

Care requirement for a dependent child on the Start-up route

SU 18.1. DELETED.

Age requirement for a dependent child on the Start-up route

SU 19.1. DELETED.

SU 19.2. DELETED.

Requirements for a dependent child on the Start-up route

SU 19A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child on the Start-up route

SU 20.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SU 20.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in SU 20.2A must be held collectively by one or more of the following:

(a) the applicant; and

(b) the person on the Start-up route (P); and

(c) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time.

SU 20.2A. The funds required are:
(a) £285 for a dependent partner in the UK, or applying for entry clearance; and
(b) £315 for the first dependent child in the UK, or applying for entry clearance; and
(c) £200 for any other dependent child in the UK, or applying for entry clearance.

SU 20.3. The funds must be in addition to any funds required by the Start-up applicant to meet the financial requirement and for any dependants in the UK or applying at the same time.

SU 20.4. The required level of funds must have been held for a 28-day period and as set out in Appendix Finance.

Decision on application for a dependent partner and dependent child on the Start-up route

SU 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the Start-up route the application will be granted, otherwise the application will be refused.

SU 21.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner and dependent child on the Start-up route

SU 22.1. A partner will be granted permission which ends on the same date as their partner's permission on the Start-up route

SU 22.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SU 22.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson, including as a sports coach; and
(c) study is permitted, subject to the ATAs condition in Appendix ATAS.
(d) DELETED

Back to top

Immigration Rules

Appendix Innovator Founder

The Innovator Founder route is for a person seeking to establish a business in the UK based on an innovative, viable and scalable business idea they have generated, or to which they have significantly contributed.

The application must be supported by an endorsing body.

An applicant must have a key role in the day-to-day management and development of the business.

A partner and dependent children can apply on this route.

The Innovator Founder route is a route to settlement.

Validity requirements for an Innovator Founder

INNF 1.1. A person applying for entry clearance or permission to stay as an Innovator Founder must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
EEA national with a chipped passport	Either: • Innovator using the UK Immigration: ID Check app (when available); or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Innovator visa
Applicants inside the UK	Innovator permission to stay

INNF 1.2. An application for entry clearance or permission to stay on the Innovator Founder route must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have been issued with an endorsement letter by an endorsing body no more than 3 months before the date of application and that endorsement must not have been withdrawn.

INNF 1.3. The applicant must be aged 18 or over on the date of application.

INNF 1.4. If the applicant has in the 12 months before the date of application received an award from a government or international scholarship agency covering

both fees and living costs for study in the UK, they must have provided written consent to the application from that Government or agency.

INNF 1.5. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a domestic worker in a private household; or
(f) outside the Immigration Rules.

INNF 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

INNF 1.6. An application which does not meet all the validity requirements for an Innovator Founder may be rejected as invalid and not considered.

Suitability requirements for an Innovator Founder

INNF 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INNF 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for an Innovator Founder

Entry requirements for an Innovator Founder

INNF 3.1. A person seeking to come to the UK as an Innovator Founder must apply for and obtain entry clearance as an Innovator Founder before they arrive in the UK.

INNF 3.2. A person applying for entry clearance as an Innovator Founder must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Genuine Innovator Founder requirement

INNF 4.1. The applicant must be a genuine Innovator Founder applicant.

Points requirement for the Innovator Founder route

INNF 5.1. An applicant for entry clearance or permission to stay must be awarded 70 points from the table below, of which 50 must either be under the new business criteria or under the same business criteria, but not both.

Endorsement	**New or same business**	**Requirement**	**Points**
Innovator Founder	New Business	Business plan	30
-	New Business	Business venture is innovative, viable and scalable.	20
Innovator Founder	Same Business	Applicant's previous permission was in the Innovator Founder, Innovator, Start-up or Tier 1 (Graduate Entrepreneur) route and they are pursuing a business assessed by a Home Office approved endorsing body either for the previous endorsement or at a contact point.	10

Endorsement	New or same business	Requirement	Points
Innovator Founder	Same Business	Business is active, trading and sustainable and demonstrates significant achievements against the business plan	20
Innovator Founder	Same Business	Applicant is active in day-to-day management and development of business	20
All	Mandatory for all applicants	English Language requirement at level B2	10
All	Mandatory for all applicants	Financial requirement	10
Total number of points required			70

Innovator Founder application: general requirements for an endorsement

INNF 6.1. The application must be supported by an endorsement letter from an Endorsing Body or Legacy Endorsing Body which must contain the following information:

(a) the name of the Endorsing Body or Legacy Endorsing Body; and
(b) their endorsement reference number; and
(c) the date of issue, which must be no earlier than 3 months before the date of application; and
(d) the applicant's name, date of birth, nationality and passport number; and
(e) the name and contact details (telephone number, email and workplace address of an individual at the Endorsing Body or Legacy Endorsing Body who will verify the contents of the letter to the Home Office if requested.

INNF 6.2. An endorsement letter from a Legacy Endorsing Body must meet the requirements set out in INNF 7.1. and INNF 7.2.

INNF 6.3. An endorsement letter from an Endorsing Body must confirm that:

(a) the applicant is considered a fit and proper person to receive endorsement under the rules and guidance of the Innovator Founder route; and
(b) the endorsing body has no concerns over the legitimacy of sources of funds or modes of transfer of funds invested by the applicant into their endorsed business; and
(c) the endorsing body has identified no reason to believe that the applicant or their endorsed business may be the beneficiary of illicit or otherwise unsatisfactorily explained wealth.

Innovator Founder Legacy Endorsement requirements

INNF 7.1. A letter of endorsement from a Legacy Endorsing Body in support of an application under the new business criteria will only be accepted, and points will only be awarded, if:

(a) the endorsement letter was issued by the Legacy Endorsing Body before 13 April 2023 for use in the Innovator route; or
(b) the applicant previously had permission under the Start-up route and the Endorsing Body for that previous permission is the same as the Legacy Endorsing Body supporting the current application.

INNF 7.2. A letter of endorsement from a Legacy Endorsing Body in support of an application under the same business criteria will only be accepted, and points will only be awarded, if:

(a) the applicant has or, in the 12 months immediately prior to the date of application, had permission as an Innovator Founder or permission under the Start-up route; and
(b) the Legacy Endorsing Body supporting the current application is the same as the Endorsing Body for that previous permission.

Innovator Founder- New Business requirement

INNF 8.1. If the applicant is applying under the new business criteria the letter of endorsement must confirm that the applicant meets the requirements in INNF 8.2. and INNF 8.3.

Business Plan requirement for an Innovator Founder

INNF 8.2. The applicant must:

(a) have a business plan and have either generated or made a significant contribution to the ideas in that business plan; and
(b) demonstrate that they will have a day-to-day role in carrying out the business

plan; and
(c) confirm that they will have at least two Contact point meetings with the endorsing body at regular intervals during their period of permission; and
(d) be either the sole founder or an instrumental member of the founding team.

Innovative, viable and scalable business requirements for an Innovator Founder

INNF 8.3. The applicant must have an innovative, viable and scalable business venture and they must meet all the following requirements:

(a) the applicant must have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage; and
(b) the applicant's business plan must be realistic and achievable based on the applicant's available resources; and
(c) the applicant must have, or be actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business; and
(d) there must be evidence of structured planning and of potential for job creation and growth into national and international markets.

Innovator Founder - Same Business

INNF 9.1. If the applicant is applying under the same business criteria:

(a) the applicant must have or have last had permission as an Innovator Founder or on the Start-up or Tier 1 (Graduate Entrepreneur) route; and
(b) the letter of endorsement must confirm that the applicant meets the requirements of INNF 9.2 to INNF 10.1.

Innovator Founder - business previously assessed by an endorsing body requirement

INNF 9.2. The applicant's business must be a business that has previously been assessed by an Endorsing Body or Legacy Endorsing Body while the applicant had permission as an Innovator Founder or on the Start-up or Tier 1 (Graduate Entrepreneur) route.

INNF 9.3 The applicant must:

(a) if they have or have last had permission as an Innovator Founder, demonstrate that they have attended at least 2 Contact point meetings with their Endorsing Body at regular intervals during their period of permission or similar regular checkpoint assessments with their Legacy Endorsing Body; and
(b) confirm that they will have at least two Contact point meetings with the endorsing body at regular intervals during their period of permission.

Innovator Founder - business is active, trading and sustainable requirement

INNF 9.4. The applicant's business must be active, trading and sustainable and the applicant must have made significant progress against their business plan.

INNF 9.5. The applicant's business must be registered with Companies House and the applicant must be listed as a director or member of that business.

Innovator Founder - day to day management requirement

INNF 10.1. The applicant must be involved in the day-to-day management and development of their business.

English Language requirement for an Innovator Founder

INNF 11.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B2.

INNF 11.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Financial requirement for an Innovator Founder

INNF 12.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

INNF 12.2. An applicant who is applying for entry clearance, or who is applying for permission to stay and has been in the UK for less than 12 months at the date of application, must have funds of at least £1,270.

INNF 12.3. The applicant must show that they have held the required level of funds for a 28- day period and as set out in Appendix Finance.

Decision on application as Innovator Founder

INNF 13.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for an Innovator Founder are met, the application will be granted; otherwise, the application will be refused.

INNF 13.2. If the application is refused the person may apply for an Administrative Review under Appendix AR: Administrative Review

Period and conditions of grant of Leave as an Innovator Founder

INNF 14.1. The applicant will be granted permission for a maximum period of 3 years.

INNF 14.2. The grant will be subject to the following conditions:

(a) no access to public funds; and

(b) no work, other than working for the business(es) the applicant has established or other employment, where that other employment is in a role that requires a skill level of not less than RQF Level 3; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

INNF 14.3. In INNF 14.2.(b), working for the business(es) does not include any apprenticeship or any work pursuant to a contract of service, whether express or implied and whether oral or written, with another business, (which means successful applicants cannot fill a position or hire their labour to another business, even if the work is undertaken through contracting with the applicant's own business or through a recruitment or employment agency).

Settlement by an Innovator Founder

Validity requirements for settlement by an Innovator Founder

INNF 15.1. A person on the Innovator Founder route who is applying for settlement must apply online on the gov.uk website on the specified form 'Settlement Innovator'.

INNF 15.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK; and
(e) the applicant must have been issued with an endorsement letter by an Endorsing body or Legacy Endorsing Body no more than 3 months before the date of application and that endorsement must not have been withdrawn.

INNF 15.3. The applicant must have, or have last been granted, permission as an Innovator Founder.

INNF 15.4. An application which does not meet all the validity requirements for settlement as an Innovator Founder may be rejected as invalid and not considered.

Suitability Requirements for settlement by an Innovator Founder

INNF 16.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INNF 16.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Endorsement Requirement: Innovator Founder- Settlement

INNF 17.1. Where the applicant is applying for settlement and their previous permission was as an Innovator Founder, they must provide an endorsement letter

issued by an Endorsing Body, or Legacy Endorsing Body which includes all of the following information:

(a) confirmation that the applicant has shown significant achievements, judged against the business plan assessed in their previous endorsement; and
(b) confirmation that the applicant's business is registered with Companies House and the applicant is listed as a director or member of that business; and
(c) confirmation the business is active and trading; and
(d) confirmation that the business appears to be sustainable for at least the following 12 months, based on its assets and expected income, weighed against its current and planned expenses; and
(e) confirmation the applicant has demonstrated an active key role in the day-to-day management and development of the business; and
(f) confirmation the applicant's business venture has met at least two of the following requirements:

    (i) at least £50,000 has been invested into the business and actively spent furthering the business; or
    (ii) the number of the business's customers has at least doubled within the most recent 3 years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services; or
    (iii) the business has engaged in significant research and development activity and has applied for intellectual property protection in the UK; or
    (iv) the business has generated a minimum annual gross revenue of £1million in the last full year covered by its accounts; or
    (v) the business is generating a minimum annual gross revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas; or
    (vi) the business has created the equivalent of at least 10 full-time jobs for settled workers; or
    (vii) the business has created the equivalent of at least 5 full-time jobs for settled workers, each of which has a mean salary of at least £25,000 a year (gross pay, excluding any allowances).

INNF 17.2. An applicant cannot meet the requirements at INNF 17.1 by relying on the same criterion twice (for example, an applicant who has invested £100,000 (2 x £50,000) in their business venture, or who has applied for intellectual property protection in respect of more than one innovation, will be considered to have met one criterion, not two.

INNF 17.3. If the business venture has one or more other team members who are applying for, or have been granted, settlement as an Innovator Founder, they cannot share the same means of meeting these criteria (for example, if two applicants are relying on the requirement to have created 10 jobs, 20 jobs must have been created in total).

INNF 17.4. If the applicant is relying on the criteria for creating jobs in INNF 17.1 (vi) or (vii), the following requirements must be met:

(a) each job must have existed for at least 12 months and comply with all relevant UK legislation, including (but not limited to) the National Minimum Wage Act 1998 and the Working Time Regulations 1998; and
(b) each job must involve an average of at least 30 hours of paid work per week, but two or more part time jobs held by different employees that when combined add up to 30 hours per week will represent the equivalent of a single full-time job, as long as each of the jobs has existed for at least 12 months; and
(c) a job will be considered one for a settled worker if the worker met the definition of settled worker in the rules in force at the time they started the job, and they remained employed for the whole claimed 12-month period, even if they ceased to be a settled worker at a later date.

INNF 17.5. A letter of endorsement from a Legacy Endorsing Body will only be accepted if the Legacy Endorsing Body supporting the current application is the same as the Endorsing Body that supported the applicant's last grant of permission.

Qualifying period requirement for settlement by an Innovator Founder

INNF 18.1. The applicant must have spent at least 3 years in the UK with permission as an Innovator Founder.

Continuous requirement for settlement by an Innovator Founder

INNF 19.1. The applicant must prove that they have met the continuous residence requirement as set out in Appendix Continuous Residence for the qualifying period in INNF 18.1.

Knowledge of life in the UK requirement for settlement by an Innovator Founder

INNF 20.1. The applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement by an Innovator Founder

INNF 21.1. If the decision maker is satisfied all the suitability and eligibility requirements are met the applicant will be granted settlement; otherwise, the application will be refused.

INNF 21.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as an Innovator Founder, the application will be varied by the Secretary of State and instead be considered as an application for permission to stay on the Innovator Founder route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
(b) the Secretary of State will write to the applicant informing them of this

variation, and, if required, will request the applicant pay the Immigration Health Charge, and if the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

INNF 21.4. Where an applicant is granted permission to stay, they will be granted for the period in INNF 14.1. subject to the conditions at INNF 14.2.

INNF 21.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.

INNF 21.6. If the application is refused the person may apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of an Innovator Founder

Validity requirements for a partner or dependent child ("child") on the Innovator Founder route

INNF 22.1. An application as a partner or child on the Innovator Founder route must be made online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependent partner or dependent child using the UK Immigration: ID Check app; or • the forms listed below for dependent applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependent partner visa Dependent child visa
Applicants inside the UK	If the dependant is applying at the same time as the Innovator, they can be included in the form "Start-Up or Innovator permission to stay" where the form allows dependants to be added. Otherwise: - Dependent partner - Dependent child

INNF 22.2. An application for entry clearance or permission to stay as a partner or child on the Innovator Founder route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay on the Innovator Founder route that has not been decided; or
(ii) has entry clearance or permission to stay on the Innovator Founder route; or
(iii) is settled or has become a British citizen, providing that P had permission on the Innovator Founder route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

INNF 22.3. A person applying as a partner must be aged 18 or over on the date of application.

INNF 22.4. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

INNF 22.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

INNF 22.5. An application which does not meet all the validity requirements as a partner or child of an Innovator Founder may be rejected as invalid and not considered.

Suitability requirements for partner and child on the Innovator Founder route

INNF 23.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INNF 23.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for a partner and child on the Innovator Founder route

INNF 24.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of an Innovator Founder before they arrive in the UK.

INNF 24.2. A person applying for entry clearance as the partner or child of an Innovator Founder must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of an Innovator Founder

INNF 25.1. The applicant must be the partner of a person (P) and one of the following must apply:

(a) P has permission as an Innovator Founder; or
(b) P is, at the same time, applying for (and is granted) permission as an Innovator Founder.

INNF 25.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

Relationship requirement for a child on the Innovator Founder route

INNF 26.1. DELETED.

INNF 26.2. DELETED.

Age requirement for a child on the Innovator Founder route

INNF 27.1. DELETED.

INNF 27.2. DELETED.

Care requirement for a child on the Innovator Founder route

INNF 28.1. DELETED.

Requirements for a dependent child on the Innovator Founder route

INNF 28A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and
(b) care requirement; and
(c) age and independent life requirement.

Financial requirement for a partner or child on the Innovator Founder route

INNF 29.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

INNF 29.2. If the applicant is applying for entry clearance or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in INNF 29.3 must be held collectively by one or more of the following:

(a) the applicant; and
(b) the Innovator Founder (P); and
(c) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time as the partner of an Innovator Founder.

INNF 29.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and
(b) £315 for the first dependent child in the UK, or applying for entry clearance; and
(c) £200 for any other dependent child in the UK, or applying for entry clearance.

INNF 29.4. The funds held must be in addition to any funds required by the Innovator Founder to meet the financial requirement for any other dependants in the UK or applying at the same time.

INNF 29.5. If INNF 29.3. applies, the required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on application for a partner or child on the Innovator Founder route

INNF 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child on the Innovator Founder route the application will be granted, otherwise the application will be refused.

INNF 30.2. If the application is refused the person may apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner and child on the Innovator Founder route

INNF 31.1. A partner will be granted permission which either:

(a) ends on the same date as their partner’s permission as an Innovator Founder; or
(b) lasts for 3 years if the partner was (or is being) granted settlement as an Innovator Founder.

INNF 31.2. A child will be granted permission which ends on the same date as whichever of their parents’ permission ends first unless both parents have (or are

being granted) settlement or British Citizenship, in which case the child will be granted permission for 3 years.

INNF 31.3 The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

Settlement for partner and child on the Innovator Founder route

Validity requirements for settlement for partner and child on the Innovator Founder route

INNF 32.1. A partner and child on the Innovator Founder route who is applying for settlement must apply online on the GOV.UK website on the specified form as follows:

(a) “Partner - Settlement as a partner or parent
(b) Child – Settlement as a Child (including a child aged over 18 already in the UK as a dependant)”

INNF 32.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be in the UK; and
(e) the applicant must be applying as a partner or child of a person (P) who:

    (i) has made a valid application for settlement in the UK as an Innovator Founder and that application has not been decided; or
    (ii) is settled or has become a British citizen, providing they had permission as an Innovator Founder when they settled and the applicant either had permission as their partner or child at that time or is applying as a child of P and was born in the UK before P settled.

INNF 32.3. An application which does not meet all the validity requirements for settlement as a partner or child of an Innovator Founder may be rejected as invalid and not considered.

Suitability Requirements for settlement by a partner and child on the Innovator Founder route

INNF 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INNF 33.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for settlement by a partner and child on the Innovator Founder route

Relationship requirement for settlement for a partner or dependent child on the Innovator Founder route

INNF 34.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as an Innovator Founder; or
(b) P is settled or has become a British citizen, providing P had permission as an Innovator Founder when they settled and the applicant either:

(i) had permission as P's partner or child at that time; or
(ii) is applying as a child of P and was born in the UK before P settled.

INNF 34.2. The applicant must either:

(a) have last been granted permission as a partner or dependent child of the person (P) in INN 34.1; or
(b) have been born in the UK and be applying as a child of the person (P) in INNF 34.1.

INNF 34.3. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

INNF 34.4. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

Age requirement for settlement as a child on the Innovator Founder route

INNF 35.1. DELETED.

INNF 35.2. DELETED.

Care requirement for settlement as a child on the Innovator Founder route

INNF 36.1. DELETED.

Requirements for settlement as a dependent child on the Innovator Founder route

INNF 36A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:
(a) care requirement; and

(b) age and independent life requirement.

Qualifying period requirement for settlement as a partner on the Innovator Founder route

INNF 37.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a partner of the person (P) in INNF 34.1.

Continuous residence requirement for settlement as a partner of on the Innovator Founder route

INNF 38.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in INNF 37.1.

English language requirement for a partner or child on the Innovator Founder route

INNF 39.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

INNF 39.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or child on the Innovator Founder route

INNF 40.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent partner or dependent child on the Innovator Founder route

INNF 41.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a partner or child of an Innovator Founder are met the applicant will be granted settlement.

INNF 41.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as a partner or child on the Innovator Founder route, the application will be varied by the Secretary of State to an application for permission to stay. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
(b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge but if the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

INNF 41.3. Where an applicant is granted permission to stay, they will be granted for the period in INNF 31.1 (as a partner) or INNF 31.2. (as a child) subject to the conditions at INNF 31.3.

INNF 41.4. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.

INNF 41.5. If the application is not varied under INNF 41.2. and the application for settlement is refused the applicant may apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix International Sportsperson

The International Sportsperson route is for an elite sportsperson or qualified sports coach who is internationally established and can make a significant contribution to the development of their sport at its highest level in the UK.

A person applying on this route must have a Governing Body Endorsement from an appropriate Sports Governing Body listed in Appendix Sports Governing Bodies. Applicants seeking permission for a period of more than 12 months will also be required to meet the English language requirement.

The partner and children of an International Sportsperson can apply on this route.

This is a route to settlement.

International Sportsperson

Validity requirements for an International Sportsperson

ISP 1.1. A person applying for entry clearance or permission to stay as an International Sportsperson must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: • International Sportsperson using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	International Sportsperson visa
Applicants inside the UK	International Sportsperson

ISP 1.2. An application for entry clearance or permission to stay on the International Sportsperson route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than three months before the date of application.

ISP 1.3. The applicant must be aged 16 or over on the date of application.

ISP 1.4. If an applicant has, in the last 12 months before the date of application, received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent from that Government or agency.

ISP 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor, except where the applicant has been in the UK undertaking the activities in paragraphs PA 15.1. to PA 15.3. of Appendix Visitor: Permitted Activities, or paragraph V 13.3 (f) of Appendix V: Visitor; or
(b) as a Short-term Student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic worker in a private household; or
(f) outside the Immigration Rules.

ISP 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B:
    (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
    (ii) the Certificate of Sponsorship in ISP 1.2(d) must have a start date no earlier than the course completion date; or
(c) Condition C:
    (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
    (ii) the Certificate of Sponsorship in ISP 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

ISP 1.6. An application which does not meet all the validity requirements for an International Sportsperson may be rejected as invalid and not considered.

Suitability requirements for an International Sportsperson

ISP 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 2.2. If applying for permission to stay, the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for an International Sportsperson

Entry requirements for an International Sportsperson
ISP 3.1. A person seeking to come to the UK as an International Sportsperson must apply for and obtain entry clearance as an International Sportsperson before their arrival in the UK.

ISP 3.2. A person applying for entry clearance as an International Sportsperson must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirements for an International Sportsperson
ISP 4.1. An applicant applying for entry clearance or permission to stay as an International Sportsperson for a period of 12 months or less must be awarded a total of 70 points from table A below.

ISP 4.2. An applicant applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months must be awarded a total of 80 points from tables A and B below.

Table A	-	-
Points required (mandatory)	**Relevant rules**	**Points available**
Governing Body Endorsement	ISP 5.1	50
Certificate of Sponsorship	ISP 5.2 and ISP 5.3	10
Financial requirements	ISP 7.1 to ISP 7.3	10

Table B	**-**	**-**
Points required (mandatory) where the period of permission applied for exceeds 12 months	**Relevant rules**	**Points available**
English Language at level A1	ISP 8.1 and ISP 8.2	10

Endorsement requirement for an International Sportsperson
ISP 5.1. The applicant must provide a letter, containing the unique endorsement number issued to them, from the relevant Sports Governing Body listed in Appendix Sports Governing Bodies, confirming the applicant:

(a) is elite; and
(b) is internationally established; and
(c) will make a significant contribution to the development of their sport at the highest level in the UK.

Certificate of sponsorship requirement for an International Sportsperson
ISP 5.2. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as an International Sportsperson, details of the job and salary the sponsor is offering them; and
(b) must have been assigned before the applicant entered the UK if the application is for permission to stay and the applicant last had permission as a Visitor undertaking permitted activities for sportspersons; and
(c) include a start date, stated by the sponsor, which must be no more than three months after the date of application; and
(d) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(e) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(f) state the unique endorsement number that has been issued to the applicant by the appropriate governing body specified in Appendix Sports Governing Bodies; and
(g) confirm that the applicant intends to be based in the UK; and
(h) confirm that the job is one the applicant is qualified to undertake.

ISP. 5.3. The sponsor must be authorised by the Home Office to sponsor the job in question under the International Sportsperson route.

ISP 5.4. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors unless the applicant was last granted permission as an International Sportsperson and is applying to continue working for the same sponsor as in their last permission.

ISP 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for an International Sportsperson

ISP 6.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted at ISP 11.3.

Financial requirement for an International Sportsperson

ISP 7.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ISP 7.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been living in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or
(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the

applicant up to the end of the first month of their employment for an amount of at least £1,270.

ISP 7.3. If ISP 7.2 (a) applies, the applicant must have held the required level of funds for a 28 day period and must show funds as specified in Appendix Finance.

English language requirement for an International Sportsperson

ISP 8.1. Unless an exemption applies, if the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

ISP 8.2. If ISP 8.1. applies, the applicant must show they meet the English Language requirement as specified in Appendix English Language.

Parental consent requirement for an International Sportsperson aged under 18

ISP 9.1. The applicant must meet the parental consent requirement for an applicant not applying as a dependent child in Appendix Children.

ISP 9.2. DELETED.

Decision on an application as an International Sportsperson

ISP 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for an International Sportsperson, the application will be granted, otherwise the application will be refused.

ISP 10.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for an International Sportsperson

ISP 11.1. If the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period of 12 months or less, they will be granted entry clearance or permission to stay for whichever is the shorter of:

(a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
(b) 12 months.

ISP 11.2. If the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months, they will be granted entry clearance or permission to stay for whichever is the shorter of:

(a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
(b) three years.

ISP 11.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and
(b) work is permitted in the job the applicant is being sponsored for; and

(c) supplementary employment is permitted; and
(d) voluntary work is permitted; and
(e) working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application; and
(f) employment as a sportsperson for the applicant's national team while their national team is in the UK, playing in British University and College Sport (BUCS) competitions, and temporary engagements as a sports broadcaster providing guest expert commentary on a particular sporting event, are permitted; and
(g) study is permitted, subject to the ATAS condition in Appendix ATAS.
(h) DELETED

Settlement as an International Sportsperson

Validity requirements for settlement as an International Sportsperson

ISP 12.1. A person applying for settlement as an International Sportsperson must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

ISP 12.2. An application for settlement as an International Sportsperson must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

ISP 12.3. The applicant must:

(a) have, or have last been granted, permission as an International Sportsperson; and
(b) have, at any point during the five year continuous residence period, been granted leave as an International Sportsperson for a period exceeding 12 months.

ISP 12.4. An application which does not meet all the validity requirements for settlement as an International Sportsperson may be rejected as invalid and not considered.

Suitability requirements for settlement as an International Sportsperson

ISP 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 13.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as an International Sportsperson

Qualifying period requirement for settlement as an International Sportsperson

ISP 14.1. The applicant must have spent a continuous period of five years in the UK.

ISP 14.2. The five year continuous period must consist of time with permission on any of, or any combination of, the following routes:

(a) Skilled Worker; or

(b) Global talent; or

(c) Innovator Founder; or

(d) T2 Minister of Religion; or

(e) International Sportsperson; or

(f) Representative of an Overseas Business; or

(g) as a Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur) Migrant; or

(h) Scale-up; or

(i) permission on any other route, during the time the applicant was waiting for a decision on their application as an International Sportsperson, providing that application:

(i) was for permission to stay; and

(ii) was made between 24 January 2020 and 30 June 2021 (inclusive); and

(iii) was supported on the date of application by a certificate of sponsorship assigned by a licensed sponsor; and

(iv) was granted.

Continuous residence requirement for settlement as an International Sportsperson

ISP 15.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in ISP 14.1.

English language requirement for settlement as an International Sportsperson

ISP 16.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ISP 16.2. If ISP 16.1. applies, the applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of Life in the UK requirement for settlement as an International Sportsperson

ISP 17.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Sponsorship requirement for settlement as an International Sportsperson

ISP 18.1. The sponsor in the applicant's most recent permission must still be approved by the Home Office to sponsor International Sportspersons on the date of decision.

ISP 18.2. The sponsor must confirm that they still require the applicant to work for them for the foreseeable future, and that the applicant is paid, and will be paid for the foreseeable future, at least the salary of £35,800 per year.

ISP 18.3. The salary in ISP 18.2. is subject to the following requirements:

(a) the salary must:

(i) be basic pay (excluding overtime); and

(ii) only include allowances where they are part of the guaranteed salary package and would be paid to a local settled worker in similar circumstances; and

(iii) not include other allowances and benefits, such as bonus or incentive pay, employer pension contributions, travel and subsistence (including travel to and from the applicant's home country); and

(iv) not include the value of any shares the applicant has received as an employee- owner in exchange for some of their UK employment rights; and

(b) if the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week will be considered towards the salary threshold of £35,800; and

(c) if the applicant is currently absent from work for one of the reasons set out in Part 9, paragraph 9.30.1. or has returned from such an absence within the month before the date of application, consideration will be based on their salary on their return to work, as stated by their sponsor.

Decision on an application for settlement as an International Sportsperson

ISP 19.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as an International Sportsperson are met, the applicant will be granted settlement, otherwise the application will be refused.

ISP 19.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of an International Sportsperson

Validity requirements for a dependent partner or dependent child of an International Sportsperson

ISP 20.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of an International Sportsperson must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the International Sportsperson, they can be included in the form International Sportsperson where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

ISP 20.2. An application for entry clearance or permission to stay as a partner or child of an International Sportsperson must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay on the International Sportsperson route that has not been decided; or

(ii) has entry clearance or permission to stay on the International Sportsperson route; or

(iii) is settled or has become a British citizen, providing that P had permission on the International Sportsperson route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

ISP 20.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

ISP 20.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of an International Sportsperson must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term Student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

ISP 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.

ISP 20.5. An application which does not meet all the validity requirements for a partner or child of an International Sportsperson may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of an International Sportsperson

ISP 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 21.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of an International Sportsperson

Entry requirement for a dependent partner or dependent child of an International Sportsperson

ISP 22.1. A person seeking to come to the UK as a dependent partner or dependent child of an International Sportsperson must apply for and obtain entry clearance as a dependent partner or dependent child of an International Sportsperson before they arrive in the UK.

ISP 22.2. A person applying for entry clearance as the partner or child of an International Sportsperson must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner of an International Sportsperson

ISP 23.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the International Sportsperson route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Sportsperson route; or

(c) P is settled or has become a British citizen, providing P had permission on the International Sportsperson route when they settled and the applicant had permission as P's partner at that time.

ISP 23.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

ISP 23.3. DELETED

ISP 23.4. DELETED

Relationship requirement for a dependent child of an International Sportsperson

ISP 24.1. DELETED.

ISP 24.2. DELETED.

ISP 24.3. DELETED.

Care requirement for a dependent child of an International Sportsperson

ISP 25.1. DELETED.

Age requirement for a dependent child of an International Sportsperson

ISP 26.1. DELETED.

ISP 26.2. DELETED.

Requirements for a dependent child of an International Sportsperson

ISP 26A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child of an International Sportsperson

ISP 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ISP 27.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in ISP 27.3. must be held collectively by one or more of the following:

i) the applicant; and

ii) the International Sportsperson (P); and

iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the International Sportsperson's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the International Sportsperson, up to the end of the first month of each of their grants of permission, to at least the amounts required in ISP 27.3.

ISP 27.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

ISP 27.4. If ISP 27.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the International Sportsperson to meet the financial requirement and any other dependants in the UK or applying at the same time.

ISP 27.5. If ISP 27.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application as a dependent partner or dependent child of an International Sportsperson

ISP 28.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of an International Sportsperson are met, the application will be granted, otherwise the application will be refused.

ISP 28.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child of an International Sportsperson

ISP 29.1. A partner will be granted:

(a) permission which ends on the same date as their partner's permission as an International Sportsperson; or

(b) three years' permission if the International Sportsperson was (or is being) granted settlement as an International Sportsperson.

ISP 29.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British citizenship, in which case the child will be granted permission for three years.

ISP 29.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Settlement as a dependent partner or dependent child of an International Sportsperson

Validity requirements for settlement as a dependent partner or dependent child of International Sportsperson

ISP 30.1. A person applying for settlement as a dependent partner or dependent child of an International Sportsperson must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

ISP 30.2. An application for settlement as a partner or child of an International Sportsperson must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application; and

(e) the applicant must be applying as a partner or child of a person (P) who:

(i) has made a valid application for settlement in the UK as an International Sportsperson and that application has not been decided; or

(ii) is settled or has become a British citizen, providing they had permission as an International Sportsperson when they settled and the applicant either had permission as their partner or child at that time or is applying as a child of P and was born in the UK before P settled.

ISP 30.3. An application which does not meet the validity requirements for settlement as a partner or child of an International Sportsperson may be rejected as invalid and not considered.

Suitability requirements for settlement as a dependent partner or dependent child of an International Sportsperson

ISP 31.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 31.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a dependent partner or dependent child of an International Sportsperson

Relationship requirement for settlement as a dependent partner or dependent child of an International Sportsperson

ISP 32.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as an International Sportsperson; or

(b) P is settled in the UK or has become a British citizen, providing P had permission as an International Sportsperson when they settled and the applicant either:

(i) had permission as P's partner or child at that time; or

(ii) is applying as a child of P, and was born in the UK before P settled.

ISP 32.2. The applicant must either:

(a) have last been granted permission as a dependent partner or dependent child of the person (P) in ISP 32.1; or

(b) have been born in the UK and be applying as a child of the person (P) in ISP 32.1.

ISP 32.3. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

ISP 32.4. If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

Care requirement for settlement as a dependent child of an International Sportsperson

ISP 33.1. DELETED.

Age requirement for settlement as a dependent child of an International Sportsperson

ISP 34.1. DELETED.

ISP 34.2. DELETED.

Requirements for settlement as a dependent child of an International Sportsperson

ISP 34A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and

(b) age and independent life requirement.

Qualifying period requirement for settlement as a dependent partner of an International Sportsperson

ISP 35.1. The applicant must have spent a continuous period of five years in the UK with permission as a dependent partner of the person (P) in ISP 32.1.

Continuous residence requirement for settlement as a dependent partner of an International Sportsperson

ISP 36.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in ISP 35.1.

English language requirement for settlement as a dependent partner or dependent child of an International Sportsperson

ISP 37.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ISP 37.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of Life in the UK requirement for settlement as a dependent partner or dependent child of an International Sportsperson

ISP 38.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent partner or dependent child of an International Sportsperson

ISP 39.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child of an International Sportsperson, the application will be granted, otherwise the application will be refused.

ISP 39.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Sports Governing Bodies

This appendix lists the Home Office approved Sports Governing Bodies for International Sportsperson applications. Applicants on this route must be endorsed by the relevant governing body from the table below, and the Certificate of Sponsorship relating to the application must confirm this endorsement.

Endorsements can only be issued to applicants covered by one of the following sports governing bodies.

Governing bodies cover the UK in its entirety unless otherwise stated, where they are only able to issue endorsements for the listed territory.

Sport (and relevant territory)	Governing body
All sports not listed in Appendix Sports Governing Bodies of the Immigration Rules	Home Office
Aikido	British Aikido
American Football (England, Scotland, Wales)	British American Football Association
Archery	Archery GB
Athletics	UK Athletics
Badminton (England only)	Badminton England
Badminton (Scotland only)	Badminton Scotland
Baseball / Softball	BaseballSoftballUK (BSUK)
Basketball (England, Scotland, Wales)	Basketball England
Basketball (Northern Ireland)	Basketball Ireland
Boxing	British Boxing Board of Control
Canoeing (England, Wales, Northern Ireland)	British Canoeing
Canoeing (Scotland)	Scottish Canoe Association
Chinese Martial Arts	British Council for Chinese Martial Arts

Sport (and relevant territory)	Governing body
Cricket (England, Wales)	England and Wales Cricket Board (ECB)
Cricket (Scotland)	Cricket Scotland
Cricket (Northern Ireland)	Cricket Ireland
Curling	Royal Caledonian Curling Club
Cycling	British Cycling
Darts	The Darts Regulation Authority
Equestrianism	British Horse Society
Fencing	British Fencing
Field Hockey (England)	England Hockey
Field Hockey (Scotland)	Scottish Hockey Union
Field Hockey (Wales)	Welsh Hockey Union
Field Hockey (Northern Ireland)	Hockey Ireland
Football (England)	The Football Association
Football (Scotland)	Scottish Football Association
Football (Wales)	The Football Association of Wales
Football (Northern Ireland)	Irish Football Association
Gymnastics	British Gymnastics
Handball	British Handball
Ice Hockey	Ice Hockey (UK)
Ice Skating	British Ice Skating
Jockeys and Trainers	British Horseracing Authority
Judo	British Judo Association

Sport (and relevant territory)	Governing body
Kabaddi	England Kabaddi Federation (UK) Registered
Lacrosse	English Lacrosse
Motorcycling (except speedway)	Auto-cycle Union
Motorsports	Motorsport UK
Netball (Wales)	Wales Netball
Netball (England)	England Netball
Netball (Northern Ireland)	Netball Northern Ireland
Netball (Scotland)	Netball Scotland
Polo	Hurlingham Polo Association
Rowing	British Rowing
Rugby League	Rugby Football League
Rugby Union (England)	Rugby Football Union
Rugby Union (Scotland)	Scottish Rugby Union
Rugby Union (Wales)	Welsh Rugby Union
Rugby Union (Northern Ireland)	IRFU (Ulster Branch)
Sailing, windsurfing and powerboating	Royal Yachting Association
Shooting	British Shooting
Snooker	The World Professional Billiards and Snooker Association
Speedway	British Speedway Promoters Association
Squash and racketball (England)	England Squash
Squash and racketball (Scotland)	Scottish Squash

Sport (and relevant territory)	Governing body
Swimming, water polo, diving and synchronised swimming (England, Scotland, Wales)	British Swimming
Swimming, water polo, diving and synchronised swimming (Northern Ireland)	Swim Ulster
Table Tennis	Table Tennis England
Taekwondo	GB Taekwondo
Tennis (lawn tennis)	Lawn Tennis Association
Tennis (real tennis and rackets)	Tennis & Rackets Association
Triathlon	British Triathlon
Volleyball (England)	Volleyball England
Volleyball (Scotland)	Scottish Volleyball
Wheelchair Basketball	British Wheelchair Basketball
Wrestling	British Wrestling Association
Yoga	The British Wheel of Yoga

Back to top

Immigration Rules

Appendix Overseas Domestic Worker

This route is for an Overseas Domestic Worker who is seeking to come to the UK to work for up to a maximum of 6 months as a domestic worker with their current employer.

Dependants are not permitted on this route.

Validity requirements for an Overseas Domestic Worker

ODW 1.1. A person applying for entry clearance as an Overseas Domestic Worker must apply on the gov.uk website on the Domestic worker in a private household visa form.

ODW 1.2. An application for entry clearance on the Overseas Domestic Worker route must meet all the following requirements:

(a) the applicant must be outside the UK on the date of application; and
(b) any fee must have been paid; and
(c) the applicant must have provided any required biometrics; and
(d) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

ODW 1.3. An application which does not meet all the validity requirements for an Overseas Domestic Worker may be rejected as invalid and not considered.

ODW 1.4. DELETED.

Suitability requirements for an Overseas Domestic Worker

ODW 2.1. The applicant must not fall for refusal under Part 9: Grounds for Refusal.

Eligibility requirements for an Overseas Domestic Worker

Entry requirement for an Overseas Domestic Worker

ODW 3.1. A person seeking to come to the UK as an Overseas Domestic Worker must apply for and obtain entry clearance as an Overseas Domestic Worker before they arrive in the UK.

Age requirement for an Overseas Domestic Worker

ODW 4.1. The applicant must be aged 19 or over on the date of application.

Employment requirement for an Overseas Domestic Worker

ODW 5.1. A person applying for entry clearance as an Overseas Domestic Worker must have been employed as a domestic worker and living with the employer or in a property that the employer uses as a home for themselves on a regular basis, for 12 months or more immediately before the date of application.

ODW 5.2. The applicant must provide a letter from their employer confirming all of the following:

(a)their employment as a domestic worker; and
(b)that it meets the requirements set out in ODW 5.1; and
(c)that the employment is ongoing.

ODW 5.3. The applicant must show they meet the employment requirement by providing one or more of the following:

(a) pay slips or bank statements showing payment of salary; or
(b) confirmation of tax paid; or
(c) confirmation of health insurance paid; or
(d) a contract of employment; or
(e) a work visa, residence permit or equivalent passport endorsement from the country in which the domestic worker has been employed by the employer; or
(f) a visa or equivalent passport endorsement to confirm the applicant has travelled with their employer.

ODW 5.4. The applicant must have agreed in writing, the terms and conditions of their employment in the UK and must provide evidence, in the form set out in Appendix Domestic Worker Statement.

ODW 5.5 The decision maker must be satisfied that the employer genuinely intends to pay the applicant at least the National Minimum Wage throughout their employment in the UK.

ODW 5.6. The decision maker must be satisfied that the applicant intends to work for the employer whilst the employer is in the UK and intends to travel in the company of one of the following:

(a) their British employer, or that employer's British spouse, civil partner or child under the age of 18, where the employer's usual place of residence is outside the UK and where those individuals do not intend to remain in the UK beyond six months; or
(b) a British employer's foreign national spouse, civil partner or child under the age of 18, where those individuals do not intend to remain in the UK beyond six months; or

(c) a foreign national employer or the employer's spouse, civil partner or child under the age of 18, where those individuals are seeking, or have been granted, permission under Appendix V: Visitor, except where that permission is to undertake activities listed in Appendix V: Visitor at V 9.

ODW 5.7. The decision maker must be satisfied of all of the following:

(a) that the applicant will leave the UK at the end of six months in the UK or at the same time as their employer, whichever is the earlier; and

(b) will not live for extended periods in the UK through frequent or successive visits; and

(c) will not make the UK their main home.

Financial requirement for an Overseas Domestic Worker

ODW 6.1. The decision maker must be satisfied that the applicant can and will adequately maintain and accommodate themselves without recourse to public funds.

Decision on application as an Overseas Domestic Worker

ODW 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for an Overseas Domestic Worker are met, the application will be granted, otherwise the application will be refused.

ODW 7.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions of permission for an Overseas Domestic Worker

ODW 8.1. The applicant will be granted entry clearance for a period of 6 months.

ODW 8.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) no work except as an Overseas Domestic Worker or a domestic worker in a private household.

ODW 8.3. The applicant is permitted to change employer, without notifying the Home Office, within the validity of their permission as an Overseas Domestic Worker.

Back to top

Immigration Rules

Appendix Domestic Workers in a Private Household

This route is for a domestic worker in a private household, who first entered the UK under the Rules in place before 6 April 2012 and wishes to extend their permission to stay.

The applicant must be in the UK.

This is a route to settlement.

Dependants are permitted on this route.

Validity requirements for Domestic Worker in a Private Household

DW 1.1. A person applying for permission to stay as a Domestic Worker in a Private Household must apply on the gov.uk website on the specified form FLR(IR).

DW 1.2. An application for permission to stay as a Domestic Worker in a Private Household must meet all the following requirements:

(a) the applicant must be in the UK on the date of application; and

(b) any fee and Immigration Health Charge must have been paid; and

(c) the applicant must have provided any required biometrics; and

(d) the applicant must have provided a valid passport or other travel document which satisfactorily establishes their identity and nationality.

DW 1.2A. The applicant must have entered the UK with valid entry clearance as a Domestic Worker in a Private Household under the rules in place before 6 April 2012 and have held permission to stay as a Domestic Worker in a Private Household since they entered on this route.

DW 1.3. An application which does not meet all the validity requirements for a Domestic Worker in a Private Household may be rejected as invalid and not considered.

Suitability requirements for a Domestic Worker in a Private Household

DW 2.1. The applicant must not fall for refusal under Part 9: Grounds for Refusal.

DW 2.2. The applicant must not be in the UK in breach of immigration laws except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded.

Eligibility requirements for a Domestic Worker in a Private Household

DW 3.1. DELETED

DW 3.2. DELETED

DW 3.3. The applicant must be employed for at least 30 hours per week in a private household under the same roof as the employer or in the same household as the employer for the duration of their employment.

DW 3.4. The applicant must have agreed in writing, the terms and conditions of their employment in the UK and must provide evidence, in the form set out in Appendix Domestic Worker Statement, which must be fully completed and signed by both parties.

DW 3.5. The decision maker must be satisfied that the applicant's conditions of employment mean that they will be paid at least the UK National Minimum Wage throughout their employment in the UK.

DW 3.6. The applicant must not intend to take any form of employment except as a Domestic Worker in a Private Household.

Financial requirement for a Domestic Worker in a Private Household

DW 4.1. The decision maker must be satisfied that the applicant can and will adequately maintain and accommodate themselves, and any

dependants in the UK or applying for entry clearance, without recourse to public funds.

DW 4.2. Funds must be shown as specified in Appendix Finance.

Decision on application for a Domestic Worker in a Private Household

DW 5.1. If the decision maker is satisfied that all of the suitability and eligibility requirements for permission to stay as a Domestic Worker in a Private Household are met the application will be granted, otherwise the application will be refused.

DW 5.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions for a Domestic Worker in a Private Household

DW 6.1. The applicant will be granted permission to stay for 12 months.

DW 6.2. Where the application is decided before the current permission expires, the extension of stay granted may be for a period of 12 months plus the time remaining before the current permission expires (for example, if the application is decided on March 31st and the current permission does not expire until April 30th, an additional period of one month will be granted).

DW 6.3 The grant will be subject to the following conditions:

(a) no access to public funds; and

(b) no work except as a domestic worker in a private household; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

DW 6.4. The applicant is permitted to change employer, without notifying the Home Office, within the validity of their permission as a Domestic Worker in a Private Household.

Settlement for a Domestic Worker in a Private Household

Validity requirements for settlement as a Domestic Worker in a Private Household

DW 7.1. A person applying for settlement as a Domestic Worker in a Private Household must apply on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

DW 7.2. An application for settlement as a Domestic Worker in a Private Household must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

DW 7.3. The applicant must have, or have last been granted, permission as a Domestic Worker in a Private Household.

DW 7.4. An application which does not meet all the validity requirements for settlement as a Domestic Worker in a Private Household may be rejected as invalid and not considered.

Suitability requirements for settlement as a Domestic Worker in a Private Household

DW 8.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

DW 8.2. The applicant must not be in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded.

Eligibility requirements for settlement as a Domestic Worker in a Private Household

Qualifying period for settlement as a Domestic Worker in a Private Household

DW 9.1. The applicant must have entered the UK with a valid entry clearance as a Domestic Worker in a Private Household under the Rules in place before 6 April 2012.

DW 9.2. The applicant must have spent a continuous period of 5 years lawfully in the UK as a Domestic Worker in a Private Household under the Rules in place before 6 April 2012.

DW 9.3. The applicant must not have worked in the UK except as a Domestic Worker in a Private Household.

DW 9.4. The applicant must continue to be required by their employer for employment as a Domestic Worker in a Private Household.

Continuous residence requirement for settlement as a Domestic Worker in a Private Household

DW 10.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous residence during the qualifying period in DW 9.2.

English language requirement for settlement as a Domestic Worker in a Private Household

DW 11.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

DW 11.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a Domestic Worker in a Private Household

DW 12.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement as a Domestic Worker in a Private Household

DW 13.1. If the decision maker is satisfied that all the suitability and eligibility requirements for settlement as a Domestic Worker in a Private Household are met, the applicant will be granted settlement, otherwise the application will be refused.

DW 13.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of a Domestic Worker in a Private Household

Validity requirements for a dependant partner or dependant child of a Domestic Worker in a Private Household route

DW 14.1. A person applying for entry clearance or permission to stay as a dependant partner or dependant child of a Domestic Worker in a Private Household must apply on gov.uk on the specified form Application to extend stay in the UK: FLR (IR).

DW 14.2. An application for entry clearance or permission to stay as a partner or child of a Domestic Worker in a Private Household must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of a person (P) who:
(i) has made a valid application for permission to stay in the UK as a Domestic Worker in a Private Household that has not been decided; or
(ii) has entry clearance or permission to stay as Domestic Worker in a Private Household; or
(iii) is settled or has become a British citizen, providing that P had permission as a Domestic Worker in a Private Household when they settled and the applicant either had permission as their partner or child

at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

DW 14.3. If the applicant is applying as a dependant partner, they must be aged 18 or over on the date of application.

DW 14.4. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student

DW 14.5. An application which does not meet all of the validity requirements for a partner or child of a Domestic Worker in a Private Household may be rejected as invalid and not considered.

Suitability requirements for a dependant partner or dependent child on the Domestic Worker in a Private Household route

DW 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

DW 15.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependant partner or dependant child of a Domestic Worker in a Private Household

Entry requirements for a dependant partner or dependant child of a Domestic Worker in a Private Household

DW 16.1. A person seeking to come to the UK as a partner or child of a Domestic Worker in a Private Household must apply for and obtain entry clearance as a partner or child of a Domestic Worker in a Private Household before they arrive in the UK.

DW 16.2. A person applying for entry clearance as the partner or child of a Domestic Worker in a Private Household must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependant partner of a Domestic Worker in a Private Household

DW 17.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission as a Domestic Worker in a Private Household; or

(b) P is, at the same time, applying for (and is granted) permission as a Domestic Worker in a Private Household; or

(c) P is settled or has become a British citizen, providing P had permission on the Domestic Worker in a Private Household route when they settled, and the applicant had permission as P's partner at that time.

DW 17.2. If the applicant and their Domestic Worker in a Private Household partner are not married or in a civil partnership, all of the following requirements must be met:

(a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and

(b) any previous relationship of the applicant or their Domestic Worker in a Private Household partner with another person must have permanently broken down; and

(c) the applicant and their Domestic Worker in a Private Household partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

DW 17.3. The relationship between the applicant and their Domestic Worker in a Private Household partner must be genuine and subsisting.

DW 17.4. The applicant and their Domestic Worker in a Private Household partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a dependant child of a Domestic Worker in a Private Household

DW 18.1. DELETED.

DW 18.2. DELETED.

DW 18.3. DELETED.

Age requirement for a dependent child of a Domestic Worker in a Private Household

DW 19.1. DELETED.

DW 19.2. DELETED.

DW 19.3. DELETED.

Requirements for a dependent child of a Domestic Worker in a Private Household

DW 19A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or a dependant child of a Domestic Worker in a Private Household

DW 20.1 The decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant, the person on the

Domestic Worker in a Private Household route, and any other dependants in the UK, without recourse to public funds.

Decision on application for a dependant partner or a dependant child of a Domestic Worker in a Private Household

DW 21.1 If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or a dependant child of a Domestic Worker in a Private Household the application will be granted, otherwise the application will be refused.

DW 21.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependant partner or a dependant child of a Domestic Worker in a Private Household

DW 22.1. A partner will be granted:

(a) permission which ends on the same date as their partner's permission as a Domestic Worker in a Private Household; or

(b) 2 years' permission if the Domestic Worker in a Private Household was (or is being) granted settlement as a Domestic Worker in a Private Household.

DW 22.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 30 months.

DW 22.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Settlement as a dependant partner or a dependant child of a Domestic Worker in a Private Household

Validity requirements for settlement as a dependant partner or a dependant child of a Domestic Worker in a Private Household

DW 23.1. A person applying for settlement as a dependant partner or child of a Domestic Worker in a Private Household must apply online on the gov.uk website on the specified form SET (O).

DW 23.2. An application for settlement as a partner or child of a Domestic Worker in a Private Household must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application; and

(e) the applicant must be applying as a partner or child of a person (P) who:

(i) has made a valid application for settlement in the UK as a Domestic Worker in a Private Household that has not been decided; or

(ii) is settled or has become a British citizen, providing P had permission as a Domestic Worker in a Private Household when they settled and the applicant either had permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

DW 23.3. DELETED.

DW 23.4. An application which does not meet all the validity requirements for settlement as a partner or child of a Domestic Worker in a Private Household may be rejected as invalid and not considered.

Suitability requirements for a dependant partner or a dependant child of a Domestic Worker in a Private Household

DW 24.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

DW 24.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependant partner or a dependant child of a Domestic Worker in a Private Household

Relationship requirements for a dependant partner or a dependant child of a Domestic Worker in a Private Household

DW 25.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as a Domestic Worker in a Private Household; or

(b) P is settled or has become a British citizen, providing P had permission as a Domestic Worker in a Private Household when they settled, and the applicant either:

i) had permission as P's partner or child at that time; or
ii) is applying as the child of P, and was born in the UK before P settled.

DW 25.1A. The applicant must either:
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in DW 25.1; or
(b) have been born in the UK and be applying as a child of the person (P) in DW 25.1.

DW 25.2. If applying as a child, the applicant must meet the relationship requirement for settlement in Appendix Children.

Care requirement for settlement as a dependant child of a Domestic Worker in a Private Household

DW 26.1. DELETED.

Age requirement for settlement by a dependant child of a Domestic Worker in a Private Household

DW 27.1. DELETED.

DW 27.2. DELETED.

Requirements for settlement as a dependent child of a Domestic Worker in a Private Household

DW 27A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and

(b) age and independent life requirement.

Qualifying period requirement for settlement as a dependant partner of a Domestic Worker in a Private Household route

DW 28.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a dependant partner of the person (P) in DW 25.1.

Continuous residence requirement for settlement by a dependant partner of a Domestic Worker in a Private Household

DW 29.1. The applicant must meet the continuous resident requirement as set out in Appendix Continuous Residence during the period in DW 29.1.

English language requirement for settlement by a dependant partner or dependent child of a domestic worker in a Private Household

DW 30.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

DW 30.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement by a dependant partner or dependant child of a Domestic Worker in a Private Household

DW 31.1. If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as specified Appendix KOL UK.

Decision on an application for settlement as a dependant partner or dependant child of a Domestic Worker in a Private Household

DW 32.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependant partner or dependant child of a Domestic Worker in a Private Household, the applicant will be granted settlement, otherwise the application will be refused.

DW 32.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Domestic Worker who is a Victim of Modern Slavery

This route is for a victim of modern slavery who entered the UK as an Overseas Domestic Worker, a Domestic Worker in a Private Household, or as a private servant in a diplomatic household, having held entry clearance in the Temporary Work – International Agreement category.

The maximum period of grant on this route is 2 years.

This is not a route to settlement.

Validity requirements for a Domestic Worker who is a Victim of Modern Slavery

DWMS 1.1. A person applying for permission to stay as a Domestic Worker who is a Victim of Modern Slavery must apply on the gov.uk website on the specified form FLR(IR).

DWMS 1.2. An application for permission to stay as a Domestic Worker who is a victim of Modern Slavery must meet all the following requirements:

(a) the applicant must be in the UK on the date of application; and

(b) any fees must have been paid; and

(c) the applicant must have provided any required biometrics; and

(d) the applicant must have provided a valid passport or other document which satisfactorily establishes their identity and nationality.

DWMS 1.3 An application which does not meet all the validity requirements for a Domestic Worker who is a victim of modern slavery may be rejected as invalid and not considered.

Suitability requirements for Domestic Worker who is a Victim of Modern Slavery

DWMS 2.1. The applicant must not fall for refusal under Part 9: Grounds for Refusal.

DWMS 2.2. Any relevant period of overstaying to which paragraph 39E of these Rules applies will be disregarded.

Eligibility requirements for Domestic Workers who is a Victim of Modern Slavery

DWMS 3.1. A person applying for permission to stay as a Domestic Worker who is a Victim of Modern Slavery must have, or have last been granted, permission on one of the following routes:

(a) Overseas Domestic Worker; or

(b) Temporary Work – International Agreement, as a private servant in a diplomatic household

(c) Domestic Worker in a Private Household; or

(d) outside these Rules having been referred into the National Referral Mechanism (NRM) and be in receipt of a positive Conclusive Grounds (CG) decision.

DWMS 3.2. The applicant must have been referred into the National Referral Mechanism and be in receipt of a positive Conclusive Grounds decision.

DWMS 3.3. The application:

(a) must have been made within 28 days of the applicant being notified of the decision at DWMS 3.2.; or

(b) where the applicant has an outstanding application for permission to stay (or a grant of leave is being considered) on the date that the decision at DWMS 3.2. is notified to the applicant, the application for permission to stay as a Domestic Worker who is a Victim of Modern Slavery must be made within 28 days of the applicant being notified of the outcome of that application or consideration; or

(c) if the applicant is a person who falls within DWMS 3.1(d), must be made before the applicant's current permission ends.

Decision on application as a Domestic Worker who is a Victim of Modern Slavery

DWMS 4.1. If the decision maker is satisfied that all of the suitability and eligibility requirements are met the application will be granted, otherwise the application will be refused.

DWMS 4.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions of permission for Domestic Workers who are Victims of Modern Slavery

DWMS 5.1. The applicant will be granted permission to stay for whichever is the shorter of:

(a) two years; or

(b) where the applicant already holds permission to stay outside the Rules, having been referred into the National Referral Mechanism and in receipt of a positive Conclusive Grounds decision, permission will be granted for a period which ensures that the total, combined, duration of permission will not exceed 2 years.

DWMS 5.2. The grant will be subject to the following conditions:

(a) no access to public funds; and

(b) work is permitted as:

(i) a domestic worker in a private household; or

(ii) as a private servant in a diplomatic household working only in the household of the employer recorded in a Certificate of Sponsorship in the Temporary Work - International Agreement category; and

(c) supplementary employment is permitted, only as a domestic worker in a private household; and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS.

Back to top

Immigration Rules

Appendix Domestic Worker Statement

“Two copies of this form must be completed and signed by the employer and the worker and submitted with the entry clearance application or with the permission to stay application as required by ODW 5.4, DW 3.4 and Appendix Temporary Work – International Agreement of the Immigration Rules.

Name & address of Employee
[insert details]
Name & address of Employer
[insert details]
Commencement of Employment & Termination
[If for an indefinite term] [The Employee’s employment with the Employer commence[s OR d] on [insert date], and will continue unless or until terminated in accordance with the provisions of this agreement.] [If for a fixed term] [The Employee’s employment with the Employer shall [commence OR be deemed to have commenced] on [insert date] and shall continue, subject to the remaining terms of this agreement, until it terminates on [insert date] without the need for notice unless previously terminated by either party giving the other not less than [insert number*] weeks/months' notice in writing.] * Note: the notice to be given by the Employer must not be less than the statutory minimum period of notice to be given by employers, which is as follows: during the first two years’ continuous employment, one week’s notice; and after that, one additional week for each year of service, up to a maximum of twelve weeks' notice. No employment with a previous employer counts as part of a period of continuous employment. OR The Employee’s employment with [insert name of previous employer] forms part of a continuous period of employment which began on [insert date].
Job Title
The Employee is employed as [insert job title] and their duties are set out below: [insert Employee’s duties]

Status of employment

The Employer declares that the employee is not an au pair and terms of employment do not fall within the definition of paragraph 57 of the National Minimum Wage Regulations 2015 (as amended from time to time).

Note: Paragraph 57 of the National Minimum Wage Regulations 2015 provides an exemption from the national minimum wage for employees who are treated as members of the employer's family. The UK's Immigration Rules require that you must declare that the person accompanying you as a domestic worker is an employee and the work they will carry out does not fall under this part of the Regulations. This means that you must pay them at least the national minimum wage while they're working for you in the UK.

Employee's Place of Work

The Employee's place of work is [insert location].

[If this is where the Employer resides, then the following information should be provided]:

Total number of rooms;
Total number of bedrooms;
The names and ages of all household members and domestic staff (adults and minors) residing in the house.

[If the Employee's place of work is different to the Employer's residence, the Employer is to provide an explanation, including details of where the Employee will be working and who lives at that address]

Employee's Hours of Work

The Employee's normal hours of work are [insert number] hours per week, to be worked during the hours of [insert time] to [insert time] on [insert days] with a daily [paid OR unpaid] lunch break of [insert amount].
[The Employee is not required to work overtime]
OR
[The Employee is required to be available to work overtime, whenever needed by the Employer at weekends, on public holidays or at other times outside their normal hours of work.]
OR
[The Employee may, if they wish, make themselves available to work overtime outside their normal hours of work.]
OR
[The Employee may be required to work overtime if and when the Employer deems it to be necessary.]

[If the Employee works overtime, then complete the following paragraph]

[The Employee's entitlement to pay for working overtime is as follows:

[insert details of overtime pay]

Pay

The Employee's [salary is OR wages are] £[enter figure] per [hour OR week OR month OR year] payable to the Employee at [weekly OR monthly] intervals in arrears on[or about] the [insert day i.e. Friday OR last working day OR insert date i.e. 25th] of each [week OR month].

The Employer agrees that the salary OR wages meet the requirements of the National Minimum Wage Act 1998 and any Regulations made under it, and that they will continue to meet such requirements throughout the period of employment.

Holiday

The Employee will be entitled to [enter number –under the Working Time Regulations 1998, this must be at least 20 days for full – time employees, pro rata for part – time employees] days' paid holiday in each holiday year, which runs from [enter date, e.g. 1 January] to [enter date, e.g. 31 December], in addition to bank and public holidays. If the Employee's employment starts or finishes part way through the holiday year, their holiday entitlement during that year shall be calculated on a pro-rata basis.

The Employee must take all of their entitlement in the holiday year in which it accrues and carrying forward holiday is not permitted unless [either agreed in advance by the Employer or where] the law allows holiday to be carried forward.

On the termination of the Employee's employment, they will be paid in lieu of accrued but untaken holiday entitlement. The Employee will be required to pay the Employer for holiday taken in excess of their accrued entitlement on termination.

Sickness

If the Employee is absent from work for any reason, they, or someone on their behalf, must inform the Employer by no later than [insert time] on the first day of absence. On the Employee's return to work, they will be required to complete a self-certification form, which they should complete, sign and return within [insert number e.g. two days] of their return to work. If the Employee's absence from work is due to sickness or injury and continues for a period exceeding seven consecutive days, they should provide the Employer with a Statement of Fitness for Work ('fit note') from their doctor as soon as possible after the seventh day of absence and weekly after that.

[[IF sick pay:] In the event of absence from work due to illness or injury, the Employee will be eligible to receive an amount equivalent to their salary OR wages for the first [insert number] weeks of absence. Such payments will include any entitlement to any statutory sick pay due in accordance with applicable legislation in force at the time of the absence.
OR
[If Statutory Sick Pay only:]There is no pay for any absence due to illness or injury, other than statutory sick pay if the Employee is eligible. For the purpose of statutory sick pay, the Employee's 'qualifying days' are [insert the [Employee's normal working days]].

Recruitment, transportation, and other fees

The Employer shall not recoup from the Employee, through payroll deductions or any other means, the fees they have paid to a third party recruiter or recruitment agency, or their authorised representative(s) for services related to hiring and retaining the Employee.

The Employer agrees to pay the Employee's transportation costs for the journey from their place of current residence to the place of work in the United Kingdom, namely from _____(country of current residence) to _____(place of work in United Kingdom) as well as the return journey from _____(place of work in United Kingdom) to _____(country of current residence).
The Employer agrees to pay in advance on behalf of the Employee any visa application fees and any other fees (including any immigration health surcharge) that may be payable by the Employee in order to obtain a visa to travel to the United Kingdom with their Employer or to join the Employer in the UK.

It is the Employer's obligation and responsibility to pay for the transportation costs, any visa application fees and any other fees (including any immigration health surcharge) that may be payable by the Employee in order to obtain a visa to travel to the United Kingdom with their Employer or to join the Employer in the UK, and such costs and fees cannot be passed on to the Employee through payroll deductions or any other means (for example, the Employee must not pay the transportation or the visa fees on behalf of the Employer to be reimbursed at a later date). Under no circumstances are transportation costs or the fees described above recoverable by the Employer from the Employee.

Accommodation

The Employer shall provide the Employee with suitable furnished accommodation for their exclusive use. Suitable accommodation is housing or a hotel room that meets UK building requirements and health and safety standards. This includes a private unit or a room with a lock and which therein provides living and sleeping facilities intended for human habitation with no visible or structural repairs required.

The Employer agrees to provide the Employee with [meals] [delete if not applicable], [and] an adequate, properly heated, and ventilated room with natural light. The door of the room shall be equipped with a lock and a safety bolt from within the room and the Employee will be provided with the corresponding key.

The Employer shall provide the Employee with independent access to the residence (for example, house keys, security code) where the Employee resides.

The Employer agrees to provide the Employee with (check if applicable):

Private bathroom

Telephone (charge of £ per month or no charge except for long-distance calls)

Radio (in their room)

Television (in their room)

Internet access (charge of £ per month or no charge)

Other, specify:

[Description of Employee's room and furnishings]

Healthcare

Either:

"1. The Employer agrees to provide comprehensive sickness insurance cover for the Employee in the United Kingdom at no cost to the Employee.
2. The Employer agrees not to deduct money from the Employee's salary OR wages for this purpose.
3. The Employer undertakes to ensure that the Employee has free access to medical treatment as the Employee requires."

or, if the Employee has remained (or will remain as a result of their application for entry clearance or permission to stay being granted) in the UK as either a domestic worker in a private household or a private servant in a diplomatic household for a period exceeding 6 months:

"1. The Employer agrees not to deduct money from the Employee's salary OR wages for the purpose of meeting the cost of comprehensive sickness insurance cover.
2. The Employer undertakes to ensure that the Employee has free access to medical treatment as the Employee requires.

Passport

The Employer agrees that the Employee will retain custody of their passport at all times other than when it is required by a third party for official purposes such as applying for a visa.

Termination and Notice Period

[To only be used when the employment is for an indefinite term]

The prior written notice required by the Employee to terminate their employment shall be as follows:

[insert details]

The prior written notice required by the Employer to terminate the Employee's employment shall be as follows:

[insert details]

Note: this must not be less than the statutory minimum period of notice to be given by employers, which is as follows:

during the first two years' continuous employment, one week's notice; and
after that, one additional week for each year of service, up to a maximum of twelve weeks' notice.

Grievances and Disciplinary Rules and Procedure

If the Employee has a grievance regarding their employment, they should in the first instance speak to their Employer. If the grievance is not then resolved to the Employee's satisfaction, the Employee should refer to the grievance procedure, which may be obtained from the Employer.

The disciplinary rules and procedure applicable to the Employee are [attached OR to be found in [specify place]]. If the Employee is dissatisfied with any disciplinary decision taken in relation to them, they should refer to the disciplinary procedure, which may be obtained from the Employer.
Note: the Employer's grievance procedure and disciplinary rules and procedure must comply with the ACAS statutory Code of Practice on discipline and grievance.

Pensions

[The Employee is entitled to become a member of the [insert name] Pension Scheme, or such other registered pension scheme as has been set up by the Employer, subject to satisfying certain eligibility criteria and subject to the rules of such scheme as amended from time to time. Full details of the scheme are available from the Employer.
OR
[There is no pension scheme in force in relation to the Employee's employment.]
A contracting-out certificate is [not] in force in respect of the Employee's employment.

Governing Law & Jurisdiction

This agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

Signature of Employer

I accept the terms and conditions of this employment contract.

Given name as stated on passport (print):

Surname as stated on passport (print):

Employer’s Signature:

Date (DD/MM/YYYY):

Signature of Employee

I accept the terms and conditions of this employment contract.

Given name as stated on passport (print):

Surname as stated on passport (print):

EMPLOYEE’S Signature:

Date (DD/MM/YYYY)

Back to top

Immigration Rules

Appendix Temporary Work - Seasonal Worker

The Seasonal Worker route is for a person who wants to come to the UK to do seasonal horticulture work or poultry production work. A person on the Seasonal Worker route can stay for a maximum period of six months in any 12-month period if they are working in a role in the horticulture sector and if they are a poultry production worker they can stay for a period of time beginning no earlier than 2 October and ending no later than 31 December each year.

A partner and children are not permitted to apply as dependants on this route.

The Seasonal Worker route is not a route to settlement.

Validity requirements for a Seasonal Worker

SAW 1.1. A person applying for entry clearance as a Seasonal Worker must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: • Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa

SAW 1.2. An application for entry clearance as a Seasonal Worker must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

SAW 1.3. The applicant must be aged 18 or over on the date of application.

SAW1.3ZA. If the Certificate of Sponsorship confirms that the role is in the poultry production sector, the date of application must be on or before 15 November in each year.

SAW 1.3A. DELETED.

SAW 1.3B. DELETED.

SAW 1.3C. DELETED.

SAW 1.4. An application which does not meet all the validity requirements for the Seasonal Worker route may be rejected as invalid and not considered.

Suitability requirements for a Seasonal Worker

SAW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for a Seasonal Worker

Entry requirements for a Seasonal Worker

SAW 3.1. A person seeking to come to the UK as a Seasonal Worker must have applied for and obtained entry clearance as a Seasonal Worker before they arrive in the UK.

Certificate of Sponsorship requirement for a Seasonal Worker

SAW 4.1. The applicant must have a Certificate of Sponsorship for the job they are planning to do, which must:

(a) confirm the applicant's name, that they are being sponsored as a Seasonal Worker, details of the job and salary the sponsor is offering them; and
(b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the role conforms with all relevant legislation, such as the relevant Agricultural Wages Order rate where this applies, and the Working Time Regulations; and
(f) confirm that they are employed in either the horticulture or the poultry production sector. Work in in the horticulture sector means those growing:
    (i) Protected Vegetables – those grown in glasshouse systems; or
    (ii) Field Vegetables – those grown outdoors, including vegetables, herbs, leafy salads and potatoes; or
    (iii) Soft Fruit – those grown outdoors or under cover e.g. in glasshouses or polytunnels. Includes strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species; or
    (iv) Top Fruit (Orchard Fruit) - trees that bear fruit e.g. apples, plums, cherries, apricots; or
    (v) Vine and Bines – both twining or climbing flexible stems of certain plants, e.g. hops is a bine, and grapes is a vine; or
    (vi) Mushrooms – typically covers Agaricus bisporus species but can also include more exotic species (typically grown indoors); or
    (vii) Bulbs and cut flowers, such as daffodils, grown outdoors and indoors; or

(viii) Pot plants, such as seasonal bedding plants like pansies, violas, geraniums and poinsettias; or
(ix) Hardy ornamental nursery stock such as Christmas trees, shrubs, roses, ornamental trees and perennials; or
(x) Tree and forest nurseries.

Work in the poultry production sector means undertaking one of the following roles:

(i) Butcher (SOC 2020 occupation code 5431); or
(ii) Bird/game dresser (SOC 2020 occupation code 5433); or
(iii) Killer and plucker (SOC 2020 occupation code 5433); or
(iv) Plucker (SOC 2020 occupation code 5433); or
(v) Poulterer (SOC 2020 occupation code 5433); or
(vi) Poultry processor (SOC 2020 occupation code 5433); or
(vii) Poultry sticker (SOC 2020 occupation code 5433); or
(viii) Trusser (SOC 2020 occupation code 5433); or
(ix) Food operative (SOC 2020 occupation code 8111); or
(x) Poultry catcher/handler (SOC 2020 occupation code 9111); or
(xi) Poultry vaccinator (SOC 2020 occupation code 9119); or
(xii) Poultry meat packer (SOC 2020 occupation code 9132); and

(g) confirm either:
(i) if the applicant is being sponsored in the horticulture sector or under SOC 2020 occupation code 8111, 9111, 9119 or 9132 in the poultry production sector, they will be paid at least £11.44 for each hour worked and receive at least 32 hours pay each week; or
(ii) if the applicant is being sponsored under SOC 2020 occupation code 5431 or 5433 in the poultry production sector, they will be paid at least £15.88 for each hour worked and £38,700 per year.

SAW 4.1A. The hourly rate only includes guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), and does not include other pay and benefits (such as those listed in SW 14.2).

SAW 4.1B. DELETED

SAW 4.1C. If the applicant is being sponsored to work more than 48 hours a week, subject to SAW 4.1D, only the salary for the first 48 hours a week will be considered towards the salary threshold of £26,200.

SAW 4.1D. If the applicant is being sponsored to work a pattern where the regular hours are not the same each week, resulting in uneven pay:
(a) work in excess of 48 hours in some weeks can be considered towards the salary threshold of £38,700, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week; and
(b) any unpaid rest weeks will count towards the average when considering whether the salary thresholds are met; and
(c) any unpaid rest weeks will not count as absences from employment for the purpose of paragraph 9.30.1. in Part 9 of these rules.

For example, an applicant who works a pattern of 60 hours a week for £20 per hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of £41,600 (£20 x 40 x 52) per year.

SAW 4.2. The Certificate of Sponsorship must have been issued by a sponsor who:

(a) is listed as A-rated on the Home Office's register of licensed sponsors; and
(b) has an endorsement from the Department for Environment, Food and Rural Affairs in relation to the Seasonal Worker route; and
(c) is licensed by the Gangmasters and Labour Abuse Authority.

SAW 4.3. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Financial requirement for a Seasonal Worker

SAW 5.1. Either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

SAW 5.2. If SAW 5.1.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Decision on application for a Seasonal Worker

SAW 6.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a Seasonal Worker, the application will be granted, otherwise the application will be refused.

SAW 6.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Seasonal Worker

SAW 7.1. The applicant will be granted permission as follows:

(a) if the role is in the horticulture sector, for whichever is the shortest of either:

(i) a maximum period of 6 months in any 12-month period, or

(ii) the period of the job on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or

(b) if the role is in the poultry production sector, for whichever is the shortest of either:

(i) the period commencing on 2 October and ending on 31 December in the year on which the application is submitted (inclusive); or

(ii) the period of the job on the Certificate of Sponsorship plus 14 days before and 14 days after that period.

SAW 7.1A. DELETED.

SAW 7.1B. DELETED.

SAW 7.1C. DELETED.

SAW 7.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work is permitted only in the role the applicant is being sponsored for; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED.

Back to top

Immigration Rules

Appendix Youth Mobility Scheme

The Youth Mobility Scheme provides a cultural exchange programme that allows a person aged between 18 and 30 (or 18-35 for some nationalities), from participating countries and territories, to experience life in the UK for up to 2 years (or 3 years for some nationalities).

Dependants are not permitted on this route.

The Youth Mobility Scheme route is not a route to settlement.

Validity requirements for the Youth Mobility Scheme route

YMS 1.1. A person applying for entry clearance under the Youth Mobility Scheme route must apply online on gov.uk on the specified form: “Temporary Work or Youth Mobility Scheme”.

YMS 1.1.A. A person applying for permission to stay under the Youth Mobility Scheme route must apply online on gov.uk on the specified form: “Temporary Work or Youth Mobility Scheme permission to stay”.

YMS 1.2. An application for entry clearance or permission to stay under the Youth Mobility Scheme route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

YMS 1.3. The applicant must be one of the following:

(a) a British Overseas citizen, British Overseas Territories citizen or British National (Overseas); or

(b) a national or citizen of a country or the holder of a passport issued by a territory, listed in Appendix Youth Mobility Scheme: eligible nationals.

YMS 1.4. An applicant for entry clearance must be:

(a) a national of Australia, Canada, New Zealand or the Republic of Korea aged 35 or under on the date of application; or

(b) aged 30 or under on the date of application.

YMS 1.4.A. An applicant who is applying for permission to stay must:

(a) be an Australian, Canadian or New Zealand national in the UK;

(b) have, or have last been granted, permission to enter under the Youth Mobility Scheme route; and

(c) not previously have been granted permission to stay under the Youth Mobility Scheme route.

YMS 1.5. An application which does not meet all the validity requirements for the Youth Mobility Scheme may be rejected as invalid and not considered.

Suitability requirements for the Youth Mobility Scheme

YMS 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

YMS 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for the Youth Mobility Scheme

Entry requirements for the Youth Mobility Scheme

YMS 3.1. A person seeking to come to the UK on the Youth Mobility Scheme route must have applied for and obtained entry clearance under the Youth Mobility Scheme route before they arrive in the UK.

YMS 3.2. A person applying for entry clearance on a Youth Mobility Scheme must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

YMS 3.3. A person applying for entry clearance must not have previously spent time in the UK on the Youth Mobility Scheme route.

YMS 3.4. The applicant must be aged 18 or over on the date their entry clearance will become valid.

Country-specific eligibility requirements for the Youth Mobility Scheme

YMS 4.1. Where the applicant is a national of Australia, Canada, Japan, Monaco, New Zealand or the Republic of Korea, they are not required to meet any country-specific eligibility requirements but if they are applying for entry clearance they must meet the financial requirements in YMS 5.1. to YMS 5.3.

YMS 4.2. Where the applicant is a national, citizen or rightful passport holder of one of the countries or territories listed in the following table of country-specific eligibility requirements, they must meet the requirement listed:

	Country or territory	**Requirement:**
1	Hong Kong Taiwan	The applicant must: a) have been issued with an invitation to apply in accordance with the invitation to apply arrangements set out in Appendix Youth Mobility Scheme: eligible nationals; and b) have made their application within any time limit specified on that invitation to apply.
2	San Marino	The applicant must provide a letter confirming the applicant is a suitable candidate for the Youth Mobility Scheme from the Directorate of Political and Diplomatic Affairs of the Republic of San Marino Department of Foreign Affairs that has been issued no more than 6 months before the date of application.
3	Iceland	The applicant must provide a Criminal Certificate for Private Use that has been issued no more than 6 months before the date of application.
4	India	The applicant must: (a) have been issued with an invitation to apply in accordance with the invitation to apply arrangements set out in Appendix Youth Mobility Scheme: eligible nationals; and (b) have made their application within the period of time specified in that invitation to apply; and (c) provide the unique application number for that invitation to apply; and (d) provide a local police certificate or a police clearance certificate that has been issued no more than 6 months before the date of application; and (e) hold a qualification equal to or above RQF level 6.

	Country or territory	Requirement:
5	Andorra	The applicant must provide a certificate of criminal records issued no more than 6 months before the date of application.
6	Uruguay	The applicant must provide a Certificate of Judicial Records that has been issued no more than 6 months before the date of application.

YMS 4.3. The number of places for entry clearance applications allocated to nationals or citizens of the same country, or rightful holders of a passport issued by the same territory, must not have exceeded the annual total allocation of places for that country or territory as set out in Appendix Youth Mobility Scheme: eligible nationals.

YMS 4.4. Where the applicant is a British Overseas citizen, British Overseas Territories citizen or British National (Overseas), YMS 4.1. to YMS 4.2. do not apply.

Financial requirement for the Youth Mobility Scheme

YMS 5.1. The applicant must have funds of £ 2,530.

YMS 5.2. The applicant must show that they have held the required level of funds for a 28- day period and as specified in Appendix Finance.

YMS 5.3. The applicant must not have any children aged under 18 who are either living with them or financially dependent upon them.

YMS 5.4. YMS 5.1. to YMS 5.3. do not apply to applications for permission to stay on the Youth Mobility Scheme route.

Decision on application for the Youth Mobility Scheme

YMS 6.1. If the decision maker is satisfied that all the eligibility and suitability requirements are met for the Youth Mobility Scheme route, the application will be granted, otherwise the application will be refused.

YMS 6.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for the Youth Mobility Scheme

YMS 7.1. The applicant will be granted either:

(a) entry clearance for up to 2 years; or

(b) permission to stay for a period which means the period of permission (including the original permission to enter) granted under the Youth Mobility Scheme is for a total of 3 continuous years.

YMS 7.2. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work permitted, subject to YMS 7.3; and

(c) study is permitted subject to the ATAS condition in Appendix ATAS.

(d) DELETED

YMS 7.3. Work is permitted subject to the following employment conditions:

(a) no employment as a professional sportsperson (including as a sports coach); and

(b) no self-employment, except where the following conditions are met:

(i) the applicant has no premises which they own, other than their home, from which they carry out their business; and

(ii) the total value of any equipment used in their business does not exceed £5,000; and

(iii) the applicant has no employees.

Back to top

Immigration Rules

Appendix Youth Mobility Scheme: eligible nationals

Countries and territories participating in the Youth Mobility Scheme, and annual allocation of places for 2024

1. The maximum total allocation of places available for use by nationals or citizens of countries and rightful holders of a passport issued by territories participating in the Youth Mobility Scheme in 2024, are as follows:
• Andorra - 100 places
• Australia – 45,000 places
• Canada – 8,000 places
• Hong Kong - 1,000 places
• Iceland – 1,000 places
• India - 3,000 places
• Japan - 6,000 places
• Monaco – 1,000 places
• New Zealand – 8,500 places
• Republic of Korea - 5,000 places
• San Marino – 1,000 places
• Taiwan – 1,000 places
• Uruguay - 500 places

1A. In order to ensure the continuity of the scheme in subsequent years, where the annual available places are yet to be updated the following number of places will be made available:

(a) for countries whose quota is less than 1000, the same number of places as the previous year; and

(b) for all other countries, either 1000 or 50% of the previous year's places, whichever is the greater.

1B. The maximum total allocation of places listed in paragraph 1 does not apply to nationals in the UK with valid permission under the Youth Mobility Scheme and who are eligible and applying for permission to stay under the scheme.

1C. DELETED.

1D. DELETED.

1E. DELETED.

1F. DELETED.

Invitation to apply arrangements

2. Where places are being allocated under the Youth Mobility Schemes for the countries or territories listed below, the Home Office will apply invitation to apply arrangements:

(a) Hong Kong

(b) India
(c) Taiwan.

3. Under these arrangements:

(a) the Home Office may publish a request for expressions of interest from nationals or citizens of, or rightful holders of passports issued by, the countries and territories in paragraph 2, and will publish at least one annual request for expression of interest when a scheme is available for UK nationals under a reciprocal arrangement; and

(b) the Home Office will determine the number of rounds of expressions of interest and the number of places available for any round, and may have regard to the implementation of the reciprocal arrangement; and

(c) a prospective applicant must submit an expression of interest in accordance with the process published by the Home Office; and

(d) no more than one expression of interest per person will be accepted by the Home Office during each period in which they may be submitted; and

(e) a prospective applicant must only submit an expression of interest for a country or territory that they are a national or citizen of, or the rightful holder of a passport for; and

(f) the Home Office will:

(i) select at random those to whom an invitation to apply for entry clearance under the Youth Mobility Scheme relevant allocation is to be issued from the pool of those who have submitted an expression of interest; and

(ii) keep a record of those individuals to whom an invitation to apply is issued; and

(g) the Home Office may:

(i) place a time limit on the period during which an expression of interest is to be submitted; and

(ii) determine the number of invitations to apply that may be issued in any calendar month; and place a time limit on the validity of an invitation to apply.

Back to top

Immigration Rules

Appendix Temporary Work - Creative Worker

The Temporary Work - Creative Worker route is for a person who wants to come to the UK to work within the creative sector.

A Creative Worker is someone who can make a unique contribution to the UK's rich cultural life, for example, as an artist, dancer, musician or entertainer, or as a model contributing to the UK's fashion industry.

A person can be granted permission for up to 12 months initially and can apply to extend their stay up to a maximum of two years if they are still working for the same sponsor.

A partner and children can apply as dependants on this route.

The Creative Worker route is not a route to settlement.

Validity requirements for a Creative Worker

CRV 1.1. A person applying for entry clearance or permission to stay as a Creative Worker must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: • Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

CRV 1.2. An application for entry clearance or permission to stay as a Creative Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than three months before the date of application.

CRV 1.3. An applicant who is applying for permission to stay must be in the UK and have, or have last had, entry clearance or permission to stay as a Creative Worker.

CRV 1.4. An application which does not meet all the validity requirements for a Creative Worker may be rejected as invalid and not considered.

Suitability requirements for a Creative Worker

CRV 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Creative Worker

Entry requirements for a Creative Worker

CRV 3.1. A person seeking to come to the UK as a Creative Worker must have applied for and obtained entry clearance as a Creative Worker before they arrive in the UK, except where CRV 3.2. applies.

CRV 3.2. A person arriving in the UK who is seeking entry as a Creative Worker and does not have a valid entry clearance on that route may be granted permission to enter if the following requirements are met:

(a) the applicant is not a visa national; and

(aa) has, where required under Appendix Electronic Travel Authorisation, obtained an Electronic Travel Authorisation before travelling to the UK.; and

(b) the applicant has a valid Certificate of Sponsorship from an approved sponsor for the Creative Worker route; and

(c) if the applicant has consecutive engagements, the total length of all the periods of engagement, together with any gap between those engagements, is three months or less; and

(d) if the applicant does not have consecutive engagements, the total length of the period of engagement is three months or less; and

(e) the person otherwise meets the requirements to be granted permission as a Creative Worker.

CRV 3.3. A person applying for entry clearance as a Creative Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that

they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Sponsorship requirement for a Creative Worker

CRV 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Creative Worker, and details of the job and pay the sponsor is offering them confirming that these arrangements comply with the National Minimum Wage; and
(b) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the role meets the relevant requirements at CRV 4.2.

CRV 4.2. The sponsor must ensure that:

(a) the applicant complies with their relevant Code of Practice under Appendix Creative Workers Codes of Practice, where one exists for their occupation; or

(b) where there is no relevant Code of Practice under Appendix Creative Workers Codes of Practice for the occupation the applicant will be doing, the applicant must:

(i) be performing a role in the creative industries that appears in Appendix Skilled Occupations; and

(ii) be able to demonstrate that they can make a unique contribution to creative life in the UK.

CRV 4.3. If the Certificate of Sponsorship records that the applicant is being sponsored for more than one engagement by the same sponsor, there must be no more than 14 days between each individual engagement. Time spent by the applicant outside the UK (including the dates of their departure from and return to the UK) will not be counted towards this period.

CRV 4.4. If the applicant has consecutive engagements, each sponsor must assign its own Certificate of Sponsorship to the applicant, and each Certificate of Sponsorship must meet the requirements in CRV 4.1. to CRV 4.3.

CRV 4.5. The sponsor must operate or intend to operate within the creative sector and be authorised by the Home Office to sponsor the job in question under the Creative Worker route.

CRV 4.6. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Creative Worker and is applying to continue working for the same sponsor as in their last permission.

CRV 4.7. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

CRV 4.8. The applicant must provide details of any transport, living allowances and other expenses paid by the sponsor to the applicant and whether the sponsor will seek to recoup these costs, either through payroll deductions or any other means.

CRV 4.9. If the Certificate of Sponsorship associated with the application is declared part of a group by the sponsor and the work of the applicant is directly related to the employment of an entertainer or a cultural artist whose application has been refused, all applications within the group will be refused.

Genuineness requirement for a Creative Worker

CRV 5.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph CRV 9.5.

Financial requirement for a Creative Worker

CRV 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 6.2. If the applicant is applying for entry clearance, or is applying for permission to enter under CRV 3.2, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

CRV 6.3. If CRV 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Parental consent requirement for a Creative Worker

CRV 7.1. The applicant must meet the parental consent requirement for "applicant not applying as a dependent child" in Appendix Children.

CRV 7.2. DELETED.

Decision on an application for a Creative Worker

CRV 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Creative Worker route are met, the application will be granted, otherwise the application will be refused.

CRV 8.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Creative Worker

CRV 9.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

(a) a period starting 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or

(b) the period of the job on the Certificate of Sponsorship plus 14 days before and after, if the applicant does not have consecutive engagements; or

(c) 12 months.

CRV 9.2. If the application is for permission to enter, in accordance with CRV 3.2, the applicant will be granted permission to enter for whichever is the shorter of:

(a) a period starting up to 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or

(b) the period of the job on the Certificate of Sponsorship plus up to 14 days before and 14 days after, if the applicant does not have consecutive engagements; or

(c) 3 months.

CRV 9.3. Unless CRV 9.4. applies, if the application is for permission to stay, the applicant will be granted whichever is the shorter of:

(a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or

(b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or

(c) the difference between the period the applicant has already spent in the UK as a Creative Worker and 12 months.

CRV 9.4. If the applicant is applying for permission to stay and the sponsor is the same sponsor as in the application which led to the applicant's last grant of permission, the applicant will be granted whichever is the shorter of:

(a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or

(b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or

(c) 12 months; or

(d) the difference between the period the applicant has already spent in the UK as a Creative Worker and 24 months.

CRV 9.5. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work is permitted only in the role(s) the applicant is being sponsored for; and

(c) supplementary employment is permitted; and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS.

(e) DELETED

Dependants of a Creative Worker

Validity requirements for a dependent partner or dependent child of a Creative Worker

CRV 10.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Creative Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Creative Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

CRV 10.2. An application for entry clearance or permission to stay as a partner or child of a Creative Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of person who:
(i) has made a valid application for entry clearance or permission to stay on the Creative Worker route that has not been decided; or
(ii) has entry clearance or permission to stay on the Creative Worker route.

CRV 10.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

CRV 10.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Creative Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

CRV 10.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

CRV 10.5. An application which does not meet all the validity requirements for a partner or child of a Creative Worker may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a Creative Worker

CRV 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 11.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Creative Worker

Entry requirement for a dependent partner or dependent child of a Creative Worker

CRV 12.1. A person seeking to come to the UK as a dependent partner or dependent child of a Creative Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Creative Worker before they arrive in the UK, unless CRV 12.2. applies.

CRV 12.2. A person arriving in the UK and seeking entry as a dependent partner or dependent child of a Creative Worker who does not have a valid entry clearance may be granted permission to enter if the following requirements are met:

(a) the applicant is not a visa national; and

(aa) the applicant has obtained an Electronic Travel Authorisation; and

(b) the applicant is seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CRV 3.2.; and

(c) the applicant meets the requirements to be granted permission as a dependent partner or dependent child of a Creative Worker.

CRV 12.3. A person applying for entry clearance as the partner or child of a Creative Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner of a Creative Worker

CRV 13.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Creative Worker route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Creative Worker route.

CRV 13.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

CRV 13.3. DELETED

CRV 13.4. DELETED

Relationship requirement for a dependent child of a Creative Worker

CRV 14.1. DELETED.

CRV 14.2. DELETED.

CRV 14.3. DELETED.

Care requirement for a dependent child of a Creative Worker

CRV 15.1. DELETED.

Age requirement for a dependent child of a Creative Worker

CRV 16.1. DELETED.

CRV 16.2. DELETED.

Requirements for a dependent child of a Creative Worker

CRV 16A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child of a Creative Worker

CRV 17.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 17.2. If the applicant is applying for entry clearance or permission to enter, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in CRV 17.3. must be held collectively by one or more of the following:

(i) the applicant; and
(ii) the Creative Worker (P); and
(iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission, at the same time; or

(b) the Creative Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Creative Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CRV 17.3.

CRV 17.3. The funds required are:

(a) £285 for a partner in the UK, or applying for entry clearance or permission to enter; and
(b) £315 for the first dependent child in the UK, or applying for entry clearance or permission to enter; and
(c) £200 for any other dependent child in the UK, or applying for entry clearance or permission to enter.

CRV 17.4. If CRV 17.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Creative Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

CRV 17.5. If CRV 17.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a dependent partner or dependent child of a Creative Worker

CRV 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Creative Worker are met, the application will be granted, otherwise the application will be refused.

CRV 18.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child of a Creative Worker

CRV 19.1. A partner will be granted permission which ends on the same date as their partner's permission as a Creative Worker.

CRV 19.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CRV 19.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Back to top

Immigration Rules

Appendix Temporary Work - Religious Worker

The Temporary Work - Religious Worker route is for a person who wants to come to the UK to support the activities of religious institutions by conducting religious work such as working in a religious order or undertaking non-pastoral work for a religious organisation. A person on the Religious Worker route can stay in the UK for up to a maximum of two years.

A partner and children can apply as dependants on this route.

The Religious Worker route is not a route to settlement.

A Minister of Religion must apply on the T2 Minister of Religion route if their engagement in the UK involves leading a congregation in performing rites, rituals and preaching the essentials of the creed as its core duties.

Validity requirements for a Religious Worker

RW 1.1. A person applying for entry clearance or permission to stay as a Religious Worker must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: •Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

RW 1.2. An application for entry clearance or permission to stay as a Religious Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

RW 1.3. The applicant must be aged 18 or over on the date of application.

RW 1.4. An applicant who is applying for permission to stay must have, or have last had, permission as a Religious Worker.

RW 1.5. An application which does not meet all the validity requirements for a Religious Worker may be rejected as invalid and not considered.

Suitability requirements for a Religious Worker

RW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

RW 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Religious Worker

Entry requirements for a Religious Worker

RW 3.1. A person seeking to come to the UK on the Religious Worker route must have applied for and obtained entry clearance as a Religious Worker before they arrive in the UK.

RW 3.2. A person applying for entry clearance as a Religious Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

RW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application unless they can show they were not in the UK at any time during those 12 months.

Sponsorship requirement for a Religious Worker

RW 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Religious Worker, details of the job and pay the sponsor is offering them; and
(b) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the role meets the requirements at RW 4.3; and
(f) confirm whether the applicant is a member of the sponsor's order, if the sponsor is a religious order; and

(g) confirm that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role; and
(h) confirm that the pay complies with or is exempt from the National Minimum Wage; and
(i) confirm that the requirements of the resident labour consideration, as set out in RW 4.2, in respect of the job, have been complied with, or that the applicant is applying for permission to stay and the sponsor is the same sponsor as in their last grant of permission as a Religious Worker.

RW 4.2. The requirements of the resident labour consideration are:

(a) that the role is supernumerary, such that it is over and above the sponsor's normal staffing requirements and if the person filling the role was not there, it would not need to be filled by anyone else (with a full explanation of why it is supernumerary); or

(b) that the role involves living mainly within and being a member of a religious order, which must be a lineage of communities or of people who live in some way set apart from society in accordance with their specific religious devotion, for example an order of nuns or monks; or

(c) that the sponsor holds national records of all available individuals, details of those records and confirms that the records show that no suitable settled worker is available to fill the role; or

(d) that a national recruitment search was undertaken, and the following details are provided:

(i) where the role was advertised, which must be at least one of the following:

(1) a national form of media appropriate to the sponsor's religion or denomination; or

(2) the sponsor's own website, if that is how the sponsor usually reaches out to its community on a national scale, that is where it normally advertises vacant positions, and the pages containing the advertisement are free to view without paying a subscription fee or making a donation; or

(3) Jobcentre Plus (or in Northern Ireland, Job Centre Online) or in the employment section of a national newspaper, if there is no suitable national form of media appropriate to the sponsor's religion or denomination; and

(ii) any reference numbers of the advertisements; and

(iii) the period the role was advertised for, which must include at least 28 days during the six month period immediately before the date the sponsor assigned the Certificate of Sponsorship to the applicant; and

(iv) confirmation that no suitable settled workers are available to be recruited for the role.

RW 4.3. The sponsor must ensure the role meets all the following requirements:

(a) the role must involve performing religious duties within, or directed by, the sponsor's organisation to support the activities of the religious institution; and

(b) the religious duties must not include work which falls under a role of a Minister of Religion (which means the applicant must not have core duties of leading a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed).

RW 4.4. The sponsor must be authorised by the Home Office to sponsor the job in question under the Religious Worker route.

RW 4.5. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Religious Worker and is applying to continue working for the same sponsor as in their last permission.

RW 4.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for a Religious Worker

RW 5.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph RW 8.3.

Financial requirement for a Religious Worker

RW 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

RW 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

RW 6.3. If RW 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Decision on an application for a Religious Worker

RW 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Religious Worker route are met, the application will be granted, otherwise the application will be refused.

RW 7.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Religious Worker

RW 8.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

(a) the period of the job on the Certificate of Sponsorship plus 14 days before and after; or

(b) 24 months.

RW 8.2. If the application is for permission to stay, the applicant will be granted whichever is the shorter of:

(a) the period of the job on the Certificate of Sponsorship plus 14 days; or

(b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Religious Worker and 24 months.

RW 8.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work is permitted only in the role the applicant is being sponsored for; and

(c) supplementary employment is permitted; and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS.

(e) DELETED

Dependants of a Religious Worker

Validity requirements for a dependent partner or dependent child of a Religious Worker

RW 9.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Religious Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Religious Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

RW 9.2. An application for entry clearance or permission to stay as a partner or child of a Religious Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the Religious Worker route that has not been decided; or
(ii) has entry clearance or permission to stay on the Religious Worker route.

RW 9.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

RW 9.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Religious Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

RW 9.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:

(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

RW 9.5. An application which does not meet all the validity requirements for a partner or child of a Religious Worker may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a Religious Worker

RW 10.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

RW 10.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Religious Worker

Entry requirement for a dependent partner or dependent child of a Religious Worker

RW 11.1. A person seeking to come to the UK as a dependent partner or dependent child of a Religious Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Religious Worker before they arrive in the UK.

RW 11.2. A person applying for entry clearance as the partner or child of a Religious Worker must, if Appendix Tuberculosis to these Rules applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner of a Religious Worker

RW 12.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Religious Worker route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Religious Worker route.

RW 12.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

RW 12.3. DELETED

RW 12.4. DELETED

Relationship requirement for a dependent child of a Religious Worker

RW 13.1. DELETED.

RW 13.2. DELETED.

RW 13.3. DELETED.

Care requirement for a dependent child of a Religious Worker

RW 14.1. DELETED.

Age requirement for a dependent child of a Religious Worker

RW 15.1. DELETED.

RW 15.2. DELETED.

Requirements for a dependent child of a Religious Worker

RW 15A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child of a Religious Worker

RW 16.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

RW 16.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in RW 16.3. must be held collectively by one or more of the following:
    i) the applicant; and

ii) the Religious Worker (P); and
iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the Religious Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Religious Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in RW 16.3.

RW 16.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

RW 16.4. If RW 16.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Religious Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

RW 16.5. If RW 16.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a dependent partner or dependent child of a Religious Worker

RW 17.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Religious Worker are met, the application will be granted, otherwise the application will be refused.

RW 17.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child of a Religious Worker

RW 18.1. A partner will be granted permission which ends on the same date as their partner's permission as a Religious Worker.

RW 18.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

RW 18.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Back to top

Immigration Rules

Appendix Temporary Work - Charity Worker

The Temporary Work - Charity Worker route is for a person who wants to come to the UK to do voluntary work for up to a maximum of 12 months.

A partner and children can apply as dependants on this route.

The Charity Worker route is not a route to settlement.

Validity requirements for a Charity Worker

CW 1.1. A person applying for entry clearance or permission to stay as a Charity Worker must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: •Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

CW 1.2. An application for entry clearance or permission to stay as a Charity Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

CW 1.3. The applicant must be aged 18 or over on the date of application.

CW 1.4. An applicant who is applying for permission to stay must have, or have last had, permission as a Charity Worker.

CW 1.5. An application which does not meet all the validity requirements for a Charity Worker may be rejected as invalid and not considered.

Suitability requirements for a Charity Worker

CW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CW 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a Charity Worker

Entry requirements for a Charity Worker

CW 3.1. A person seeking to come to the UK on the Charity Worker route must have applied for and obtained entry clearance as a Charity Worker before they arrive in the UK.

CW 3.2. A person applying for entry clearance as a Charity Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

CW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application unless they can show they were not in the UK at any time during those 12 months.

Sponsorship requirement for a Charity Worker

CW 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Charity Worker, details of the job the sponsor is offering them; and
(b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and
(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) include confirmation that the role meets the requirement at CW 4.2.

CW 4.2. The sponsor must ensure the role meets the following requirements:

(a) it is voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose; and

(b) it must be voluntary work and not be paid or otherwise remunerated, including receipt of benefits in kind, except for reasonable expenses as defined in the National Minimum Wage Act 1998; and

(c) the applicant must not be filling a permanent position, including on a temporary basis.

CW 4.3. The sponsor must be authorised by the Home Office to sponsor the job in question under the Charity Worker route.

CW 4.4. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Charity Worker and is applying to continue working for the same sponsor as in their last permission.

CW 4.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for a Charity Worker

CW 5.1. The applicant must:

(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph CW 8.3.

Financial Requirement for a Charity Worker

CW 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CW 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

CW 6.3. If CW 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Decision on an application for a Charity Worker

CW 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Charity Worker route are met, the application will be granted, otherwise the application will be refused.

CW 7.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Charity Worker

CW 8.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

(a) the period of the job on the Certificate of Sponsorship plus 14 days before and after; or

(b) 12 months.

CW 8.2. If the application is for permission to stay, the applicant will be granted whichever is the shorter of:

(a) the period of the job on the Certificate of Sponsorship plus 14 days; or

(b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Charity Worker and 12 months.

CW 8.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work is permitted only in the role the applicant is being sponsored for; and

(c) voluntary work with another organisation is permitted, providing it is in the same role as the one listed on the Certificate of Sponsorship; and

(d) study is permitted, subject to the ATAS condition in Appendix ATAS.

(e) DELETED

Dependants of a Charity Worker

Validity requirements for a dependent partner or dependent child of a Charity Worker

CW 9.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Charity Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Charity Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise:

Applicant	Specified form
	- Dependant partner - Dependant child

CW 9.2. An application for entry clearance or permission to stay as a partner or child of a Charity Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the Charity Worker route that has not been decided; or
(ii) has entry clearance or permission to stay on the Charity Worker route.

CW 9.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

CW 9.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Charity Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or
(b) as a Short-term student; or
(c) as a Parent of a Child Student; or
(d) as a Seasonal Worker; or
(e) as a Domestic Worker in a Private Household; or
(f) outside the Immigration Rules.

CW 9.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

CW 9.5. An application which does not meet all the validity requirements for a partner or child of a Charity Worker may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child of a Charity Worker

CW 10.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CW 10.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Charity Worker

Entry requirement for a dependent partner or dependent child of a Charity Worker

CW 11.1. A person seeking to come to the UK as a dependent partner or dependent child of a Charity Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Charity Worker before they arrive in the UK.

CW 11.2. A person applying for entry clearance as the partner or child of a Charity Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner of a Charity Worker

CW 12.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Charity Worker route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Charity Worker route.

CW 12.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

CW 12.3. DELETED

CW 12.4. DELETED

Relationship requirement for a dependent child of a Charity Worker

CW 13.1. DELETED.

CW 13.2. DELETED.

CW 13.3. DELETED.

Care requirement for a dependent child of a Charity Worker

CW 14.1. DELETED.

Age requirement for a dependent child of a Charity Worker

CW 15.1. DELETED.

CW 15.2. DELETED.

Requirements for a dependent child of a Charity Worker

CW 15A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child of a Charity Worker

CW 16.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CW 16.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in CW 16.3. must be held collectively by one or more of the following:
  i) the applicant; and
  ii) the Charity Worker (P); and
  iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the Charity Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Charity Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CW 16.3.

CW 16.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

CW 16.4. If CW 16.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Charity Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

CW 16.5. If CW 16.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a dependent partner or dependent child of a Charity Worker

CW 17.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Charity Worker are met, the application will be granted, otherwise the application will be refused.

CW 17.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child of a Charity Worker

CW 18.1. A partner will be granted permission which ends on the same date as their partner's permission as a Charity Worker.

CW 18.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CW 18.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Back to top

Immigration Rules

Appendix Temporary Work - International Agreement Worker

The International Agreement route is for a person who wants to come to the UK to provide a service covered under international law, such as private servants in diplomatic households or employees of overseas governments and international organisations.

A person on the International Agreement route can stay for a maximum period of 2 years.

A partner and children can apply as dependants on this route.

The International Agreement route is not a route to settlement.

A person who wants to come to the UK under intra-company transfer, contractual service supplier or independent professional commitments must apply under the Global Business Mobility routes.

Validity Requirements for the International Agreement route

IA 1.1. A person applying for entry clearance or permission to stay on the International Agreement route must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: •Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

IA 1.2. An application for entry clearance or permission to stay on the International Agreement route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

IA 1.3. The applicant must be aged 18 or over on the date of application.

IA 1.4. An applicant who is applying for permission to stay must have, or have last had, permission on the International Agreement route.

IA 1.5. An application which does not meet all the validity requirements for the International Agreement route may be rejected as invalid and not considered.

Suitability Requirements for the International Agreement route

IA 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility Requirements for the International Agreement route

Entry requirement for the International Agreement route

IA 3.1. A person seeking to come to the UK on the International Agreement route must apply for and obtain entry clearance on the International Agreement route before they arrive in the UK.

IA 3.2. A person applying for entry clearance on the International Agreement route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Sponsorship requirement for the International Agreement route

IA 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored on the International Agreement route, details of the job and salary the sponsor is offering them, and that these arrangements comply with the National Minimum Wage; and

(b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(e) include confirmation that the role meets the relevant requirements at IA 6.1, depending on the role; and

(f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

IA 4.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the International Agreement route.

IA 4.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission on the International Agreement route and is applying to continue working for the same sponsor as in their last permission.

IA 4.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for the International Agreement route

IA 5.1. The applicant must:

(a) genuinely intend to, and be able to, undertake the role for which they are sponsored; and

(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph IA14.7.

ATAS requirement for the International Agreement route

IA 5.1A. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

International Agreement requirement

IA 6.1. The role the applicant is applying to do must be as one of the following (and the applicant must also meet the specific requirements for that work):

(a) a private servant in a diplomatic household; or

(b) an employee of an overseas government or other international organisation established under an international treaty signed by UK.

(c) DELETED.

Private servant in diplomatic household requirements

IA 7.1. The applicant must be employed as a private servant by, and in the household of, either:

(a) a named member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna Convention on Diplomatic Relations; or

(b) a named official employed by an international organisation recognised by the UK government with diplomatic privileges or immunities under UK or international law.

IA 7.2. DELETED

IA 7.3. The applicant must not intend to undertake any other role for the sponsor other than as a private servant in the specified household.

IA 7.4. The applicant must intend to work full time in the role they are being sponsored for.

IA 7.5. The applicant must not be a relative of the employer, or employer's spouse, either by blood or by marriage (including but not limited to, the spouse or unmarried partner, child, parent, grandparent or sibling of either the employer or the employer's spouse).

IA 7.6. DELETED.

IA 7.7. The applicant must be paid at least the level of the National Minimum Wage throughout their stay.

IA 7.8. The applicant must provide the evidence of employment terms and conditions as set out in Appendix Domestic Worker Statement.

IA 7.9. The applicant must provide a signed statement from the sponsor confirming that the role will not constitute work done in relation to the employer's family household within the meaning of regulation 57 of the National Minimum Wage Regulations 2015.

IA 7.10. Where the application is for permission to stay, they must provide evidence of payment of salary for no less than 3 months prior to the date of application. Evidence must be submitted in accordance with Appendix Finance.

English language requirement for a private servant in a diplomatic household

IA 7.11. Where the application is for entry clearance, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least B1 (intermediate).

IA 7.12. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Employee of an overseas government or other international organisation requirement

IA 8.1. The applicant must be under a contract of employment with the overseas government or international organisation.

IA 8.1A. Where the applicant is, or will be, working on a contract basis (being supplied as labour from one organisation to another), the decision maker must be satisfied that the applicant will not be filling a permanent position, including on a temporary basis.

IA 8.2. The applicant must not intend to take any other form of role for the sponsor other than that for which the Certificate of Sponsorship was assigned.

IA 8.3. The applicant must not be working as a private servant in a diplomatic household or as a domestic worker in a private household.

Contractual Service Supplier requirement

IA 9.1. DELETED.

IA 9.2. DELETED.

IA 9.3. DELETED.

IA 9.4. DELETED.

IA 9.5. DELETED.

IA 9.6. DELETED.

IA 9.7. DELETED.

IA 9.8. DELETED.

IA 9.9. DELETED.

IA 9.10. DELETED.

Independent Professional requirement

IA 10.1. DELETED.

IA 10.2. DELETED.

IA 10.3. DELETED.

IA 10.4. DELETED.

IA 10.5. DELETED.

IA 10.6. DELETED.

IA 10.7. DELETED.

IA 10.8 DELETED.

Financial Requirement for the International Agreement route

IA 11.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

IA 11.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

IA 11.3. If IA 11.2. applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Decision on application for the International Agreement route

IA 13.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the International Agreement route are met, the application will be granted, otherwise the application will be refused.

IA 13.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for the International Agreement route

IA 14.1. DELETED.

IA 14.2. DELETED.

IA 14.3. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

(a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or

(b) 24 months.

IA 14.4. If the applicant is an employee of an overseas government or other international organisation and their application is for permission to stay, the applicant will be granted whichever is the shorter of:

(a) the period of the role on the Certificate of Sponsorship plus 14 days after that period; or

(b) the difference between 24 months and the period they have already been granted permission on the International Agreement route.

IA 14.5. If the applicant is a private servant in a diplomatic household and their application is for permission to stay, the applicant will be granted whichever is the shorter of:

(a) the period of the role on the Certificate of Sponsorship plus 14 days after that period; or

(b) 24 months; or

(c) the difference between five years and the period they have already been granted permission on the International Agreement route.

IA 14.6. DELETED.

IA 14.7. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is

(i) the job the applicant is being sponsored for; and

(ii) supplementary employment only for a person being sponsored for a job as an employee of overseas governments or international organisations (but not as a private servant in a diplomatic household) and only provided the job in (i) is also being done.

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

IA 14.8. If the applicant is being sponsored as a private servant in a diplomatic household, IA 14.7.(b) does not prevent them from taking employment as a domestic worker in a different household from the one specified in the Certificate of Sponsorship.

Settlement by a Private Servant in a diplomatic household

Validity requirements for settlement by a Private Servant in a diplomatic household

IA 15.1. DELETED

IA 15.2. DELETED

IA 15.3. DELETED

IA 15.4. DELETED

Suitability Requirements for settlement as a Private Servant in a diplomatic household

IA 16.1. DELETED

IA 16.2. DELETED

Eligibility requirements for settlement as a Private Servant in a diplomatic household

Qualifying period requirement for settlement as a Private Servant in a diplomatic household

IA 17.1. DELETED

IA 17.2. DELETED

Continuous residence requirement for settlement as a Private Servant in a diplomatic household

IA 18.1. DELETED

English language requirement for settlement as a Private Servant in a diplomatic household

IA 19.1. DELETED

IA 19.2. DELETED

Knowledge of Life in the UK requirement for settlement as a Private Servant in a diplomatic household

IA 20.1. DELETED

Decision on an application for settlement by Private Servant in a diplomatic household

IA 21.1. DELETED

IA 21.2. DELETED

Dependants on the International Agreement route

Validity requirements for a dependent partner or dependent child on the International Agreement route

IA 22.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the International Agreement route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the person on the International Agreement route, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

IA 22.2. An application for entry clearance or permission to stay as a partner or child on the International Agreement route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay as a person on the International Agreement route that has not been decided; or
(ii) has entry clearance or permission to stay as a person on the International Agreement route.

IA 22.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

IA 22.4. An applicant who is applying for permission to stay as a dependent partner or dependent child on the International Agreement route must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

IA 22.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

IA 22.5. An application which does not meet all the validity requirements for a partner or child on the International Agreement route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child on the International Agreement route

IA 23.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 23.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child on the International Agreement route

Entry requirement for a dependent partner or dependent child on the International Agreement route

IA 24.1. A person seeking to come to the UK as a dependent partner or dependent child on the International Agreement route must apply for and obtain entry clearance as a dependent partner or dependent child on the International Agreement route before they arrive in the UK.

IA 24.2. A person applying for entry clearance as the partner or child on the International Agreement route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner on the International Agreement route

IA 25.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the International Agreement route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Agreement route.

IA 25.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

IA 25.3. DELETED

IA 25.4. DELETED

Relationship requirement for a dependent child on the International Agreement route

IA 26.1. DELETED.

IA 26.2. DELETED.

IA 26.3. DELETED.

Care requirement for a dependent child on the International Agreement route

IA 27.1. DELETED.

Age requirement for a dependent child on the International Agreement route

IA 28.1. DELETED.

IA 28.2. DELETED.

Requirements for a dependent child on the International Agreement route

IA 28A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child on the International Agreement route

IA 29.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

IA 29.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in IA 29.3. must be held collectively by one or more of the following:

i) the applicant; and

ii) the person on the International Agreement route (P); and

iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the A-rated sponsor of the person on the International Agreement route must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the person on the International Agreement route, up to the end of the first month of each of their grants of permission, to at least the amounts required in 29.3.

IA 29.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

IA 29.4, If IA 29.2(a) applies, the funds held for the applicant must be held in addition to any funds required for the person on the International Agreement route to meet the financial requirement and any other dependants in the UK or applying at the same time.

IA 29.5. If IA 29.2(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a dependent partner or dependent child on the International Agreement route

IA 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the International Agreement route are met, the application will be granted, otherwise the application will be refused.

IA 30.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child on the International Agreement route

IA 31.1. A partner will be granted permission which ends on the same date as their partner's permission on the International Agreement route.

IA 31.2 A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

IA 31.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Settlement as a dependent partner or dependent child on the International Agreement route

Validity requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household

IA 32.1. DELETED

IA 32.2. DELETED

IA 32.3. DELETED

IA 32.4. DELETED

Suitability requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household

IA 33.1. DELETED

IA 33.2. DELETED

Eligibility requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household on the International Agreement route

Relationship requirement for settlement as a dependent partner of a Private Servant in a diplomatic household

IA 34.1. DELETED

IA 34.2. DELETED

Qualifying period requirement for settlement as a dependent partner of a Private Servant in a diplomatic household

IA 35.1. DELETED

Continuous residence requirement for settlement as a dependent partner of a Private Servant in a diplomatic household

IA 36.1. DELETED

English language requirement for settlement as a dependent partner of a Private Servant in a diplomatic household

IA 37.1. DELETED

IA 37.2. DELETED

Knowledge of Life in the UK requirement for settlement as a dependent partner of a Private Servant in a diplomatic household

IA 38.1. DELETED

Eligibility requirements for settlement as a dependent child of a Private Servant in a diplomatic household

Relationship requirement for settlement as a dependent child of a Private Servant in a diplomatic household

IA 39.1. DELETED

IA 39.2. DELETED

IA 39.3. DELETED

IA 39.4. DELETED

English language requirement for settlement as a dependent child of a Private Servant in a diplomatic household

IA 40.1. DELETED

IA 40.2. DELETED

Knowledge of Life in the UK requirement for settlement as a dependent child of a Private Servant in a diplomatic household

IA 41.1. DELETED

Decision on an application for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household

IA 42.1. DELETED

IA 42.2. DELETED

Back to top

Immigration Rules

Appendix Temporary Work - Government Authorised Exchange

The Temporary Work - Government Authorised Exchange route is for a person who wants to come to the UK on an approved scheme for a period of 12 or 24 months (depending on the scheme).

A partner and children can apply as dependants on this route.

The Government Authorised Exchange route is not a route to settlement.

Validity requirements for the Government Authorised Exchange route

GAE 1.1. A person applying for entry clearance or permission to stay on the Government Authorised Exchange route must apply online on gov.uk on the specified form 'Temporary Work – Government Authorised Exchange Scheme'.

GAE 1.2. An application for entry clearance or permission to stay on the Government Authorised Exchange route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

GAE 1.3. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and maintenance, they must provide written consent to the application from that Government or agency.

GAE 1.4. An application which does not meet all the validity requirements for the Government Authorised Exchange route may be rejected as invalid and not considered.

Suitability requirements for the Government Authorised Exchange route

GAE 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GAE 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for the Government Authorised Exchange route

Entry requirements for the Government Authorised Exchange route

GAE 3.1. A person seeking to come to the UK on the Government Authorised Exchange route must have applied for and obtained entry clearance on the Government Authorised Exchange route before they arrive in the UK.

GAE 3.2. A person applying for entry clearance on the Government Authorised Exchange route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Previous permission requirement for the Government Authorised Exchange route

GAE 4.1. An applicant who is applying for permission to stay must be in the UK on the date of application and must have, or have last been granted:

(a) permission on the Government Authorised Exchange route; or

(b) permission as a Student, who meets the requirements in GAE 4.2. and who is or was last sponsored by either:

(i) a higher education provider with a track record of compliance; or

(ii) an overseas higher education institution, to do a short-term study abroad programme in the UK.

GAE 4.2. Where the applicant has, or last had, permission as a Student:

(a) the applicant must have completed a UK recognised bachelor's or postgraduate degree during that last period of permission; and

(b) the applicant must currently be sponsored for either:

(i) a period of postgraduate professional training or work experience which is required to gain a professional qualification or registration in the same field as their degree; or

(ii) an internship for up to 12 months which is directly related to their degree; and

(c) the applicant must not be filling a permanent vacancy; and

(d) the sponsor must not intend to employ the applicant in the UK once the training or work experience is completed.

Sponsorship requirement for the Government Authorised Exchange route

GAE 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored on the Government Authorised Exchange route, details of the job and salary the sponsor is offering them, and that these arrangements comply with the National Minimum Wage; and

(b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
(e) confirm that the role meets the requirements of the individual exchange scheme as set out in Appendix GAE schemes; and
(f) confirm that the role is supernumerary, such that it is in addition to the sponsor's regular, required, or standard number of staff that does not fill a permanent position or ongoing vacancy in the sponsor's workforce, even on a temporary basis (with a full explanation of why it is supernumerary); and
(g) confirm that the role appears in Tables 1, 2 or 3 of Appendix Skilled Occupations; and
(h) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

GAE 5.2. The sponsor must be authorised by the Home Office to sponsor individuals in the role specified on the Certificate of Sponsorship and on the particular scheme that the applicant has applied to participate in (as set out in Appendix GAE schemes).

GAE 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission on the Government Authorised Exchange route and is applying to continue working for the same sponsor as in their last permission.

GAE 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

Genuineness requirement for the Government Authorised Exchange route

GAE 6.1. The applicant must:
(a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
(b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph GAE 11.3.

ATAS requirement for the Government Authorised Exchange route

GAE 7.1. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

Financial Requirement for the Government Authorised Exchange route

GAE 8.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GAE 8.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:
(a) the applicant must have funds of at least £1,270; or

(b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

GAE 8.3. If GAE 8.2. applies the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

Parental consent requirement for the Government Authorised Exchange route

GAE 9.1. The applicant must meet the parental consent requirement for applicant not applying as a dependent child in Appendix Children.

GAE 9.2. DELETED.

Decision on an application for the Government Authorised Exchange route

GAE 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Government Authorised Exchange route are met, the application will be granted, otherwise the application will be refused.

GAE 10.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for the Government Authorised Exchange route

GAE 11.1. If the application is for entry clearance, the applicant will be granted for the period of the role on the Certificate of Sponsorship plus up to 14 days before and 14 days after that period (the end date of the Certificate of Sponsorship may be up to the maximum period of time that a person is permitted to spend in the UK under the terms of the specific scheme on which the applicant has applied to participate in, as set out in Appendix GAE schemes).

GAE 11.2. If the application is for permission to stay, the applicant will be granted for whichever is the shortest of:

(a) the period of the role on the Certificate of Sponsorship plus 14 days after that period (the end date of the Certificate of Sponsorship may be up to the maximum period of time permitted under the terms of the specific scheme on which the applicant has applied to participate in, as set out in Appendix GAE schemes); or

(b) where the applicant is applying to continue to participate in the same scheme, a period of 14 days plus the difference between the maximum period of time that a person on the Government Authorised Exchange route is permitted to spend in the UK under the terms of the specific approved scheme on which the applicant had applied to participate in (as set out in Appendix GAE schemes) and the period that they have already been granted permission to participate in that scheme; or

(c) the difference between 25 months and the duration of the period during which the applicant has already held continuous permission on the

Government Authorised Exchange route, including any period where paragraph 39E applied.

GAE 11.3. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work is permitted only in the job the applicant is being sponsored for, including volunteering and job shadowing if recorded on the Certificate of Sponsorship; and
(c) supplementary employment is permitted; and
(d) study is permitted, subject to the ATAS condition in Appendix ATAS.
(e) DELETED

Dependants on the Government Authorised Exchange route

Validity requirements for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 12.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the Government Authorised Exchange route must apply online on the gov.uk website on the specified form as follows:

Applicant	**Specified form**
EEA national with a chipped passport	Either (as applicable): • Dependant partner or dependant child using the UK Immigration: ID Check app; or • the forms listed below for dependant applicants outside or inside the UK as relevant.
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the person on the Government Authorised Exchange route, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

GAE 12.2. An application for entry clearance or permission to stay as a partner or child on the Government Authorised Exchange route must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as a partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay as a person on the Government Authorised Exchange route that has not been decided; or
(ii) has entry clearance or permission to stay as a person on the Government Authorised Exchange route.

GAE 12.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

GAE 12.4. An applicant who is applying for permission to stay as a dependent partner or dependent child on the Government Authorised Exchange route must be in the UK on the date of application and must not have, or have last been granted, permission:

(a) as a Visitor; or

(b) as a Short-term student; or

(c) as a Parent of a Child Student; or

(d) as a Seasonal Worker; or

(e) as a Domestic Worker in a Private Household; or

(f) outside the Immigration Rules.

GAE 12.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
(b) Condition B: the applicant must:
(i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
(ii) have completed at least 24 months of study on that course.

GAE 12.5. An application which does not meet all the validity requirements for a partner or child on the Government Authorised Exchange route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GAE 13.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child on the Government Authorised Exchange route

Entry requirement for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 14.1. A person seeking to come to the UK as a dependent partner or dependent child on the Government Authorised Exchange route must apply for and obtain entry clearance as a dependent partner or dependent child on the Government Authorised Exchange route before they arrive in the UK.

GAE 14.2. A person applying for entry clearance as the partner or child on the Government Authorised Exchange route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a dependent partner on the Government Authorised Exchange route

GAE 15.1. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the Government Authorised Exchange route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Government Authorised Exchange route.

GAE 15.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

GAE 15.3. DELETED

GAE 15.4. DELETED

Relationship requirement for a dependent child on the Government Authorised Exchange route

GAE 16.1. DELETED.

GAE 16.2. DELETED.

GAE 16.3. DELETED.

Care requirement for a dependent child on the Government Authorised Exchange route

GAE 17.1. DELETED.

Age requirement for a dependent child on the Government Authorised Exchange route

GAE 18.1. DELETED.

GAE 18.2. DELETED.

Requirements for a dependent child on the Government Authorised Exchange route

GAE 18A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement: entry clearance and permission to stay; and

(b) care requirement; and

(c) age and independent life requirement.

Financial requirement for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 19.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GAE 19.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in GAE 19.3. must be held collectively by one or more of the following:

i) the applicant; and

ii) the person on the Government Authorised Exchange route (P); and

iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the A-rated sponsor of the person on the Government Authorised Exchange route must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the person on the Government Authorised Exchange route, up to the end of the first month of each of their grants of permission, to at least the amounts required in GAE 19.3.

GAE 19.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance.

GAE 19.4. If GAE 19.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the person on the Government Authorised Exchange route to meet the financial requirement and any other dependants in the UK or applying at the same time.

GAE 19.5. If GAE 19.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 20.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the Government Authorised Exchange route are met, the application will be granted, otherwise the application will be refused.

GAE 20.2 If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or dependent child on the Government Authorised Exchange route

GAE 21.1. A partner will be granted permission which ends on the same date as their partner's permission on the Government Authorised Exchange route.

GAE 21.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

GAE 21.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.

(d) DELETED

Back to top

Immigration Rules

Appendix Government Authorised Exchange schemes

The Temporary Worker – Government Authorised Exchange route is for a person who wishes to come to the UK on one of the approved schemes listed below.

The Immigration Rules governing Temporary Worker – Government Authorised Exchange applications can be found at Appendix Temporary Work – Government Authorised Exchange.

Name of scheme	**Scheme summary**	**Sponsor**	**Type of scheme and maximum period of time permitted**	**Area of UK covered**
AIESEC internships	The scheme is part of AIESEC's global exchange programme in which 4,000 graduates participate every year. It develops the leadership skills of recent graduates from overseas, with typically at least a years' experience in management (marketing, finance, sales), technical (IT, engineering) and development (charity) through work with UK companies and organisations.	AIESEC	Work experience programme Maximum 12 months	All UK
BAE Systems Training, Intern and Graduate Programme	Programme designed to allow individuals to train alongside BAE Systems in the UK.	BAE systems	Research and training programme. Maximum 24 months	All UK
Bar Council	The scheme is an umbrella for three types of programmes involving overseas law, overseas students and lawyers undertaking pupillages (both funded and unfunded) and mini pupillages within barristers chambers and	Bar Council	Work experience programme Maximum 12 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
	other legal training programmes.			
BNSC Satellite KHTT Programme	A secondment programme for employees of foreign space agencies to undertake practical training and work experience working alongside specialist UK staff	British National Space Centre (DBIS)	Research and training programmes Maximum 24 months	All UK
BUNAC Blue Card Internships – 'Intern in Britain'	The BUNAC Blue Card Internships scheme provides a well-controlled pathway for a wide range of organisations in the UK to offer and to benefit from work experience opportunities (internships) for eligible students and recent graduates.	BUNAC	Work experience programme. Maximum 12 months.	All UK
Chatham House Fellowship	The scheme provides opportunities for overseas government and non-government experts, drawn from policy communities, the private sector, academia and civil society, to participate in and undertake research at Chatham House relevant to their government or non-government area(s) of expertise.	The Royal Institute of International Affairs (Chatham House)	Research & Training Programmes Maximum 24 months	All UK
Chevening and Marshall Sherfield Fellowships Programmes	This scheme accommodates two separate scholarship programmes: 1) Chevening Programme – used by scholars and researchers attending the Oxford Centre for Islamic Studies and the Clore Leadership programme and 2) The	British Council	Research and training programmes Maximum 24 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
	Marshall Sherfield Fellowships Programme – an annual scheme whereby the Marshall Aid Commemoration Commission awards Marshall Sherfield Fellowships to Scientists and Engineers from the United States of America, in order for them to undertake post-doctoral research at a British Research Institute or University for a period of one to two years.			
China-UK Mandarin teachers scheme	The scheme is part of the Centre for Language Education and Cooperation's global exchange programme through which it sponsors volunteer and professional Mandarin teachers to undertake placements at Confucius institutes and classrooms in the UK, and at institutions in the UK which are covered by China-UK's teaching exchange programme. It is also used to sponsor co-directors to manage the programme in the UK and undertake some language teaching if needed. These roles are not filling vacancies. The scheme aims to build and/or enhance foreign language skills and foster good cultural relations between the UK and China.	The Centre for Language Education and Cooperation, UK	Overseas Government language programme. Maximum 24 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
Commonwealth Scholarships and Fellowships Plan	This is an annual scheme made available to developing Commonwealth countries by the Commonwealth Scholarships Commission. Participants undertake academic, medical or professional research fellowships.	Association of Commonwealth Universities	Research and training programmes Maximum 24 months	All UK
Defence Academy	Research and training programme.	Defence Academy	Research and training programmes Maximum 24 months	All UK
Diplomatic Missions Interns Scheme	The scheme provides opportunities for nationals of countries that have a Memorandum of Understanding currently in place with the Foreign, Commonwealth and Development Office to complete a short-term work experience placement in a UK-based diplomatic mission or consular post or (only where the sending state is also a member state of the European Union) the headquarters of the Delegation of the European Union to the United Kingdom of Great Britain and Northern Ireland	Diplomatic missions or consular posts, or the Delegation of the European Union to the United Kingdom of Great Britain and Northern Ireland, that has a Memorandum of Understanding currently in place with the FCDO regarding their participation in this scheme	Work experience programme, Maximum 12 months	All UK
Engineering work placement scheme	This scheme offers overseas engineering students (both undergraduates and graduates) short work experience opportunities	Twin Training International	Work experience programme Maximum 12 months	UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
	with engineering companies in the UK.			
Finance Ministries and Central Banks scheme	This scheme accommodates three secondment programmes from finance ministries and central banks. 1) The Central Banks and Finance Ministries Exchange Programme – enabling employees of other central banks, financial institutions and finance ministries to undertake a work placement at the Bank of England or His Majesty's Treasury; 2) The Bank of England PhD Internships Programme – enabling economists to undertake research placements; 3) the Houblon-Norman and George Fellowships Programme – enabling fellows to undertake research placements on economic or financial topics.	HM Treasury	Research and training programmes Maximum 24 months	All UK
Foreign Language Assistants Programme	Working with partner organisations overseas to provide opportunities for young people to work as language assistants in the UK, the programme aims to improve both the language ability of the assistants and students in addition to expanding their cultural awareness.	British Council Wales British Council Scotland British Council British Council Northern Ireland	Work experience programme Maximum 12 months	All UK
Future technology research and	Supporting the development of the critical technologies specified in	UK Research and Innovation (UKRI) and the	Research and training programme.	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
innovation scheme	the UK's Science & Technology Framework and delivery of the AI Futures programme, this scheme allows research interns and sponsored researchers to come to the UK to work on artificial intelligence, quantum technologies, engineering biology, semiconductors, or future telecommunications in eligible organisations. The scheme covers both the research and training and the work experience programmes – the programme type must be specified by the licenced organisation as part of the visa application.	organisations that meet UKRI's eligibility criteria	Maximum 24 months Work experience programme Maximum 12 months	
Glasgow Caledonian University International exchange programme	To offer students, through the exchange programme, work experience, cultural diversity and personal development to strengthen their employability.	Glasgow Caledonian University	Work experience programme Maximum 12 months	Scotland
GTI intern scheme	Designed for employers, the GTI Intern programme is a government approved scheme which allows graduates and undergraduates to gain intern experience working within UK industry. It provides organisations with the scope to include the brightest and best global talent on their internship programmes in the UK	GTI Recruiting Solutions	Work experience programme Maximum 12 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
International Horticulture Scheme	This is an international horticultural and education skills development and exchange scheme designed to develop practical skills and to further academic studies within the designated establishments of the Royal Botanic Gardens, Kew and the Royal Horticultural Society.	Lantra	Work experience programme Maximum 12 months	Gardens or establishments linked to the Royal Botanic Gardens, Kew the Royal Horticultural Society's gardens.
International Internship Scheme	A scheme for young people and future business leaders to experience working for a UK company which, as they develop in their careers, may encourage investment into the UK and the forging of international partnerships with multinational companies in the UK and abroad.	Fragomen LLP	Work experience programme Maximum 12 months	All UK
International Optometrists Scheme	Scheme for registration for optometry graduates with a 2.2 degree or above. The scheme ensures they have the knowledge and skills to enter the General Optical Council's (GOC) Register and practise optometry without supervision.	College of Optometrists	Research and training programmes Maximum 24 months	All UK
Khebrat Leadership for Change Programme	This scheme enables Saudi Arabian educational professionals to undertake professional learning experience in the UK, through the Saudi national Khebrat programme.	British Council	Work experience programme Maximum 12 months	All UK
Law Society GAE scheme	This scheme for overseas lawyers is open to law firms based in England and Wales. It covers	The Law Society of England and Wales	Work experience programme	England and Wales

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
for migrant lawyers	placements, internships and secondments offered to lawyers and law students from other countries coming to the UK for primarily non-economic purposes for limited periods to share knowledge, experience and best practice.		Maximum 12 months	
Medical Training Initiative	The scheme allows post-graduate medical graduates to undertake a fixed period of training or development in the UK, normally within the NHS. It covers all schemes and arrangements sponsored or administered by the medical royal colleges and similar organisations for the training of overseas doctors. MTI placements are temporary and require the approval of the employer and the local postgraduate dean of the relevant medical royal college.	Academy of Medical Royal Colleges	Research and training programmes Maximum 24 months	All UK
Medical Training Initiative for Dentistry	International Training Fellows: the Faculty of Dental Surgery (FDS) of the Royal College of Surgeons of England is able to sponsor suitably qualified postgraduate dentists to come to the UK for clinical training in an approved hospital training post.	The Royal College of Surgeons of England	Research and training programmes Maximum 24 months	England
Mountbatten Programme	Provides work experience to help people build their business networks	Mountbatten Institute	Work experience programme	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
			Maximum 12 months	
NIM China Secondee Programme	Secondment scheme for staff from the National Institute of Metrology (China) to work in the UK	LGC Ltd	Work experience programme Maximum 12 months	All UK
NPL Guest Worker and Secondment Scheme	This reciprocal scheme aims to encourage closer collaboration between UK and overseas organisations interested in metrology by allowing scientists, industrial experts and students to undertake placements with the NPL.	National Physical Laboratory (NPL) Management Limited	Research and training programmes Maximum 24 months	England
The Ofgem International Staff Exchange Scheme	A scheme to promote cooperation and mutual understanding between Ofgem and similar regulatory agencies overseas	Office of Gas & Electricity Markets (Ofgem)	Work experience programme Maximum 12 months	England
Serious Fraud Office	This is an exchange programme between the Serious fraud Office and law enforcement partners in overseas jurisdictions. The programme will help to promote greater co-operation with investigations, and to share and develop investigative techniques and approaches in the fight against fraud and corruption in the UK and overseas.	Serious Fraud Office	Work experience Maximum 12 months	UK
Sponsored Researchers	A scheme to enable higher education institutions to engage with sponsored researchers. Sponsored researchers include	Higher education institutions	Research and training programme. Maximum 24 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
	academics, researchers, scientists, research engineers or other skilled research technology specialists who will be hosted at the sponsoring higher education institution in a supernumerary role. The sponsored researcher may give lectures (which does not amount to a formal teaching post), act as an examiner, undertake skill development/knowledge transfer, undertake a period of work-based training/work experience/internship/placement or work on research collaborations. Institutions do not need individual support from the Department for Business, Energy and Industrial Strategy or the Department for Education to operate this scheme.			
UK Research and Innovation – Science, Research and Academia	A scheme to enable UK Research and Innovation (UKRI) to engage with sponsored researchers within its own organisation as well as endorsing Independent Research Organisations and Public Sector Research Establishments who meet UKRI's eligibility criteria	UK Research and Innovation (UKRI) and the organisations that meet UKRI's eligibility criteria	Research & Training Programmes Maximum 24 months	All UK
US-UK Education Commission (also known as the US-UK	To foster mutual understanding between the US and the UK through academic exchange by the	US-UK Education Commission (also known as the US-UK	Research and training programmes Maximum 24 months	All UK

Name of scheme	Scheme summary	Sponsor	Type of scheme and maximum period of time permitted	Area of UK covered
Fulbright Commission)	awarding of merit based scholarships.	Fulbright Commission)		

Back to top

Immigration Rules

Appendix Creative Worker Codes of Practice

Where a person is applying under Appendix Temporary Work – Creative Worker, as a creative worker, operating in dance, theatre, film and television, or as a model in the fashion industry, their sponsor must follow the relevant code of practice specified below and comply with the other requirements.

Ballet

Appropriate salary rate	Payment must be commensurate with industry standards set out at: www.equity.org.uk.
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The dancer is required for continuity The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to coming to the UK. The “same production” means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment, press cuttings, cast list. 2. The dancer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country). The sponsor must be able to supply proof that this requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes. 3. The dancer is engaged by a unit company A unit company is a ballet company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to supply proof that this requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the applicant is engaged by the unit company for the production in the UK, e.g. contract of employment. 4. The dancer is recruited from a specified school for a specified company The applicant is recruited from: (a) the English National Ballet School for English

Ballet

	National Ballet; (b) the Royal Ballet School for the Royal Ballet; or (c) the Royal Ballet School or Elmhurst School for Dance for Birmingham Royal Ballet. The Sponsor must be able to supply proof that, at the time of recruitment, the applicant was or recently had been a student at the school concerned, e.g. a letter of confirmation from the school, and proof that the applicant has been engaged by the company concerned, e.g. contract of employment, letter of confirmation from the company.
Required advertising media for other posts	At least one of: • The Stage • Dance Europe • The Spotlight Link

Dancers (in dance forms other than ballet)

Appropriate salary rate	Payment must be commensurate with industry standards set out at: www.equity.org.uk.
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The dancer is required for continuity The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to it coming to the UK. The “same production” means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment, press cuttings, cast list. 2. The dancer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country.) The sponsor must be able to supply proof that the requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes. 3. The dancer is engaged by a unit company A unit company is a dance company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment.

Dancers (in dance forms other than ballet)

	4. The dancer performs in a certain style unlikely to be available in the UK It would not be reasonable to expect the sponsor to recruit in the UK because a style is required which would be unlikely to be available in the UK labour force. The sponsor must be able to supply proof that: (a) a certain style is required; and (b) the individual performs in that style, e.g. press cuttings, awards, publicity material, proof of training.
Required advertising media for other posts At least one of:	Dance agencies The Stage Dance Europe Juice The Spotlight

Performers in film and television

Appropriate salary rate	Payment must be at least at the level of the appropriate UK market rates, which can be obtained from Equity at www.equity.org.uk.
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The work is for continuity The sponsor must be able to supply proof that the overseas national has worked on, or will be working on the same production overseas for at least one month. Where a sponsor wishes to issue a Certificate of Sponsorship for reasons of continuity involving a performer that has worked on the same piece of work overseas for less than one month, the Sponsor must notify Equity at least 5 working days prior to the issuing of the certificate with details of the filming schedules. This is in order to verify that the applicant is being genuinely engaged for reasons of continuity. Sponsors may issue Certificates of Sponsorship for performers to enter the UK to undertake post-production work only and provided that such post-production work solely relates to their own role in the film or TV production. For such Certificate of Sponsorship, neither the one month requirement nor prior notice to Equity procedure applies. The Sponsor must be able to supply documentary proof that the performer has worked on, or will be working on, the same production outside the UK for at least a month e.g. contracts, press cuttings, cast

lists, etc.

2. The performer has international status
The sponsor must be able to provide proof the applicant is known internationally, or they have demonstrable international box-office appeal e.g. press cuttings, awards, accolades, publicity material, television/radio interviews, film and TV credits; or documentary proof that the performer has demonstrable international box-office appeal through international box office figures for films they have starred in or led as a principal performer.

3. Highly specialist or unusual roles
For certain highly specialist or unusual roles, it may not be possible or reasonable to recruit from the UK because the role requires specific or specialist attributes, including but not limited to: physical appearance; physical talent and linguistic or vocal skills. In such circumstances, where appropriate, Sponsors should first attempt to conduct searches in the UK as set out in category 3 to a reasonable degree. However, it is recognised that the extent of such searches within the UK shall be proportionate to the rarity and specialty of the attributes of the role. The Sponsor must be able to provide proof:
• that the role requires certain highly specialist attributes; and
• that the performer possesses those attributes; and
• of the casting process and casting considerations; and
• of reasonable and appropriate searches in the UK (if applicable); and
• a list of any UK candidates who were unavailable at the required time.

4. Featured guest in an entertainment programme, or subject of a factual programme
The applicant must be a featured guest on an entertainment programme or subject of a factual programme. For example, actors, comedians or other performers booked to appear on a chat show or a professional variety show, or scheduled to be subject of an arts programme or documentary. The sponsor must be able to provide:
• A formal letter from the broadcaster or producer or copy of the relevant section of the commissioning agreement confirming the reason the migrant is required (e.g. to feature in an entertainment programme); and
• The name of the programme concerned; and

	• Details of any recording or filming schedules. 5. Performers who are tied to the finance of the production The applicant must be necessary to a production because the finance is contingent on the particular performer being cast in the film or TV production. The sponsor must be able to provide a formal letter of confirmation from the production's principal financier. 6. Performers who do not meet the key criteria but who are commercially important The applicant must be commercially important to the production. This may be demonstrated by a formal letter in support from a principal financier, or distributor. The sponsor must give prior notice to Equity providing supporting evidence detailing: description of the role and film, and the reasons why advertising was not appropriate and a letter in support. The sponsor must provide Equity with: • the details of the performer(s) required, role, description of the production; and • the reasons why the role has not been advertised; and, • a formal letter in support of the applicant from a financier or distributor; and • if the performer is an up-and-coming performer, or cast to appeal to a particular overseas audience, then evidence of their CV, reviews, previous work, awards/accolades, and/or evidence of audience appeal would be required. 7. International Co-productions Sponsors issuing CoSs to performers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence: • Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or • Interim certification from the UK Film Council Certification Department.
Required advertising media for other posts	A resident labour search in accordance with standard industry practice, which will normally involve engagement of casting agents within the EEA and contacting performers' agents, and may include advertising on Equity's job information service

Performers in film and television

Additional evidence required for stunt performers	The sponsor must also demonstrate that the applicant possesses the equivalent qualifications, skills and competence to UK industry standards. This may be demonstrated by either 1) a reference in support from a UK-based expert with demonstrable knowledge of the UK stunt industry; or 2) evidence of competence at a level equivalent to UK industry

Performers in opera

Appropriate salary rate	Payment should be at least at the level of the appropriate UK market rates, which can be obtained from https://uktheatre.org/theatre-industry/rates-of-pay/
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The performer is required for continuity The applicant has worked or will work on the same production outside the UK for a period of one month or more. The “same production” means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to provide proof that the performer is currently working, or has worked, or will work on the same production outside the UK and has done so, or did so, or will do so for at least one month, e.g. contract of employment, press cuttings, cast list. 2. The performer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country.) The sponsor must be able to provide proof that the performer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes. 3. The performer is engaged by a unit company A unit company is an opera company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to provide proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the individual is engaged by the unit company for the production in the UK, e.g. contract of employment. 4. The performer has a certain attribute unlikely to be

Performers in opera

	available in the UK The role requires an attribute which would be unlikely to be available in the UK labour force, e.g. a certain physical appearance, physical talent, or linguistic or vocal skill. The sponsor must be able to provide proof that a) the role requires a certain attribute; and b) the individual has that attribute.
Required advertising media for other posts	Where formal advertising is not the standard industry practice for recruiting for a role: a resident labour search in accordance with standard industry practice, which will normally involve contacting performers' agents, diary services or casting agents. Where formal advertising is usual for a role, including chorus, trainee and/or ensemble positions: the sponsor must advertise the role to suitably qualified resident workers for a period of at least two weeks on the employer's website and at least one of the following industry websites: Equity, YAP Tracker, Musical Chairs, The Stage, Guardian Media, Arts Jobs, The Voice, Opera Europa."

Performers in theatre

Appropriate salary rate	Payment should be commensurate with industry standards set out at: www.equity.org.uk
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The performer is required for continuity The applicant has worked for a period of one month or more during the past year, on the same production outside the UK prior to it coming to the UK. The "same production" means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to provide proof that the performer is currently working, or has worked, on the same production outside the UK and has done so, or did so, for at least one month during the past year, e.g. contract of employment, press cuttings, cast list. 2. The performer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country.) The sponsor must be able to provide proof that the performer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.

	3. The performer is engaged by a unit company A unit company is a theatre company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to provide proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the individual is engaged by the unit company for the production in the UK, e.g. contract of employment. 4. The performer has a certain attribute unlikely to be available in the UK The role requires an attribute which would be unlikely to be available in the UK labour force, e.g. a certain physical appearance, physical talent, or linguistic or vocal skill. The sponsor must be able to provide proof that a) the role requires a certain attribute; and b) the individual has that attribute. 5. The performer is the subject of an exchange under one of the UK theatre industry's exchange programmes The applicant satisfies the requirements of either of the exchange programmes with the United States and Australia operated by the theatre industry. Sponsors wishing to use this category must contact Equity in the first instance.
Required advertising media for other posts	Where formal advertising is not the standard industry practice for recruiting for a role, a resident labour search in accordance with standard industry practice, which will normally involve contacting casting directors. Where formal advertising is usual for a role, the sponsor must advertise the role to suitably qualified resident workers for a period of at least two weeks on at least one of the following industry websites: The Stage, Spotlight, Mandy, or on social media.

Workers in film and television

Appropriate salary rate	Payment of migrant workers in all cases must not be below the UK market rates found on the PACT and BECTU websites at www.pact.co.uk and www.bectu.org.uk.
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The worker is a Senior Creative Grade The applicant must possess the skills and experience of a Senior Creative Grade for the following roles: • Producer • Director • Director of Photography (Cinematographer) • Production Designer • Costumer Designer • Hair/Make Up Supervisor • Editor • Composer • Visual Effects Supervisor • Sound Designer • Script Writer The sponsor must be able to provide documentary proof that the worker has the skills and experience in that role e.g. film and TV credits, qualifications, CV, press cuttings, awards, accolades, publicity material, television/radio interviews. 2. The worker is required for production continuity The applicant must be providing significant creative input and have worked on or will be working in a post involving creative input on the same piece of work overseas for at least one month. The sponsor must demonstrate that the applicant has a direct working relationship with a Senior Creative Grade as listed in Category 1. For example, a first assistant editor might work directly with an Editor on the same piece of work overseas. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a case based on production continuity. Sponsors must be able to provide: • Evidence that the role involves creative input and the worker possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades; and • Evidence that the worker is currently, or has worked on, or will be working on the same production outside the UK for at least a month and evidence of current working relationship with a key Creative grade in Category 1 i.e. contracts, letters of engagement, casting lists, CV, references in support, credits, press cuttings; and • In the circumstances where more than one additional

worker is sponsored, the case must be set out in supporting documentation from the Sponsor.

3. Other key creative workers
The applicant must be providing key creative input and have a significant previous working relationship with a Senior Creative Grade as listed in Category 1. A “significant” previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a creative case.

The Home Office will notify BECTU promptly of the issuing of certificates of sponsorship for camera, editing and grip grades, and 1st Assistant Directors and BECTU may request sight of the evidence in support for such grades.

The Home Office will notify the Production Guild promptly of the issuing of certificates of sponsorship for the following grades: Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant), Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant and the Production Guild may request sight of the evidence in support for such roles.

Sponsors must be able to provide:
• Evidence that the applicant is in a creative or technical role and possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades etc; and
• Evidence of the applicant’s previous working relationship with a key Creative Grade in category 1.e.g. CV, references in support, credits, press cuttings; and
• In the circumstances where more than one additional worker is sponsored per Department head, the case must be set out in a supporting documentation from the Sponsor.

4. The role is highly specialist, where advertising is demonstrably not appropriate
For certain highly specialist roles, it would not be reasonable to expect an employer to undertake a resident labour market search. One example would be a role which requires particular attributes considered unlikely to be available from

	the resident labour force, for example where the role involves the application of highly specialist skills or new technology or proprietary technology or special effect, or unique knowledge. The Sponsor must be able to provide documentary proof that it would not be reasonable to expect the sponsor to undertake a resident labour market search e.g. in relation to the above example, proof that the role requires certain highly specialised skills e.g. job description; and that the applicant possesses those skills e.g. qualifications, CV, credits. For all roles under this category, the Home Office will notify BECTU promptly of the issuing of certificates of sponsorship and BECTU may request sight of the evidence in support for such grades. 5. International Co-productions Sponsors issuing certificates of sponsorship to workers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence: • Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or • Interim certification from the UK Film Council Certification Department.
Required advertising media for other posts	• For roles where formal advertising is not the usual industry practice for recruiting for a particular role: For these roles, the sponsor must carry out suitable and reasonable searches of the resident labour market, such as contacting agents, organisations, diary services or semi-formal worker networks. Where such informal recruitment methods are used, the sponsor must demonstrate a reasonable period within which it has searched the resident labour market, this should be for a least a period of two weeks. • Where formal advertising is usual for a role: For these roles, the sponsor must advertise the role to suitably qualified resident workers in an appropriate journal, newspaper, website or online directory. The choice of advertising medium should be appropriate for the particular role. The following advertising media may be appropriate: searching relevant online directories such as the Knowledge Online, Production Base, or through industry organisations such as the Production Guild. Other forms of advertising may be appropriate depending on the type of role. For longer

	terms contracts, advertisements in Guardian Media, Broadcast, Screen International, Marketing Week would be appropriate. Under this category, in the case of camera, editing and grip grades, and 1st Assistant Directors, the Home Office shall promptly notify BECTU of the issuing of certificates of sponsorship and BECTU may request sight of the evidence of the steps to search for resident labour for these roles. Under this category, in the case of Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant) Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant grades, the Home Office will promptly notify the Production Guild of the issuing of a certificate of sponsorship and the Production Guild may request sight of the evidence in support for such roles.
Additional evidence required for Personal Assistants to Directors and Producers of international status	Sponsors may issue a Certificate of Sponsorship to a single, non-technical, non-creative personal assistant who supports a Director or Producer under category 1, who has demonstrable international status i.e. are known worldwide for international box office success. The Sponsor must notify BECTU promptly of the issuing of a certificate under this category for a PA to a Director and must notify the Production Guild promptly of the issuing of a certificate for a PA to a Producer. They may request sight of the evidence in support for such roles. Sponsors issuing certificates to applicants under this category must be able to supply proof that: • the applicant has a significant previous working relationship with the Director or Producer (a “significant” previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples); and • the migrant works only as a personal assistant to the Director/Producer and does not undertake creative or technical duties; and • the Director or Producer is of international status i.e. known worldwide, or they have demonstrable box-office appeal worldwide. • the worker has the skills and experience in that role e.g. a reference in support from the Director or Producer, film and TV credits, qualifications, and CV

Workers in film and television

	• the Director or Producer has international status e.g. press cuttings, awards, accolades, publicity material, television/radio interviews, film and TV credits; or, documentary proof that they have demonstrable worldwide box-office appeal through box office figures for films they have led.

Models in the fashion industry

Appropriate salary rate	Payments should be commensurate with industry standards and comply with the National Minimum Wage rate to which they are entitled by the law in force at the relevant time.
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1 Top models These are people who are recognised not just as models but may, also, be personalities in their own right. They are high earners and, for the most part, will come to the UK with pre-booked work. A sponsor must be able to supply evidence that the model has international status, e.g. publications, publicity materials, press engagements, relevant social media presence. 2 Commercial models These are those models who have sufficient a level of experience that they are already established, if not in the UK, certainly in their own or other markets. They may already be known to UK clients or will certainly have been pre-marketed, however, photographs alone are not sufficient, except for models flying in for a particular job. Sponsors issuing a CoS must be able provide the following evidence: i. Evidence of previous engagements or of commercial status in the UK, and/or ii. Evidence of working in markets other than the UK 3 The model is required for continuity The model has worked for the same client, within the past two years, prior to coming to the UK. The sponsor must be able to provide evidence, e.g. confirmation of past and intended bookings.

Models in the fashion industry

	4 New faces Will have experience but may be entirely new to the UK market, or on a second or third visit. The New Face Model will have shown considerable promise and, being the ‘latest’ face, are likely be much sought after, particularly by photographers and print or digital media alike. Models must meet 65% of the eligibility criteria for the Modelling Industry, as endorsed by the British Fashion Council. Sponsors must be able to provide evidence of which criteria are met.
Required endorsement for those falling outside the above criteria	A British Fashion Council approved panel will be put in place to endorse specific models with real potential that are unable to fulfil the required four criteria, which is most likely to occur within the New Faces category. Applications will still be required to be scored against the criteria and the supporting documents submitted to the Panel to enable them to make a decision. Sponsors must be able to demonstrate panel approval when issuing a CoS.

Back to top

Immigration Rules

Appendix Service Providers from Switzerland

The Service Providers from Switzerland route allows eligible employers, companies or self-employed individuals to execute contracts with a party based in the UK for a period not exceeding 90 days per calendar year. The contract must have been signed and commenced on or before the specified date.

It is the responsibility of the employer or company or self-employed individual, to ensure that the total number of days worked by its employees, or the self- employed individual, does not exceed 90 in each calendar year. The 90-day limitation applies irrespective of the number of eligible contracts that are held.

This route does not allow for dependants to accompany or join the Service Provider from Switzerland in the UK.

Validity requirements for Service Providers from Switzerland

SPS 1.1. A person applying for entry clearance as a Service Provider from Switzerland must apply online on gov.uk on the specified form “Other work visas for the UK (non points-based working visas)” on the “Find and apply for other visas from outside the UK” form.

SPS 1.2. The applicant must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either:

(i) if they are a Swiss national, a valid national identity card or passport; or

(ii) if they are not a Swiss national, a passport or other travel document that satisfactorily establishes their identity and nationality.

SPS 1.3. The applicant must be aged 18 or over on the date of application.

SPS 1.4. An application which does not meet all the validity requirements for a Service Provider from Switzerland may be rejected as invalid and not considered.

Suitability requirements for Service Providers from Switzerland

SPS 2.1. Subject to SPS 2.2. an application must be refused on grounds of suitability where either of the following apply at the date of the decision:

(a) the applicant is subject to a deportation order or a decision to make a deportation order; or

(b) the applicant is subject to an exclusion order or exclusion decision.

SPS 2.2. Where a decision under SPS 2.1 relates to conduct before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in

accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for "an EEA decision" read "a decision under SPS 2.1").

SPS 2.3. An application may be refused on grounds of suitability if, at the date of decision, the decision maker is satisfied that it is proportionate to refuse the application because:

(a) in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the application; or
(b) in respect of conduct committed on or before 11pm on 31 December 2020, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that for these purposes for "an EEA decision" read "a decision under paragraph SPS 2.3"); or
(c) in respect of conduct committed after 11pm on 31 December 2020, on the grounds that the presence of the applicant in the UK is not conducive to the public good; or
(d) subject to SPS 2.4, the applicant is the subject of an Islands deportation order as defined by paragraph 3(6) of Schedule 4 to the Immigration Act 1971; or
(e) subject to SPS 2.4, the applicant is the subject of an Islands exclusion decision which is a direction given by the relevant Minister or other authority in the Islands concerned that the applicant must be refused entry to the Island concerned on the grounds that their presence there would not be conducive to the public good.

SPS 2.4. Where a decision under SPS 2.3 (d) or (e) relates to conduct on or before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for "an EEA decision" read "a decision under SPS 2.3").

Eligibility requirements for Service Providers from Switzerland

Entry requirement for Service Providers from Switzerland

SPS 3.1. A person seeking to come to the UK as a Service Provider from Switzerland must have applied for and obtained entry clearance as a Service Provider from Switzerland before they arrive in the UK.

Services requirement for Service Providers from Switzerland

SPS 4.1. An applicant who is a Swiss national must be either established in self-employment in the territory of Switzerland, or habitually employed in the territory of Switzerland by an eligible employer or company.

SPS 4.2. A Swiss national seeking entry as self-employed must be registered as self-employed with the appropriate tax authority in the territory of Switzerland.

SPS 4.3. An applicant who is not a Swiss national must be legally integrated into the regular labour market of Switzerland, be habitually employed in the territory of Switzerland by an eligible employer or company and, if required, they must provide a copy of their Swiss residence or work permit.

SPS 4.4. An applicant will be considered to be legally integrated into the regular labour market of Switzerland where they;

(a) are an EEA national who holds the relevant residence status that enables them to work in Switzerland; or
(b) are a non-EEA, non-Swiss national who can evidence that they have permission to reside and have been working for an extended period within the regular labour market of Switzerland.

SPS 4.5. An applicant will not be required to show evidence of permission to reside in Switzerland if they are a Swiss national or of a nationality which is, and continues to be, party to the Agreement on the Free Movement of Persons (subject to any transitional measures that may be in place).

SPS 4.6. An employer or company will only be considered eligible where it:

(a) is a company or employer formed in accordance with the laws of Switzerland; and
(b) has their registered office, central administration or principal place of business in the territory of Switzerland; and
(c) remains active and trading.

SPS 4.7. The applicant must provide the evidence specified in SPS 4.9. (as modified in SPS 4.10. in the case of a self-employed Swiss national) to show that they are required to travel to the UK for the purpose of providing a service under an eligible contract concluded between themselves (if self-employed), or their employer, and a client in the UK.

SPS 4.8. An ‘eligible contract’ is a contract where;

(a) it is a written contract (including in electronic form) between a Swiss employer or company, and a UK employer or company (formed in accordance with UK Companies law) or an individual established in the UK; and
(b) it is signed and dated before 11pm on 31 December 2020; and
(c) the performance of which has started on or before 11pm on 31 December 2020.

SPS 4.9. In the case of an applicant who is employed by an employer or company, the evidence required at SPS.4.7. must;

(a) be a letter (which can be electronic) from the employer or company; and
(b) be signed by a senior member of the organisation; and
(c) include the author’s credentials; and
(d) include a copy of the eligible contract; and
(e) include details on why the applicant is required to travel to the UK to execute the eligible contract; and

(f) confirm the applicant has any necessary professional qualifications to allow them to execute the contract; and
(g) confirm that the employer or company has not already used the 90 day per calendar year limitation to execute this or any other eligible contract that they hold.

SPS 4.10. In the case of a self-employed Swiss national, the evidence required at SPS 4.7. must be a letter of self-certification which meets all the criteria at SPS 4.9. (except SPS 4.9.(a) and SPS 4.9.(b), and for SPS 4.9.(g) must confirm that the applicant has not already used their 90 per calendar year limitation).

SPS 4.11. DELETED

90 day limitation requirement for Service Providers from Switzerland
SPS 5.1. The eligible employer, company or self-employed service provider must not have met or exceeded the 90 day per calendar year limitation.

Genuineness requirement for Service Providers from Switzerland
SPS 6.1. The applicant must be a genuine Service Provider from Switzerland, meaning that:
(a) the applicant will not remain in the UK after the end of their permission; and
(b) the applicant will not live in the UK for extended periods through frequent and successive visits, or make the UK their main home; and
(c) the applicant must be genuinely seeking entry as a Service Provider from Switzerland.

SPS 6.2. The applicant must not while in the UK intend to:
(a) access public funds; or
(b) access medical treatment on the NHS (other than in an emergency); or
(c) study; or
(d) get married or form a civil partnership; or
(e) give notice of marriage or civil partnership.

Decision on an application as a Service Provider from Switzerland
SPS 7.1. If the decision maker is satisfied that all the requirements for a Service Provider from Switzerland are met the application will be granted, otherwise the application will be refused.

SPS 7.2. If the application is refused an application can be made for an Administrative Review under Appendix AR(EU): Admin Review.

Period and conditions of grant for Service Providers from Switzerland
SPS 8.1. The grant will be for one of the following periods (whichever is shorter);
(a) the end date of the eligible contract; or
(b) the end date of the employee's work contract (where such contract is a fixed term contract); or
(c) the day preceding the expiry date of the person's permission to reside in Switzerland (where the applicant requires such permission); or
(d) the 31 December 2025.

SPS 8.2. A Service Provider from Switzerland may enter and leave the UK multiple times during the period for which they have permission, but can only stay in the UK for up to 90 days in each calendar year as a Service Provider from Switzerland.

SPS 8.3. The employer or company posting staff to the UK (or the individual in the case of the self-employed Swiss national) is responsible for ensuring that the total work on any and all eligible contracts does not exceed 90 days per calendar year irrespective of the number of staff granted permission under this SPS

SPS 8.4. The grant will be subject to all the following conditions:

(a) no more than 90-days work in each calendar year; and
(b) no work other than on the eligible contract (including self-employment and voluntary work); and
(c) no study; and
(d) no access to public funds.

Cancellation of entry clearance or permission of a Service Provider from Switzerland

SPS 9.1. A person's entry clearance or permission as a Service Provider from Switzerland may be cancelled where the decision maker is satisfied that it is proportionate to do so where:

(a) the cancellation is justified on grounds of public policy, public security or public health, on the basis of the person's conduct on or before 11pm on 31 December 2020, in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that for an "EEA decision" read "a decision under paragraph SPS 9.1"); or
(b) the cancellation is justified on the ground that it is conducive to the public good, on the basis of the person's conduct after 11pm on 31 December 2020; or
(c) the cancellation is justified on grounds that, in relation to an application made under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application) and the information, representation or documentation was material to the decision to grant the application under this Appendix; or
(d) the cancellation is justified on grounds that the person has breached a condition of their permission as set out in SPS 8.4. unless further permission was granted in the knowledge of the breach; or
(e) the cancellation is justified on grounds that the applicant or the eligible company or employer ceases to satisfy the Service Requirement at SPS 4.1. to SPS 4.6. or the 90 day limitation requirement at SPS 5.1.; or
(f) an agreement dealing with the movement of natural persons for the purposes of the supply of services in accordance with the parties' rights and obligations under the General Agreement on Trade in Services of the World Trade Organisation is concluded and applied between the UK and Switzerland.

Back to top

Immigration Rules

Hong Kong British National (Overseas)

There are two Hong Kong British National (Overseas) routes– the BN(O) Status Holder route and the BN(O) Household Member route.

The BN(O) Status Holder route is for a British National (Overseas) status holder who is ordinarily resident in Hong Kong, the UK or the Crown Dependencies. A dependent partner and a dependent child of a British National (Overseas) status holder can apply under this route. Other family members with a high degree of dependency may also apply under this route.

The BN(O) Household Member route is for the adult child of a BN(O) status holder or of the partner of a BN(O) status holder who is aged 18 or over and born on or after 1 July 1997. The child of a BN(O) status holder's dependent partner, dependent child and in exceptional circumstances, other family members with a high degree of dependency may apply under this route. The adult child of the partner of a BN(O) status holder may apply with their dependent partner and dependent child, and they must all form part of the same household as the British National (Overseas) status holder when they apply.

The Hong Kong British National (Overseas) routes allow work and study in the UK and are routes to settlement.

BN(O) Status Holder route

Validity requirements for Status Holder route
HK 1.1. A person applying for entry clearance or permission to stay as a BN(O) Status Holder must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants with a chipped passport who: • hold a passport which shows they are registered as a British National (Overseas); or • hold a passport issued by the Hong Kong Special Administrative Region.	Either: • Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or • Hong Kong British National (Overseas) Visa
Other applicants	Hong Kong British National (Overseas) Visa

HK 1.2. An application for entry clearance or permission to stay as a BN(O) Status Holder must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid, unless the applicant has been granted a fee waiver; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 1.3. The applicant must be aged 18 years or over on the date of application.

HK 1.4. An application which does not meet all the validity requirements for a BN(O) Status Holder may be rejected as invalid and not considered.

Suitability requirements for BN(O) Status Holder

HK 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 2.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements BN(O) Status Holder

Entry requirements for BN(O) Status Holder

HK 3.1. A person seeking to come to the UK as a BN(O) Status Holder must apply for and obtain entry clearance as a BN(O) Status Holder before they arrive in the UK.

HK 3.2. A person applying for entry clearance as a BN(O) Status Holder must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

BN(O) Status holder requirement

HK 4.1. The applicant must be a British National (Overseas) under the Hong Kong (British Nationality) Order 1986.

Ordinary residence in Hong Kong requirement for BN(O) Status Holder

HK 5.1. An applicant applying for entry clearance must be ordinarily resident in Hong Kong at the date of application.

HK 5.2. An applicant applying for permission to stay must be in the UK, and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

Financial requirement for BN(O) Status Holder

HK 6.1. If the applicant is applying for permission to stay and has been living in the UK for 12 months or more on the date of application, they will meet the financial requirement unless the applicant’s previous grant of permission was for 12 months

Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant can adequately maintain and accommodate themselves without recourse to public funds for at least 6 months.

HK 6.3. For the purposes of HK 6.2. accommodation will not be regarded as adequate if:

(a) it is, or will be, overcrowded; or
(b) it contravenes public health regulations.

HK 6.4. The applicant may rely on credible promises of future third party support.

HK 6.5. Funds must be shown as specified in Appendix Finance.

In-country tuberculosis certificate requirement for BN(O) Status Holder

HK 7.1. If the applicant is applying for permission to stay and:

(a) their last grant of permission was for 6 months or less; and
(b) the applicant was present in a country listed in Appendix Tuberculosis (TB) of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 7.2. In HK 7.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 7.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 7.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 7.4. The list of approved centres in the UK, updated from time to time, can be found at https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno.

Decision for BN(O) Status Holder

HK 8.1. If the decision-maker is satisfied that all the suitability and eligibility requirements for a BN(O) Status Holder are met, the application will be granted, otherwise the application will be refused.

HK 8.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for BN(O) Status Holder

HK 9.1. The applicant will be granted permission for either:

(a) a period of 5 years, where the applicant has applied for a period of 5 years; or

(b) a period of 30 months (plus, where the applicant has extant permission on the Hong Kong BN(O) route, the remaining period of that permission, up to a maximum of 28 days) where the applicant has applied for a period of 30 months.

HK 9.2. The permission will be granted subject to the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

Dependants on the BN(O) Status Holder route

Validity requirements for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route

HK 10.1. A person applying for entry clearance or permission to stay as a dependent partner or BN(O) Household Child on the BN(O) Status Holder route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants with a chipped passport who: - hold a passport which shows they are registered as a British National (Overseas); or - hold a passport issued by the Hong Kong Special Administrative Region; or - are EEA nationals.	Either: • Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or • Hong Kong British National (Overseas) Visa
Other applicants	Hong Kong British National (Overseas) Visa

HK 10.2. An application for entry clearance or permission to stay as a partner or BN(O) Household Child on the BN(O) Status Holder route must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid, unless the applicant has been granted a fee waiver; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) when applying as a partner on the BN(O) Status Holder route, where the applicant does not currently hold, or did not last hold, permission as a partner on the BN(O) Status Holder route the applicant must be applying as a partner of a BN(O) Status Holder who:

(i) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Status Holder that has not been decided; or
(ii) has entry clearance or permission as a BN(O) status holder; or
(iii) is both a British citizen and a BN(O) status holder.

(e) when applying as a BN(O) Household Child on the BN(O) Status Holder route, the applicant must be applying as a child or grandchild of a BN(O) Status Holder or of the partner of a BN(O) Status Holder who:
(i) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Status Holder or as the partner of a BN(O) Status Holder that has not been decided; or
(ii) has entry clearance or permission as a BN(O) status holder or as the partner of a BN(O) Status Holder; or
(iii) is both a British Citizen and a BN(O) status holder.

HK 10.3. An application which does not meet all the validity requirements for a partner or BN(O) Household child on the BN(O) Status Holder route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) Status Holder route

HK 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 11.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail, except where they have been placed on such bail after making an asylum claim in the UK.

Eligibility requirements for a partner or BN(O) Household Child on the BN(O) Status Holder route

Entry requirements for a partner or BN(O) Household Child on the BN(O) Status Holder route

HK 12.1. A person seeking to come to the UK as a partner or BN(O) Household child on the BN(O) Status Holder route must apply for and obtain entry clearance as a partner or BN(O) Household child before they arrive in the UK.

HK 12.2. A person applying for entry clearance on the BN(O) Status Holder route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for dependent partner on the BN(O) Status Holder route

HK 13.1. If the applicant is applying for permission to stay and they have permission as a dependent partner on the BN(O) Status Holder route on the date of application, they will meet the relationship requirement.

HK 13.2. If the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a partner on the BN(O) Status Holder route they must meet the relationship requirement in HK 13.3. to HK 13.7.

HK 13.3. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has entry clearance or permission on the Hong Kong BN(O) route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Hong Kong BN(O) route; or
(c) P has settlement under the Hong Kong BN(O) Route and when they obtained settlement, the applicant had permission as P's partner at that time; or
(d) P is both a British citizen and a BN(O) Status Holder.

HK 13.4. The requirements of Appendix Relationship with Partner must be met.

HK 13.5. DELETED.

HK 13.6. DELETED.

HK 13.7. DELETED.

HK 13.8. DELETED.

Financial requirement for dependent partner on the BN(O) Status Holder route

HK 14.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 14.2. If the applicant is applying for entry clearance or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant or the BN(O) Status Holder are able to maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 14.3. For the purposes of HK 14.2. accommodation will not be regarded as adequate if:

(a) it is, or will be, overcrowded; or
(b) it contravenes public health regulations.

HK 14.4. The applicant or the BN(O) Status Holder may rely on credible promises of future third party support.

HK 14.5. The applicant or the BN(O) Status Holder must show that they have the required funds as specified in Appendix Finance.

Relationship requirement for BN(O) Household Child on the BN(O) Status Holder route

HK 15.1. The applicant must be:

(a) the child of a parent who:

(i) has, or is at the same time being granted, entry clearance or permission as either a BN(O) Status Holder or the partner of a BN(O) Status Holder; or

(ii) has settlement under the Hong Kong BN(O) route and when they obtained settlement the applicant had permission as their dependent child; or

(iii) is both a British citizen and a BN(O) Status Holder; or

(b) the grandchild of a grandparent who:

(i) has, or is at the same time being granted, entry clearance or permission as either a BN(O) Status Holder or the partner of a BN(O) Status Holder; or

(ii) has settlement under the Hong Kong BN(O) route and when they obtained settlement the applicant had permission as their dependent grandchild; or

(iii) is both a British citizen and a BN(O) Status Holder.

HK 15.2. If the applicant is applying for entry clearance or permission to stay as the grandchild of a grandparent who has, or is at the same time being granted, entry clearance or permission to stay as either a BN(O) Status Holder or the partner of a BN(O) Status Holder and the applicant has not previously had permission as a BN(O) Household Child on the BN(O) Status Holder route, they must:

(a) make an application at the same time as the BN(O) Status Holder who is applying for entry clearance or permission on the BN(O) Status Holder route; and

(b) form part of the same household as the BN(O) Status Holder on the date of application.

HK 15.3. In HK 15.2.(b) a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

HK 15.4. Each of the applicant's parents must either be applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor), unless:

(a) the parent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder is the sole surviving parent; or

(b) the parent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder has sole responsibility for the applicant's upbringing; or

(c) the parent who does not have permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder –

(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and

(ii) is or will be ordinarily resident in the UK; or

(d) there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent who has permission on the Hong Kong BN(O) route; or

(e) the applicant falls within HK 15.1(b) and there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the grandparent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder.

HK 15.5. If the applicant is a child born in the UK to a BN(O) Status Holder or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a BN(O) Household Child on the BN(O) Status Holder route

HK 16.1. The applicant must intend to live with a parent who has permission on the BN(O) status holder route during their stay in the UK, unless they can demonstrate a valid reason why they should not live with that parent.

HK 16.2. The applicant must meet the Care Requirement for a dependent child in Appendix Children.

Age requirement for a BN(O) Household Child on the BN(O) Status Holder route

HK 17.1. The applicant must be under the age of 18 at the date of application.

Financial requirement for a BN(O) Household Child on the BN(O) Status Holder route

HK 18.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 18.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the BN(O) Status Holder or their partner is able to maintain and accommodate the BN(O) Household Child adequately in the UK without recourse to public funds for at least 6 months.

HK 18.3. For the purposes of HK 18.2 accommodation will not be regarded as adequate if

(a) it is or will be overcrowded; or

(b) it contravenes public health regulations.

HK 18.4. The BN(O) Status Holder or their partner may rely on credible promises of future third party support.

HK 18.5. The BN(O) Status Holder or their partner must show that they have the required funds as specified in Appendix Finance.

Ordinary residence in Hong Kong requirement for dependent partner or BN(O) Household Child on the BN(O) Status Holder route

HK 19.1. If the applicant is applying for entry clearance as a dependent partner or BN(O) Household Child, the applicant must be ordinarily resident in Hong Kong at the date of application.

HK 19.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

In-country tuberculosis certificate requirement for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route

HK 20.1. If the applicant is applying for permission to stay and:

(a) their last grant of permission was for 6 months or less; and

(b) the applicant was present in a country listed in Appendix Tuberculosis (TB) of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 20.2. In HK 20.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 20.3. The in-country tuberculosis requirement is met if the applicant has provided a medical certificate described in HK 20.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 20.4. The list of approved centres in the UK, updated from time to time, can be found at: https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno.

Decision on application for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) route

HK 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent BN(O) Household Child on the BN(O) Status Holder route are met the application will be granted, otherwise the application will be refused.

HK 21.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route

HK 22.1. The partner will be granted permission for either:

(a) a period of 30 months (plus, where the partner has extant permission on the Hong Kong BN(O) route, the remaining period of that permission, up to a maximum of 28 days) where they have applied for a period of 30 months; or

(b) 5 years, if they applied for a period of 5 years.

HK 22.2. DELETED.

HK 22.3. DELETED.

HK 22.4. A BN(O) Household Child will be granted either:
(a) where the BN(O) Household Child is applying as the dependant of one parent or grandparent with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, permission that ends on the same date as that parent or grandparent; or
(b) where the BN(O) Household Child is applying as the dependant of both parents or grandparents with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, permission that ends on the same date as those parents or grandparents or, if different, the same date as the parent or grandparent whose permission ends latest.

HK 22.5. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

BN(O) Household Member route

Validity requirements for the BN(O) Household Member route

HK 23.1. A person applying for entry clearance or permission to stay on the BN(O) Household Member route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants with a chipped passport who: - hold a passport which shows they are registered as a British National (Overseas); or - hold a passport issued by the Hong Kong Special Administrative Region; or - are EEA nationals.	Either: • Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or • Hong Kong British National (Overseas) Visa
Other applicants	Hong Kong British National (Overseas) Visa

HK 23.2. An application for entry clearance or permission to stay on the BN(O) Household Member route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid, unless the applicant has been granted a fee waiver; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) when applying for the first time as a BN(O) Household member, if the applicant is applying as a child of the partner of a BN(O) Status Holder and does not have, or did not last hold, permission as a dependent child on the BN(O) Status Holder route, the BN(O) Status Holder must have made a valid application for entry clearance or permission to stay in the UK on the BN(O) Status Holder route at the same time as the applicant.

HK 23.3. The applicant must have been born on or after 1 July 1997.

HK 23.4. The applicant must be aged 18 or over on the date of application.

HK 23.5. The applicant must not have or have last had permission as a BN(O) Adult Dependent Relative on the BN(O) Status Holder route.

HK 23.6. An application which does not meet the validity requirements for the BN(O) Household Member route may be rejected as invalid and not considered.

Suitability requirements for the BN(O) Household Member route

HK 24.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 24.2. If applying for permission to stay the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail, except where they have been placed on such bail after making an asylum claim in the UK.

Eligibility requirements for the BN(O) Household Member route

Entry requirement for a BN(O) Household Member

HK 25.1. A person seeking to come to the UK on the BN(O) Household Member route must apply for and obtain entry clearance on the BN(O) Household Member route before they arrive in the UK.

HK 25.2. A person applying for entry clearance as a BN(O) Household member must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone Page 43 of 63 screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a BN(O) Household Member

HK 26.1. If the applicant is applying for permission to stay and they have permission on the Hong Kong British National (Overseas) route on the date of application, they will meet the relationship requirement.

HK 26.2. If the applicant is applying for entry clearance or permission to stay and they do not have permission on the Hong Kong British National (Overseas) route on the date of application, the applicant:

(a) must be the child of a person who is, or who was prior to their death, a British National (Overseas) under the Hong Kong (British Nationality) Order 1986; or

(b) must:

(i) be the child of a person who is at the same time being granted permission as a partner on the BN(O) Status Holder Route; and

(ii) form part of the same household as the BN(O) Status holder.

HK 26.3. In HK 26.2. a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

Financial requirement for a BN(O) Household Member

HK 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 27.2. If the applicant is applying for entry clearance, or is applying for permission to stay and they have been in the UK for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant, or a person who has or is being granted permission on the BN(O) Status Holder route, is able to, and will, maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 27.3. For the purposes of HK 27.2 accommodation will not be regarded as adequate if:

(a) it is or will be overcrowded; or

(b) (b) it contravenes public health regulations.

HK 27.4. The applicant or the person on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 27.5. The applicant or the person on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

Ordinary residence in Hong Kong requirement for a BN(O) Household Member

HK 28.1. An applicant applying for entry clearance as a BN(O) Household Member must be ordinarily resident in Hong Kong on the date of application.

HK 28.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong.

In-country tuberculosis certificate requirement for a BN(O) Household Member

HK 29.1. If the applicant is applying for permission to stay and:

(a) their last grant of permission was for 6 months or less; and

(b) the applicant was present in a country listed in Appendix Tuberculosis of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 29.2. In HK 29.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 29.3. The in-country tuberculosis certificate requirement is met if the applicant has provided a medical certificate described in HK 29.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 29.4. The list of approved centres in the UK, updated from time to time, can be found at: https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno.

Decision on application for a BN(O) Household Member

HK 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

HK 30.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review

Conditions and period of grant for a BN(O) Household Member

HK 31.1. If the applicant is applying as the child of a BN(O) Status Holder or they already have permission on the Hong Kong British National (Overseas) route on the date of application, they will be granted permission for either:

a) a period of 5 years, where the applicant has applied for a period of 5 years; or

b) a period of 30 months (plus, where the applicant has remaining permission under the Hong Kong BN(O) route, the remaining period of that permission, up to a maximum of 28 days) where the applicant has applied for a period of 30 months.

HK 31.2. If the applicant does not have permission on the Hong Kong British National (Overseas) route on the date of application and is the child of a person who is at the same time being granted permission as a partner on the BN(O) Status Holder route, the applicant will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who is part of the same household as the applicant.

HK 31.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson, including as a sports coach; and
(c) study is permitted, subject to the condition in Appendix ATAS.
(d) DELETED

Dependants of BN(O) Household Members

Validity requirements for a dependent partner or dependent child of a BN(O) Household Member on the Hong Kong BN(O) route

HK 32.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the BN(O) Household Member route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants with a chipped passport who: - hold a passport which shows they are registered as a British National (Overseas); or - hold a passport issued by the Hong Kong Special Administrative Region; or - are EEA nationals.	Either: • Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or • Hong Kong British National (Overseas) Visa
Other applicants	Hong Kong British National (Overseas) Visa

HK 32.2. An application for entry clearance or permission to stay as a partner or child on the BN(O) Household Member route must meet the following validity requirements:
(a) any fee and Immigration Health Charge must have been paid, unless the applicant has been granted a fee waiver; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) when applying as a partner on the BN(O) Household Member route, where the applicant does not currently hold, or did not last hold, permission as a partner on the BN(O) Household Member route the applicant must be applying as a partner of a BN(O) Household Member who:
(i) where HK 32.2 (d) (ii) does not apply, has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Household Member that has not been decided; or
(ii) where the BN(O) Household Member is the child of a BN(O) Status Holder:
(aa) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Household Member that has not been decided; or
(bb) has entry clearance or permission as a BN(O) Household Member

(e) when applying as a child on the BN(O) Household Member route, the applicant must be applying as a child of a BN(O) Household Member or of the partner of a BN(O) Household Member who:
(i) where HK 32.2 (e) (ii) does not apply, has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Household Member or as the partner of a BN(O) Household Member that has not been decided; or
(ii) where the BN(O) Household Member is the child of a BN(O) Status Holder:
(aa) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Household Member or as the partner of a BN(O) Household Member that has not been decided; or
(bb) has entry clearance or permission as a BN(O) Household Member or as the partner of a BN(O) Household Member

HK 32.3. DELETED

HK 32.4. An application which does not meet the validity requirements for a dependent partner or dependent child on the BN(O) Household Member route may be rejected as invalid and not considered.

Suitability requirements for a dependent partner or child on the BN(O) Household Member route
HK 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 33.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail, except where they have been placed on such bail after making an asylum claim in the UK.

Eligibility requirements for a dependent partner or child on the BN(O) Household Member route

Entry requirements for a partner or child on the BN(O) Household Member route
HK 34.1. A person seeking to come to the UK as a partner or child on the BN(O) Household Member route must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

HK 34.2. A person applying for entry clearance as the partner or child a BN(O) Household member must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for dependent partner of a BN(O) Household Member
HK 35.1. If the applicant is applying for permission to stay and they have permission as a partner on the BN(O) Household Member route on the date of application, they will meet the relationship requirements.

HK 35.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the BN(O) Household Member route they must meet the relationship requirement as set out in HK 35.3. to HK 35.9.

HK 35.3. The applicant must be the partner of a person (P) where one of the following applies:

(a) P has permission on the BN(O) Household Member route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the BN(O) Household Member route; or
(c) P is settled or has become a British citizen, providing P had permission on the BN(O) Household Member route when they settled and the applicant had permission as P's partner at that time.

HK 35.4. The requirements of Appendix Relationship with Partner must be met.

HK 35.5. DELETED.

HK 35.6. DELETED.

HK 35.7. Where the BN(O) Household Member is the child of a person applying as a partner on the BN(O) Status Holder route, the applicant and the BN(O) Household Member must form part of the same household on the date of application.

HK 35.8 In HK 35.7. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.

HK 35.9. DELETED.

Financial requirement for partner of a BN(O) Household Member

HK 36.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 36.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route is able to maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 36.3 For the purposes of HK 36.2. accommodation will not be regarded as adequate if

(a) it is or will be overcrowded; or
(b) (b) it contravenes public health regulations.

HK 36.4. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 36.5. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance

Relationship requirement for dependent child of a BN(O) Household Member
HK 37.1. The applicant must be the child of a person (P) where one of the following applies:

(a) P has permission on the BN(O) Household Member route; or
(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the BN(O) Household Member route; or
(c) P is settled or has become a British citizen, providing P had permission on the BN(O) Household Member route when they settled, and the applicant had permission as P's child at that time.

HK 37.2. Each of the applicant's parents must either be applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor), unless:

(a) the parent with entry clearance or permission to stay as a BN(O) Household Member or as a partner of a BN(O) Household Member is the sole surviving parent; or

(b) the parent with entry clearance or permission to stay as a BN(O) Household Member or as a partner of a Household Member has sole responsibility for the applicant's upbringing; or

(c) the parent who does not have permission as a BN(O) Household Member or as a partner of a Household Member –

(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and

(ii) is or will be ordinarily resident in the UK; or

(d) there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent with permission on the Hong Kong BN(O) route.

HK 37.3. Where neither parent of the applicant is the child of a BN(O) status holder, if the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a child on the BN(O) Household Member route they must form part of the same household as the BN(O) Household Member on the date of application.

HK 37.4 In HK 37.3. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.

HK 37.5. If the applicant is a child born in the UK to a BN(O) Household Member or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a dependent child of a BN(O) Household Member
HK 38.1. The applicant must intend to live with a parent who has permission on the BN(O) Household Member route during their stay in the UK, unless they can

demonstrate a valid reason why they should not live with that parent.

HK 38.2. The applicant must meet the Care Requirement for a dependent child in Appendix Children.

Age requirement for a dependent child of a BN(O) Household Member
HK 39.1. The applicant must be under the age of 18 at the date of application.

Financial requirement for child of a BN(O) Household Member
HK 40.1. If the applicant is applying for permission to stay and has been living in the UK for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 40.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK with permission for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the BN(O) Household Member, their partner or a person who is being granted permission on the BN(O) Status Holder route is able to and will maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least six months.

HK 40.3. For the purposes of HK 40.2. accommodation will not be regarded as adequate if
(a) it is or will be overcrowded; or
(b) it contravenes public health regulations.

HK 40.4. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 40.5. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

Ordinary residence in Hong Kong requirement for partner or child of a BN(O) Household Member
HK 41.1. If the applicant is applying for entry clearance as a dependent partner or child the applicant must be ordinarily resident in Hong Kong at the date of application.

HK 41.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

In-country tuberculosis requirement for partner or child of a BN(O) Household Member

HK 42.1. If the applicant is applying for permission to stay and:

(a) their last grant of permission was for 6 months or less;

(b) the applicant was present in a country listed in Appendix Tuberculosis of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 42.2. In HK 42.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 42.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 42.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 42.4. The list of approved centres in the UK, updated from time to time, can be found at: https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno.

Decision on application for a dependent partner or child of a BN(O) Household Member on the Hong Kong BN(O) route

HK 43.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependent partner or dependent child on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

HK 43.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a dependent partner or child of a BN(O) Household Member

HK 44.1. The partner will be granted permission for either:

(a) a period of 30 months (plus, where the partner has extant permission on the Hong Kong BN(O) route, the remaining period of that permission, up to a maximum of 28 days) where they have applied for a period of 30 months; or

(b) 5 years, if they applied for a period of 5 years.

HK 44.2. DELETED.

HK 44.3. DELETED.

HK 44.4. A child on the BN(O) Household Member route will be granted either:

(a) where the child is applying as the dependant of one parent with permission as a BN(O) Household Member or the partner of a BN(O) Household Member, permission that ends on the same date as that parent; or

(b) where the child is applying as the dependant of both parents with permission on the BN(O) Household Member route, permission that ends on the same date as those parents or, if different, the same date as the parent whose permission ends latest.

HK 44.5. The grant will be subject to all the following conditions:
(a) no access to public funds; and
(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.
(d) DELETED

Adult Dependent Relative on the Hong Kong British National (Overseas) route

Validity Requirements for a BN(O) Adult Dependent Relative
HK 45.1. A person applying for entry clearance or permission to stay as a BN(O) Adult Dependant Relative on the Hong Kong British National (Overseas) route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants with a chipped passport who: - hold a passport which shows they are registered as a British National (Overseas); or - hold a passport issued by the Hong Kong Special Administrative Region; or - are EEA nationals.	Either: • Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or • Hong Kong British National (Overseas) Visa
Other applicants	Hong Kong British National (Overseas) Visa

HK 45.2. An application for entry clearance or permission to stay as a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route must meet all the following validity requirements:
(a) any fee and Immigration Health Charge must have been paid, unless the applicant has been granted a fee waiver; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 45.3. The applicant must be aged 18 years or over on the date of application.

HK 45.4. The applicant must be the parent, grandparent, brother, sister, son or daughter of a person who is:
(a) a BN(O) status holder who has entry clearance or permission to stay under the BN(O) Status Holder route or who has made a valid application for such entry clearance or permission to stay; or;

(b) the dependent partner (“DP”) of a BN(O) Status Holder, where the DP has entry clearance or permission to stay under the BN(O) Status Holder route or has made a valid application for such entry clearance or permission to stay; or
(c) the child of a BN(O) status holder who has entry clearance or permission to stay under the BN(O) Household Member route or who has made a valid application for such entry clearance or permission to stay; or
(d) the dependent partner (“DP”) of a child of a BN(O) status holder, where the DP has entry clearance or permission under the BN(O) Household Member route or has made a valid application for such entry clearance or permission to stay; or
(e) both a British citizen and a BN(O) status holder.

HK 45.5. An application which does not meet the validity requirements for a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route may be rejected as invalid and not considered.

Suitability Requirements for a BN(O) Adult Dependent Relative
HK 46.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 46.2. If applying for permission to stay the applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail, except where they have been placed on such bail after making an asylum claim in the UK.

Eligibility Requirements for a BN(O) Adult Dependent Relative

Entry requirements for a BN(O) Adult Dependent Relative
HK 47.1. A person seeking to come to the UK as a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route must apply for and obtain entry clearance as a BN(O) Adult Dependant Relative before they arrive in the UK.

HK 47.2. A person applying for entry clearance as a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a BN(O) Adult Dependent Relative
HK 48.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route on the date of application, they will meet the relationship requirement.

HK 48.2. Where the applicant is applying for entry clearance or permission to stay, and they have not previously had permission on the Hong Kong BN(O) route they must be the parent, grandparent, brother, sister, son, or daughter of a person who is:
(a) a BN(O) status holder who has entry clearance or permission to stay under the BN(O) Status Holder route or who has made a valid application for such entry clearance or permission to stay; or

(b) the dependent partner ("DP") of a BN(O) status holder, where the DP has entry clearance or permission to stay under the BN(O) Status Holder route or has made a valid application for such entry clearance or permission to stay; or
(c) the child of a BN(O) status holder who has entry clearance or permission to stay under the BN(O) Household Member route or who has made a valid application for such entry clearance or permission to stay; or
(d) the dependent partner ("DP") of a child of a BN(O) status holder, where the DP has entry clearance or permission under the BN(O) Household Member route or has made a valid application for such entry clearance or permission to stay; or
(e) both a British citizen and a BN(O) status holder.

HK 48.3. Where the applicant is the parent or grandparent of a BN(O) Status Holder or of the partner of a BN(O) Status Holder or of the child of a BN(O) status holder applying on the BN(O) Household Member route or of the partner of a child of a BN(O) status holder applying on the BN(O) Household Member route, the applicant must not be in a subsisting relationship with a partner unless:

(a) that partner is also the parent or grandparent of the BN(O) Status Holder or of the partner of a BN(O) Status Holder or of the child of a BN(O) status holder applying on the BN(O) Household Member route or of the partner of a child of a BN(O) status holder applying on the BN(O) Household Member route; and
(b) that partner is applying for entry clearance or permission to stay at the same time as the applicant.

Dependency requirement for a BN(O) Adult Dependent Relative

HK 49.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependent Relative on the Hong Kong British National (Overseas) route on the date of application, they will meet the dependency requirement.

HK 49.2 Where the applicant is applying for entry clearance or permission to stay, and they have not previously had permission on the Hong Kong BN(O) route the applicant must:

(a) as a result of age, illness or disability require long-term personal care to perform everyday tasks; and
(b) DELETED.
(c) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member, to obtain the required level of help in Hong Kong, if the BN(O) Status Holder or the partner of the BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member moves to the UK, either because the help:
    (i) is not available, and there is no person in Hong Kong who can reasonably provide it; or
    (ii) is not affordable.

HK 49.3 DELETED.

HK 49.4. Where the applicant and their partner are the parents or grandparents of the BN(O) Status Holder, or of the partner of the BN(O) Status Holder, or of the

BN(O) Household Member, or of the partner of the BN(O) Household Member, the applicant, or their partner, must:

(a) as a result of age, illness or disability require long-term personal care to perform everyday tasks; and

(b) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member, to obtain the required level of help in Hong Kong if the BN(O) Status Holder or the partner of the BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member moves to the UK either because the help:

(i) is not available and there is no person in Hong Kong who can reasonably provide it; or

(ii) is not affordable.

Financial requirement for a BN(O) Adult Dependent Relative

HK 50.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 50.2. If the BN(O) Adult Dependent Relative is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the BN(O) Status Holder or their partner or the BN(O) Household Member or their partner is able to and will maintain and accommodate the BN(O) Adult Dependent Relative adequately in the UK without recourse to public funds for at least 6 months.

HK 50.3 For the purposes of HK 50.2. accommodation will not be regarded as adequate if:

(a) it is or will be overcrowded; or

(b) it contravenes public health regulations.

HK 50.4. The BN(O) Status Holder or their partner or the BN(O) Household Member or their partner may rely on credible promises of future third party support.

HK 50.5. The BN(O) Status Holder or their partner or the BN(O) Household Member or their partner must show that they have the required funds as specified in Appendix Finance.

Ordinary residence in Hong Kong requirement for a BN(O) Adult Dependent Relative

HK 51.1. If the applicant is applying for entry clearance as a BN(O) Adult Dependent Relative the applicant must be ordinarily resident in Hong Kong on the date of application.

HK 51.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

In-country tuberculosis certificate requirement for a BN(O) Adult Dependent Relative

HK 52.1. If the applicant is applying for permission to stay and:

(a) their last grant of permission was for 6 months or less; and

(b) the applicant was present in a country listed in Appendix Tuberculosis of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 52.2. In HK 52.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 52.3. The in-country tuberculosis requirement is met where the applicant provided a medical certificate described in HK 52.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 52.4. The list of approved centres in the UK, updated from time to time, can be found at: https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno.

Decision on application as a BN(O) Adult Dependent Relative

HK 53.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a BN(O) Adult Dependent Relative are met the application will be granted, otherwise the application will be refused.

HK 53.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a BN(O) Adult Dependent Relative

HK 54.1. The BN(O) Adult Dependent Relative will be granted permission for either:

(a) a period of 30 months (plus, where the applicant has extant permission under the Hong Kong BN(O) Route, the remaining period of that permission, up to a maximum of 28 days) where they have applied for a period of 30 months; or

(b) 5 years, if they have applied for a period of 5 years.

HK 54.2. DELETED.

HK 54.3. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson, including as a sports coach; and

(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

(d) DELETED

Settlement on the Hong Kong BN(O) route

Validity requirements for Settlement on the Hong Kong BN(O) route
HK 55.1. A person applying for settlement on the Hong Kong BN(O) route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
- All applicants	• Set (O) form

HK 55.2. An application for settlement on the Hong Kong BN(O) route must meet all the following requirements:
(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality;
(d) the applicant must have, or have last had, permission on the Hong Kong BN(O) route; and
(e) the applicant must be in the UK.

HK 55.3. An application which does not meet the validity requirements for settlement on the BN(O) route may be rejected as invalid and not considered.

Suitability requirements for settlement on the Hong Kong BN(O) route
HK 56.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 56.2. The applicant must not be:
(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail, except where they have been placed on such bail after making an asylum claim in the UK.

Eligibility Requirements for Settlement on the Hong Kong BN(O) route

Relationship requirement for settlement as a dependent child on the Hong Kong BN(O) route
HK 57.1. Where the applicant is under 18 on the date of application the additional requirements in HK 57.2. to HK 57.4. must be met.

HK 57.2. The applicant must have last been granted permission as a dependent child on the Hong Kong BN(O) route.

HK 57.3 The applicant's parent must:

(a) at the same time, be being granted settlement on the Hong Kong BN(O) route; or
(b) be settled or a British citizen.

HK 57.4. The applicant's other parent (who is not the parent in HK 57.3.) must be being granted settlement at the same time, or be settled or a British citizen, unless:
(a) the parent in HK 57.3. is the applicant's sole surviving parent; or
(b) the parent in HK 57.3. has sole responsibility for the applicant's upbringing; or
(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Care requirement for settlement as a dependent child on the Hong Kong BN(O) route
HK 58.1. The applicant must meet the Care Requirement for a dependent child in Appendix Children.

Relationship requirement for settlement as an adult dependant relative on the Hong Kong BN(O) route
HK 59.1. Where the applicant has or last had permission as an adult dependant relative on the Hong Kong BN(O) route, they must be the parent, grandparent, brother, sister, son or daughter of a person who:
(a) last had permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member and who is at the same time being granted settlement on the Hong Kong BN(O) route; or
(b) is settled and whose last grant of permission prior to settlement was as a BN(O) Status Holder or the partner of a BN(O) Status Holder or the BN(O) Household Member or the partner of the BN(O) Household Member; or
(c) is a British citizen.

English language requirement for settlement on the Hong Kong BN(O) route
HK 60.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

HK 60.2. The applicant must show they meet the English Language requirement as specified in Appendix English Language.

Knowledge of Life in the UK requirement for settlement on the Hong Kong BN(O) route
HK 61.1. If the applicant is aged 18 or over, and under 65 on the date of application, they must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Qualifying period for settlement on the BN(O) route
HK 62.1. The applicant must have spent a continuous period of 5 years with permission in the UK on a route under which a person can settle, of which the most recent grant of permission must have been on the Hong Kong BN(O) route.

Continuous Residence requirement for settlement on the Hong Kong BN(O) route

HK 63.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence during the period in HK 62.1.

Decision on an application for settlement on the Hong Kong BN(O) route

HK 64.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

HK 64.1A. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix Hong Kong BN(O) (based on the route under which they have or last had permission), the application will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and

(b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

HK 64.1B If the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

HK 64.1C Where an applicant is granted permission to stay it will be granted for 30 months and subject to the following conditions:

a) no access to public funds; and

b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and

c) study is permitted, subject to the ATAS condition in Appendix ATAS.

d) DELETED

HK 64.1D. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.

HK 64.2. If the application is refused, a request can be made for an Administrative Review under Appendix AR: Administrative Review.

Variation of no access to public funds condition

HK 65.1 A person in the UK with permission on the Hong Kong BN(O) route may have that permission varied to remove a no access to public funds condition where the decision maker is satisfied that:

(a) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or

(b) there are reasons relating to the welfare of a relevant child which outweigh the considerations for maintaining the condition (treating the best interests of a relevant child as a primary consideration); or

(c) the applicant is facing exceptional circumstances affecting their income or expenditure.

HK 65.2. For the purposes of HK 65.1, ‘relevant child’ means a person who:

(i) is under the age of 18 years at the date of application; and

(ii) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

HK 65.3. Where an applicant is applying for further permission on the Hong Kong BN(O) route for 30 months and has previously had their permission varied to remove a no access to public funds condition under HK65.1, the decision maker may grant further permission without such a condition where they are satisfied that the applicant continues to meet the requirements set out in HK 65.1.

Back to top

Immigration Rules

Appendix Ukraine Scheme

This Appendix sets out two routes for those affected by the conflict in Ukraine: the Homes for Ukraine Sponsorship Scheme for those making applications outside of the UK and the Ukraine Extension Scheme for those who are in the UK.

Homes for Ukraine Sponsorship Scheme

A Ukrainian national who is outside the UK may qualify under the Homes for Ukraine Sponsorship Scheme if they have an Approved Sponsor who will provide them with accommodation for at least 6 months.

A child who is not applying with, or intending to join, their parent or legal guardian in the UK must have an Approved Sponsor who was approved for the child by a Local Authority before the application is made, and must have agreed to accommodate the child for at least 18 months or until the child is 18 years old (whichever is soonest), so long as the child is sponsored for at least 6 months .

Immediate family members of a Ukrainian national who are not themselves Ukrainian may also qualify under the Homes for Ukraine Sponsorship Scheme.

Ukraine Extension Scheme

A Ukrainian national in the UK may qualify under the Ukraine Extension Scheme if they held immigration permission on or between 18 March 2022 and 16 November 2023, or if their last permission ended after 1 January 2022. Applications to this scheme must be made on or before 16 May 2024.

A person who has immigration permission as a partner or child of a Ukrainian national who qualifies under the Ukraine Extension Scheme, who is not themselves a Ukrainian national, may also qualify under the Ukraine Extension Scheme.

Children born in the UK to those who have permission under the Ukraine Scheme (and the now closed Ukraine Family Scheme) are eligible to apply under the Ukraine Extension Scheme.

The Ukraine Family Scheme (which was available to eligible Ukrainian nationals with an eligible UK based family member sponsor) closed to new applications at 15:00GMT on 19 February 2024.

Further information on immigration issues related to Ukraine is available in the guidance 'UK visa support for Ukrainian nationals' which can be found at https://www.gov.uk/guidance/support-for-family-members-of-british-nationals-in-ukraine-and-ukrainian-nationals-in-ukraine-and-the-uk.

Ukraine Family Scheme

Validity requirements for the Ukraine Family Scheme

UKR 1.1. DELETED.

UKR 1.2. DELETED.

UKR 1.3. DELETED.

Suitability requirements for the Ukraine Family Scheme

UKR 2.1. DELETED.

Eligibility requirements for the Ukraine Family Scheme

Entry requirements for the Ukraine Family Scheme
UKR 3.1. DELETED.

Variation of entry clearance application after arrival for person given letter authorising travel to UK
UKR 4.1. DELETED.

Residence requirement for the Ukraine Family Scheme
UKR 5.1. DELETED.

UKR 5.2. DELETED.

Relationship requirement for a family member under the Ukraine Family Scheme
UKR 6.1. DELETED.

UKR 6.2. DELETED.

UKR 6.3. DELETED.

UKR 6.4. DELETED.

Suitability of UK based sponsor requirement

UKR 6A.1. DELETED.

Nationality requirement for the Ukraine Family Scheme
UKR 7.1. DELETED.

Parental consent requirement for a child applying under the Ukraine Family Scheme
UKR 8.1. DELETED.

UKR 8.2. DELETED.

Decision under the Ukraine Family Scheme

UKR 9.1. DELETED.

Period and conditions of grant under the Ukraine Family Scheme

UKR 10.1. DELETED.

UKR 10.2. DELETED.

Homes for Ukraine Sponsorship Scheme

Validity requirements for the Homes for Ukraine Sponsorship Scheme

UKR 11.1. A person applying for entry clearance under the Homes for Ukraine Sponsorship Scheme must apply online on the gov.uk website on the specified form as follows: “Homes for Ukraine Sponsorship Scheme”.

UKR 11.2. An application for entry clearance under the Homes for Ukraine Sponsorship Scheme must meet all the following requirements:

(a) the applicant must have provided any required biometrics; and
(b) the applicant must have provided a passport or other document which satisfactorily established their identity and nationality; and
(c) the applicant must be outside the UK on the date of application: and
(d) the applicant must have provided the name of a UK sponsor who has offered them accommodation in the UK.

UKR 11.3. Where the applicant is aged under 18 on the date of application they must either:

(a) be applying with, or to join in the UK, their parent or legal guardian; or
(b) their sponsor must have been approved as a sponsor for that applicant under the Homes for Ukraine Sponsorship Scheme under the guidance: “Homes for Ukraine - Applications to Homes for Ukraine for children who are not travelling or reuniting with their parent or legal guardian: Guidance for Councils” before the date of application and the applicant must provide evidence of that approval in the form of a reference number.

UKR 11.3A Where an application under the Homes for Ukraine Sponsorship Scheme is varied to permission to stay under paragraph UKR 14.1, the applicant must meet all the following requirements:

(a) they must have provided any required biometrics; and
(b) they must have provided a passport or other document which satisfactorily established their identity and nationality; and
(c) they must be in the UK.

UKR 11.4. An application which does not meet all the validity requirements for the Homes for Ukraine Sponsorship Scheme may be rejected as invalid and not considered.

Suitability requirements for the Homes for Ukraine Sponsorship Scheme

UKR 12.1. The applicant must not fall for refusal under any of the following paragraphs of Part 9: grounds for refusal:

(a) 9.2.1 to 9.2.2 (exclusion or deportation orders); or
(b) 9.3.1 to 9.3.2 (non-conducive); or
(c) 9.4.1 to 9.4.5 (criminality); or
(d) 9.5.1 to 9.5.2 (exclusion from asylum or humanitarian protection); or
(e) 9.6.1 to 9.6.2 (involvement in sham marriage or sham civil partnership); or
(f) 9.7.1 to 9.7.3 (false representations and deception); or
(g) 9.8.1. to 9.8.8. (previous breach of immigration laws); or
(h) 9.9.1. to 9.9.2. (failure to provide required information); or
(i) 9.10.1. to 9.10.2. (admissibility to the Common Travel Area or other countries); or
(j) 9.14.1. to 9.20.2. and 9.23.1. to 9.24.1. (grounds for refusal and cancellation on arrival).

Eligibility requirements for the Homes for Ukraine Sponsorship Scheme

Entry requirements for the Homes for Ukraine Sponsorship Scheme

UKR 13.1. A person seeking to come to the UK under the Homes for Ukraine Sponsorship Scheme must apply for entry clearance and must have been:

(a) granted entry clearance; or
(b) given a letter from the Home Office confirming the applicant can travel to the UK,

under the Ukraine Scheme before they arrive in the UK.

Variation of entry clearance application after arrival for person holding permission to travel on arrival

UKR 14.1. A person who:

(a) has made an application for entry clearance which has not been decided; and
(b) has been given a letter from the Home Office confirming the applicant can travel to the UK under a Ukraine Scheme; and
(c) is granted permission to enter on arrival in the UK; and
(d) provides any required biometrics after arrival in the UK,

may have their application for entry clearance varied by the Secretary of State to an application for permission to stay.

UKR 14A.1. For the purpose of this Appendix “parent” includes a step-parent.

Approved sponsor requirement for the Homes for Ukraine Sponsorship Scheme

UKR 15.1. An applicant under the Homes for Ukraine Sponsorship Scheme must have an Approved sponsor under the Homes for Ukraine Sponsorship Scheme.

UKR 15.2. Where a family group is applying under the Homes for Ukraine Sponsorship Scheme, the Ukrainian national and their immediate family members (as described in UKR 18.1.) must have the same Approved sponsor under the Homes for Ukraine Sponsorship Scheme.

UKR 15.3. Where an applicant is a child, the Approved sponsor must not previously have failed to meet the requirements for approval as a sponsor under the Homes for Ukraine Sponsorship Scheme under the guidance: “Homes for Ukraine - Applications to Homes for Ukraine for children who are not travelling or reuniting with their parent or legal guardian: Guidance for Councils”.

UKR 15.4. Where a child is not applying with or to join their parent or legal guardian, but they are applying with or to join an adult relative (meaning a grandparent, uncle, aunt or sibling aged 18 or over) who qualifies under the Homes for Ukraine Sponsorship Scheme, the child and the adult relative must have the same Approved sponsor.

Residence requirement for the Homes for Ukraine Sponsorship Scheme

UKR 16.1. An applicant applying for entry clearance under the Homes for Ukraine Sponsorship Scheme must have been ordinarily resident in Ukraine immediately before 1 January 2022, unless they are a child born on or after that date.

Nationality requirement for the Homes for Ukraine Sponsorship Scheme

UKR 17.1. The applicant must be either:

(a) a Ukrainian national; or

(b) part of an immediate family group (meaning the group set out in UKR 18.1.) which includes an immediate family member who is a Ukrainian national who has been granted under or is applying under and qualifies under the Homes for Ukraine Sponsorship Scheme.

Relationship requirement for a family member under the Homes for Ukraine Sponsorship Scheme

UKR 18.1. If the applicant is not a Ukrainian national, they must be the immediate family member of a Ukrainian national who has been granted under or is applying under and qualifies under the Homes for Ukraine Sponsorship Scheme, meaning a:

(a) partner of the Ukrainian national; or

(b) child aged under 18 on the date of application of the Ukrainian national or of their partner; or

(c) parent of a Ukrainian national child aged under 18 on the date of application (where the child is applying under the Homes for Ukraine Sponsorship Scheme); or

(d) fiancé(e) or proposed civil partner of the Ukrainian national.

UKR 18.2. An applicant applying as a partner, fiancé(e) or proposed civil partner must be in a genuine and subsisting relationship with the Ukrainian national which commenced before 1 January 2022.

UKR 18.3. An applicant who is applying as a partner must meet the requirements in Appendix Relationship with Partner.

Parental consent requirement for a child applying to join a parent or legal guardian in the UK under the Homes for Ukraine Sponsorship Scheme

UKR 19A.1. If the applicant is aged under 18 on the date of application and they are joining (and not accompanying) a parent or legal guardian in the UK, they must have

written consent from the parent or legal guardian in the UK who they are joining, unless the decision-maker is satisfied it is reasonable in the circumstances to grant the child entry clearance without that consent.

UKR 19A.2 The written consent must confirm support for all of the following:
(a) the application; and
(b) that applicant will live with the parent or legal guardian in the UK; and
(c) the applicant's travel to, and reception arrangements in, the UK.

Parental consent requirement for a child applying without their parent or legal guardian

UKR 19B.1. Where a child is not applying with, or to join in the UK, a parent or legal guardian the applicant must have provided written consent from a parent or legal guardian to the child coming to live in the UK with the named sponsor (who was approved under UKR 11.3(b)) and any adult relative who is applying with the child. The consent must be signed by at least one parent or the child's legal guardian, and notarised or approved by:
(a) the notary authorities or Guardianship service of the city/regional council in Ukraine; or
(b) where the applicant is outside Ukraine, notary authorities in the country the applicant is residing in or a Ukrainian Embassy or Consulate.

Decision under the Homes for Ukraine Sponsorship Scheme

UKR 19.1. If the decision-maker is satisfied that all the suitability and eligibility requirements under the Homes for Ukraine Sponsorship Scheme are met, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant under the Homes for Ukraine Sponsorship Scheme

UKR 20.1. The applicant will be granted permission for a period of up to 18 months.

UKR 20.2. The permission will be granted subject to the following conditions:
(a) access to public funds permitted; and
(b) work (including self-employment and voluntary work) permitted; and
(c) study permitted, subject to the ATAS condition in Appendix ATAS.

Ukraine Extension Scheme

Validity requirements for the Ukraine Extension Scheme

UKR 21.1. A person applying for permission to stay under the Ukraine Extension Scheme must apply pursuant to UKR 21.2 online on the gov.uk website on the specified form as follows: "Ukraine Scheme".

UKR 21.2. An application for permission to stay under the Ukraine Extension Scheme must meet all the following requirements:
(a) the applicant must have provided any required biometrics; and

(b) the applicant must have provided a passport or other document which satisfactorily established their identity and nationality; and
(c) the applicant must be in the UK; and
(d) the applicant must have made the application on or before 23:59 on 16 May 2024, unless the applicant is born in the UK to a parent who has permission under Appendix Ukraine Scheme (and the now closed Ukraine Family Scheme).

UKR 21.3. The applicant must have had permission to enter or stay in the UK on or between 18 March 2022 and 16 November 2023 (but the permission does not need to cover the whole of that period), unless:
(a) they had permission to enter or stay in the UK immediately before 1 January 2022, but that permission has since expired; or
(b) they are a child born in the UK to a parent who qualifies under this paragraph; or
(c) they are a child born in the UK to a parent who was granted permission under Appendix Ukraine Scheme (and the now closed Ukraine Family Scheme) after 16 November 2023.

UKR 21.4. An application which does not meet all the validity requirements for the Ukraine Extension Scheme may be rejected as invalid and not considered.

Suitability requirements for the Ukraine Extension Scheme

UKR 22.1. The applicant must not fall for refusal under any of the following paragraphs of Part 9: grounds for refusal:
(a) 9.2.1 to 9.2.2 (exclusion or deportation orders); or
(b) 9.3.1 to 9.3.2 (non-conducive); or
(c) 9.4.1 to 9.4.5 (criminality); or
(d) 9.5.1 to 9.5.2 (exclusion from asylum or humanitarian protection); or
(e) 9.6.1 to 9.6.2 (involvement in sham marriage or sham civil partnership); or
(f) 9.7.1 to 9.7.3 (false representations and deception); or
(g) 9.8.1. to 9.8.8. (previous breach of immigration laws); or
(h) 9.9.1. to 9.9.2. (failure to provide required information); or
(i) 9.10.1. to 9.10.2. (admissibility to the Common Travel Area or other countries); or
(j) 9.14.1. to 9.20.2. and 9.23.1. to 9.24.1. (grounds for refusal and cancellation on arrival).

Eligibility requirements for the Ukraine Extension Scheme

Nationality requirement for the Ukraine Extension Scheme
UKR 23.1. The applicant must be either:
(a) a Ukrainian national; or
(b) a person who has or last had permission as:
    (i) a partner of a Ukrainian national; or
    (ii) a child of a Ukrainian national; or
(c) a child of a Ukrainian national born in the UK after 18 March 2022.

UKR 23A.1. For the purpose of this Appendix “parent” includes a step-parent.

Relationship requirement for a partner or child under the Ukraine Extension Scheme

UKR 24.1. An applicant who is a partner must meet the requirements in Appendix Relationship with Partner.

UKR 24.2. A child born in the UK must provide a full UK birth certificate.

Parental consent requirement for a child applying under the Ukraine Extension Scheme

UKR 25.1. If the applicant is aged under 18 on the date of application and they are not applying with their parent or parents or a legal guardian, they must have written consent from:

(a) both parents; or
(b) one parent, if that parent has sole legal responsibility for the applicant; or
(c) the applicant's legal guardian,

unless the decision-maker is satisfied it is reasonable in the circumstances to grant the child permission without such consent.

UKR 25.2. The written consent must confirm support for:

(a) the application; and
(b) the applicant's living and care arrangements in the UK.

Care requirement for a child under the Ukraine Extension Scheme

UKR 26.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

Decision under the Ukraine Extension Scheme

UKR 27.1. If the decision-maker is satisfied that all the suitability and eligibility requirements under the Ukraine Extension Scheme are met, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant under the Ukraine Extension Scheme

UKR 28.1. The applicant will be granted permission to stay for whatever is the shorter of either:

(a) 36 months; or
(b) a period which would mean the applicant has been granted a maximum of 36 months under this Appendix, unless;
(c) where the applicant is a child born in the UK to a parent who qualifies under UKR 21.3 and is granted permission at the same time as the applicant, the applicant will be granted permission in line with that parent; or
(d) where the applicant is a child born in the UK to a parent who has permission under the Ukraine Scheme (and the now closed Ukraine Family Scheme) the applicant will be granted permission in line with that parent; or
(e) where the applicant is a child born in the UK where both parents are in the UK and either qualify under UKR 21.3 and are granted permission at the same time as the applicant or have permission granted under the Ukraine Scheme

(and the now closed the Ukraine Family Scheme), the applicant will be granted permission in line with the parent whose permission expires last.

UKR 28.2. The permission will be granted subject to the following conditions:

(a) access to public funds permitted; and

(b) work (including self-employment and voluntary work) permitted; and

(c) study permitted, subject to the ATAS condition in Appendix ATAS.

Back to top

Immigration Rules

Appendix Afghan Relocation and Assistance Policy (ARAP)

This route is for Afghan citizens and their dependent family members to relocate to, or settle in, the UK where the Ministry of Defence has decided they meet the requirements for relocation to the UK as an eligible Afghan citizen under the ARAP ("the ARAP eligibility decision").

An eligible Afghan citizen may include a partner, dependent children and additional family members who are eligible under the ARAP in their application.

There is a two-stage application process. An application must first be made, by the applicant, to the Ministry of Defence, who will decide if the applicant is an eligible Afghan citizen or an eligible dependant. If they are eligible for relocation to the UK, the second stage is that the Ministry of Defence will on behalf of the applicant, make an application for entry clearance (if they are outside the UK) or settlement (if they are in the UK) on behalf of the applicant.

Where an applicant is eligible for relocation to the UK, the ARAP leads to a grant of settlement in the UK.

Requirements for entry clearance or settlement in the UK as an eligible Afghan citizen under the ARAP

Validity requirements for an application for entry clearance or settlement for an eligible Afghan citizen

ARAP 1.1. An application for entry clearance or settlement as an eligible Afghan citizen must meet the following validity requirements:

(a) the Ministry of Defence must have decided that the applicant meets the eligibility requirements in ARAP 3.1 to ARAP 3.6. and that ARAP 3.7. does not apply (the ARAP eligibility decision); and
(b) the Ministry of Defence must have made an application for entry clearance or settlement on the applicant's behalf no more than 12 months after the ARAP eligibility decision was made; and
(c) the applicant must have provided any required biometrics; and
(d) the applicant must have provided a passport or other evidence which satisfactorily establishes their identity and nationality; and
(e) the applicant must be a citizen of Afghanistan; and
(f) the applicant must be aged 18 or over on the date of application.

ARAP 1.2. An application which does not meet all the validity requirements for ARAP may be rejected as invalid and not considered.

Suitability requirements for an application for entry clearance or settlement as an eligible Afghan citizen

ARAP 2.1. The applicant must not fall for refusal under Part 9: Grounds for Refusal of these Rules.

Eligibility requirements for an eligible Afghan citizen

ARAP 3.1. To be an eligible Afghan citizen the applicant must have applied to, and received from, the Ministry of Defence a decision that the requirements under ARAP 3.2. to ARAP 3.6. are met and that ARAP 3.7. does not apply ("the ARAP eligibility decision").

ARAP 3.2. An eligible Afghan citizen is a person who:
- (a) is an Afghan citizen; and
- (b) is aged 18 years or over; and
- (c) meets the eligibility requirements in at least one of ARAP 3.3 to ARAP 3.6; and
- (d) ARAP 3.7. must not apply.

ARAP 3.3. A person meets the ARAP eligibility requirement if:
- (a) they submit an application on or after 1 April 2021; and
- (b) at least one of the following eligibility requirements applies:
  - (i) ARAP 3.4. (high and imminent risk of threat to life);
  - (ii) ARAP 3.5. (former employees eligible for relocation); and
  - (iii) ARAP 3.6. (special cases).

ARAP 3.4. A person meets the eligibility requirement if:
- (a) they were at any time on or after 1 October 2001 directly employed in Afghanistan by a UK Government department; and
- (b) because of that employment, there is a high and imminent risk of a threat to their life.

ARAP 3.5. A person meets the eligibility requirements if:
- (a) at any time on or after 1 October 2001, the person:
  - (i) was directly employed in Afghanistan by a UK Government department; or
  - (ii) provided linguistic services to or for the benefit of members of the UK's armed forces in Afghanistan under contract to a UK Government department (whether as, or on behalf of, a party to the contract); and
- (b) the nature of the role in which the person was employed was such that the UK's operations in Afghanistan would have been materially less efficient or materially less successful if a role or roles of that nature had not been performed; and
- (c) the nature of the role exposed the person to being publicly recognised as having performed that role; and
- (d) as a result of that public recognition, the person's safety is at risk.

ARAP 3.6. A person meets the eligibility requirement if conditions 1 and 2 and one or both of conditions 3 and 4 applies:

(a) Condition 1 is that at any time on or after 1 October 2001, the person:
  (i) was directly employed in Afghanistan by a UK Government department; or
  (ii) provided goods or services in Afghanistan under contract to a UK Government department (whether as, or on behalf of, a party to the contract); or
  (iii) worked in Afghanistan alongside a UK Government department, in partnership with or closely supporting and assisting that department.
(b) Condition 2 is that the person, in the course of the employment or work or the provision of those services under Condition 1, made a substantive and positive contribution towards the achievement of one or more of the following:
  (i) the UK Government's military objectives with respect to Afghanistan; or
  (ii) the UK Government's national security objectives with respect to Afghanistan (and for these purposes, the UK Government's national security objectives include counter-terrorism, counter-narcotics and anti-corruption objectives).
(c) Condition 3 is that because of the person's employment or work or those services under Condition 1, the person:
  (i) is or was at an elevated risk of targeted attacks; and
  (ii) is or was at high risk of death or serious injury.
(d) Condition 4 is that the person holds information, the disclosure of which would give rise to or aggravate a specific threat to a UK Government department or its interests.

ARAP 3.7. A person does not meet the ARAP eligibility requirements, if either of the following apply:
(a) the Ministry of Defence has withdrawn its eligibility decision; or
(b) the person was directly employed by, or contracted to, a UK Government department or unit and was dismissed from their job (except in circumstances where the Secretary of State considers that the person was dismissed for a minor reason).

Requirement for a Ministry of Defence decision on eligibility as an eligible Afghan citizen

ARAP 4.1. If the Ministry of Defence decision maker is satisfied the ARAP eligibility requirements are met, the Ministry of Defence will make an application for entry clearance or settlement on behalf of the applicant (otherwise the application to the Ministry of Defence will be refused).

Entry requirements for an eligible Afghan citizen

ARAP 5.1. A person seeking to come to the UK as an eligible Afghan citizen must have obtained entry clearance under the ARAP before they arrive in the UK.

ARAP 5.2. A person in the UK, applying for settlement as an eligible Afghan citizen must be in the UK on the date of application.

ARAP 5.3. A person applying for entry clearance as an eligible Afghan citizen must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that

they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Decision on application for entry clearance or settlement as an eligible Afghan citizen

ARAP 6.1. If the Home Office decision maker is satisfied that the eligibility and suitability requirements for entry clearance or settlement for an eligible Afghan citizen are met, the application will be granted, otherwise the application will be refused.

ARAP 6.2. An application for entry clearance or settlement as an eligible Afghan citizen will only be considered under this Appendix and will not be considered as an application for entry clearance, permission to stay or settlement on any other basis, including an application for leave outside of the Rules.

Period and conditions of grant for an eligible Afghan citizen

ARAP 7.1. Where the applicant is outside the UK and the requirements for entry clearance are met, they will be granted entry clearance which will have effect on arrival in the UK as indefinite permission to enter (settlement).

ARAP 7.2. Where the applicant is in the UK and the requirements for settlement are met, they will be granted indefinite permission to stay (settlement).

Family members of an eligible Afghan citizen

Validity requirements for entry clearance or settlement as a family member of an eligible Afghan citizen

ARAP 8.1. An application for entry clearance or settlement as the family member of an eligible Afghan citizen must meet the following validity requirements:

(a) the Ministry of Defence must have decided that the applicant meets the relevant ARAP eligibility requirements in ARAP 10.1 to ARAP 13.4 (the ARAP dependent eligibility decision); and
(b) an application must have been made by the Ministry of Defence on the applicant's behalf for entry clearance or settlement no more than 12 months after an eligibility decision; and
(c) the applicant must have provided any required biometrics; and
(d) the applicant must have provided a passport or other evidence which satisfactorily establishes their identity and nationality; and
(e) the applicant must be a partner, child or eligible family member of a person who has been granted entry clearance or settlement as an eligible Afghan citizen, or of a person who is applying as an eligible Afghan citizen or their partner at the same time as the applicant.

ARAP 8.2. An application which does not meet all the validity requirements for ARAP is invalid may be rejected as invalid and not considered.

Suitability requirements for entry clearance or settlement as a family member of an eligible Afghan citizen

ARAP 9.1. The applicant must not fall for refusal under Part 9: Grounds for Refusal of these Rules.

Requirement for Ministry of Defence decision on eligibility as a family member of an eligible Afghan citizen ("the ARAP family member eligibility decision")

ARAP 10.1. To be eligible as a family member of an eligible Afghan citizen the family member must have been included in the Afghan citizen's eligibility application to the Ministry of Defence.

ARAP 10.2. To be eligible as a family member of an eligible Afghan citizen, the Ministry of Defence must have decided the relevant eligibility requirements under ARAP 11.1 to ARAP 13.4 are met.

Relationship requirements for a partner of an eligible Afghan citizen

ARAP 11.1. A person applying as a dependent partner of an eligible Afghan citizen must meet the requirements set out in Appendix Relationship with a Partner.

ARAP 11.2. The applicant must be the dependent partner of an eligible Afghan citizen who the Ministry of Defence has decided is eligible for relocation to the UK under the ARAP.

ARAP 11.3. The applicant must have been the dependent partner of a person (P) on the date when the Ministry of Defence decided that P was an eligible Afghan citizen under the ARAP.

ARAP 11.4. If the relevant Afghan citizen has more than one partner, only one partner can apply for entry clearance or settlement in the UK under these Rules.

Relationship requirements for a child of an eligible Afghan citizen

ARAP 12.1. The applicant must be under 18 on the date of application.

ARAP 12.2. The applicant must be the dependent child of an eligible Afghan citizen or their partner.

ARAP 12.3. The applicant must not be living an independent life.

ARAP 12.4. The applicant must be applying at the same time as both of their parents are applying under ARAP unless:

(a) the parent applying is the sole surviving parent; or

(b) the parent applying has sole responsibility for the child's upbringing; or
(c) one parent is a British citizen or a person who has a right to enter or stay in the UK without restriction; and is or will be ordinarily resident in the UK; or
(d) the decision maker is satisfied that there are serious and compelling reasons to grant the application.

Relationship requirement for an additional family member an eligible Afghan citizen

ARAP 13.1. The applicant must be an additional family member of an eligible Afghan citizen or their partner.

ARAP 13.2. The additional family member cannot be an additional partner where one partner has applied for entry clearance or settlement under these Rules.

ARAP 13.3. The additional family member must meet at least one of the following requirements:
(a) as a result of the eligible Afghan citizen's work for or with a UK Government department, the applicant must be at an elevated risk of targeted attacks, specific threats or intimidation; putting them at a high risk of death or serious injury; or
(b) the applicant must face specific vulnerabilities which have led to an exceptional level of family dependence, and would be unable, even with the practical and financial help of the eligible Afghan citizen or their partner, to obtain the required level of care or protection outside the UK either because it is not available, and there is no other person who can reasonably provide it, or because it is not affordable.

ARAP 13.4. Where the additional family member is a child:
(a) the eligible Afghan citizen or their partner must be a legal guardian of the child; or
(b) one parent is a British citizen or a person who has a right to enter or stay in the UK without restriction; and is or will be ordinarily resident in the UK; or
(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant with the eligible Afghan citizen or their partner.

Requirement for a Ministry of Defence ARAP dependent eligibility decision

ARAP 14.1. If the Ministry of Defence decision maker is satisfied all the relevant eligibility requirements for a dependant of an eligible Afghan citizen are met, the Ministry of Defence will submit an application for entry clearance or settlement on the applicant's behalf.

Entry requirements for a family member of an eligible Afghan citizen

ARAP 15.1. A person seeking to come to the UK as the family member of an eligible Afghan citizen under the ARAP must have obtained entry clearance before they arrive in the UK.

ARAP 15.2. A person in the UK, applying for settlement as the family member of an eligible Afghan citizen, must be in the UK on the date of application.

ARAP 15.3. A person applying for entry clearance as the family member of an eligible Afghan citizen must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Decision on application for entry clearance or settlement as a family member of an eligible Afghan citizen.

ARAP 16.1. If the Home Office decision maker is satisfied that all the suitability and eligibility requirements for a family member of an eligible Afghan citizen under the ARAP are met, the application will be granted, otherwise the application will be refused.

ARAP.16.2. An application for entry clearance or settlement under ARAP will only be considered under this Appendix and will not be considered as an application for entry clearance, permission to stay or settlement on any other basis, including an application for leave outside the Rules.

Period and conditions of grant for a family member

ARAP 17.1. Where the requirements for entry clearance as the family member of an eligible Afghan citizen are met, they will be granted entry clearance, which will have effect on arrival in the UK as indefinite permission to enter (settlement).

ARAP 17.2. Where the requirements for settlement as the family member of an eligible Afghan citizen are met, they will be granted indefinite permission to stay (settlement).

Back to top

Immigration Rules

Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery

This route is to provide for temporary permission to stay for victims of human trafficking or slavery and their children.

The applicant must be in the UK.

A confirmed victim as classified in VTS 1.1 (a), who has not been considered for permission to stay under this route, need not apply under this route, as for those in scope permission to stay will be automatically considered following a positive Conclusive Grounds decision. A confirmed victim who has been considered previously for permission to stay under this route or the Discretionary Leave for victims of Modern Slavery policy and has been refused permission to stay cannot apply or re-apply under this route.

Individuals who already have permission to stay as a victim of human trafficking or slavery, or as their child dependents, or who have been granted Modern Slavery Discretionary Leave as a victim of human trafficking or slavery, or as their child dependents can apply to extend their permission under this route.

The suitability and eligibility requirements set out at VTS 2.1 and 3.1-3.4 below will apply both to first time applicants under this route and those applying to extend an existing grant of permission to stay under this route or a grant of Modern Slavery discretionary leave that has not expired.

This route is not a route to settlement**.**

Validity requirements for temporary permission to stay as a victim of Human Trafficking or Slavery

VTS 1.1. An applicant for an extension of temporary permission to stay as a victim of Human Trafficking or Slavery must meet the following validity requirements:

(a) the applicant must have been served with a positive conclusive grounds decision (as defined by Section 69 (1) of the Nationality and Borders Act 2022); and
(b) the applicant must have permission to stay as a victim of Human Trafficking or Slavery, or as a child of a victim of Human Trafficking or Slavery; and
(c) the applicant must apply on the specified form on the gov.uk website: FLR (HRO); and
(d) any required fee must have been paid; and
(e) the applicant must be in the UK on the date of application.

VTS 1.2. A person is not required to apply as a victim of Human Trafficking or Slavery but references to “applicant” are to a person who is being considered under this route or who has applied to extend their existing permission to stay as a

confirmed victim of Human Trafficking or Slavery, or to extend their existing grant of Modern Slavery Discretionary Leave.

VTS 1.3. Where no application is made because VTS 1.2 applies references to 'date of application' are to the date of the conclusive grounds decision, but if the person is applying to extend their permission to stay under this route, the date of application is the date on which they apply to extend their permission to stay under this route.

Suitability requirements for temporary permission to stay as a victim of Human Trafficking or Slavery

VTS 2.1. The applicant must not fall for refusal as a threat to public order (as defined in Section 63 of the Nationality and Borders Act 2022), or as a person who has claimed to be a victim of Human Trafficking or Slavery in bad faith (as per Section 63 of the Nationality and Borders Act 2022).

Eligibility requirements for temporary permission to stay as a victim of Human Trafficking or Slavery

VTS 3.1. The requirements to be met by a person for permission to stay on the grounds of being a confirmed victim of Human Trafficking or Slavery are (as set out in Section 65 (2) (a) to (c) of the Nationality and Borders Act 2022), that the grant of permission to stay is necessary for the purpose of: -

(a) assisting the person in their recovery from any physical or psychological harm arising from the relevant exploitation; or
(b) enabling the person to seek compensation in respect of the relevant exploitation, or
(c) enabling the person to co-operate with a public authority in connection with an investigation or criminal proceedings in respect of the relevant exploitation.

VTS 3.2. For the purpose of VTS 3.1 the following apply:

(a) "physical or psychological harm" means harm of a type that results in physical trauma to the person; or psychological harm that causes mental or emotional trauma or that causes behavioural change or physical symptoms that require psychological or psychiatric care and where the physical or psychological harm arises from the "relevant exploitation"; and
(b) "assisting the person in their recovery" for psychological or physical harm means that the applicant requires support either through the National Referral Mechanism or other services to assist in their recovery from their exploitation (this support does not need to accomplish recovery); and
(c) "seeking compensation" means that the person must have made an application for compensation in respect of the relevant exploitation; and
(d) "an investigation or criminal proceedings" means an investigation by the public authorities or criminal proceedings within the UK which has been confirmed by the relevant public authority or by the Criminal Prosecution Service; and
(e) "relevant exploitation" means the conduct resulting in the positive conclusive grounds decision.

VTS 3.3. Permission to stay is not necessary for the purpose of VTS 3.1(a), as set out in Section 65 (4) (a) of the Nationality and Borders Act 2022:

(a) if the Secretary of State considers that the applicant's need for assistance is capable of being met in a country or territory of which they are a national or citizen; or one to which they may be removed in accordance with an agreement between that country or territory and the UK (which may be, but does not need to be, an agreement contemplated by Article 40(2) of the Trafficking Convention).

VTS 3.4 Permission to stay is not necessary for the purpose of VTS 3.1(b) as set out in Section 65 (4) (b) of the Nationality and Borders Act 2022, if the applicant is capable of seeking compensation from outside the UK, and it would be reasonable for them to do so in the circumstances.

Decision on application for temporary permission to stay as a Victim of Human Trafficking or Slavery

VTS 4.1. If the decision maker is satisfied that all of the eligibility and suitability requirements are met the applicant will be granted permission to stay in the UK, otherwise the applicant will be refused permission to stay**.**

VTS 4.2. A confirmed victim may request reconsideration of the decision if their application is refused. The individual will be notified of the process to request a reconsideration with their refusal decision.

Period of permission to stay and conditions of permission for victims of Human Trafficking or Slavery

VTS 5.1. Permission to stay will be granted for a period not exceeding 30 months when the Secretary of State considers such permission is necessary for the purposes of VTS 3.1(a) or (c), and for a period not exceeding 12 months where the Secretary of State considers such permission is necessary for the purposes of VTS 3.1(b).

VTS 5.2. The grant will be subject to the following conditions:
(a) access to public funds; and
(b) work is permitted; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS.

Dependent child of the Victim of Human Trafficking or Slavery (“a dependent child”)

Validity requirements for temporary permission to stay as a dependent child of a Victim of Human Trafficking or Slavery

VTS 6.1. In order to make an application, the dependent child must be a child of an applicant who has or is at the same time being granted temporary permission to stay as a victim of Human Trafficking or Slavery, and meet the following requirements:

(a) must be in the UK on the date of application: and
(b) must be aged under 18 at the date of application;
(c) if born in the UK, they must provide a full UK birth certificate

VTS 6.2. An application which does not meet the validity requirements by a child of a person who is a Victim of Human Trafficking or Slavery may be rejected as invalid and not considered.

Suitability requirements for temporary permission to stay as a dependent child of a Victim of Human Trafficking or Slavery

VTS 7.1. The dependent child must not fall for refusal as a threat to public order (as defined in Section 63 of the Nationality and Borders Act 2022).

Decision on application for a dependent child of a Victim of Human Trafficking or Slavery

VTS 8.1. If the decision maker is satisfied that all the validity and suitability requirements for the dependent child of a victim of Human Trafficking or Slavery are met, the application will be granted, otherwise the application will be refused.

Period and conditions of grant for a dependent child of a victim of Human Trafficking or Slavery

VTS 9.1. Permission to stay will be granted for a period that ends on the same date as the permission of the parent who has been or is being granted permission to stay as a victim of Human Trafficking or Slavery.

VTS 9.2. The grant will be subject to all the following conditions:
(a) access to public funds.
(b) work is permitted; and
(c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the child is aged 18 or over).

Cancellation of permission to stay for Victims of Human Trafficking or Slavery or the dependent child of a Victim of Human Trafficking or Slavery

VTS 10.1. A person's permission to stay as a victim of Human Trafficking or Slavery or the child of a victim of Human Trafficking or Slavery may be cancelled where any of the following apply:
(a) the applicant would fall for refusal as a threat to public order (as defined in Section 63 of the Nationality and Borders Act 2022), or as a person who has claimed to be a victim of Human Trafficking or Slavery in bad faith (as per Section 63 of the Nationality and Borders Act 2022).
(b) paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.5.2, 9.7.3, 9.20.1, 9.20.2, 9.23.1 or 9.24.1 Part 9: Grounds for Refusal apply.

Back to top

Immigration Rules

Appendix Family Reunion (Protection)

This Appendix applies to a partner or dependent child of a person who holds protection status in the UK.

Validity requirements for Family Reunion

FRP 1.1. An application for family reunion must meet the following validity requirements:

(a) the applicant's sponsor must currently have protection status in the UK; and
(b) the applicant's sponsor must not be a British Citizen; and
(c) the applicant must have made an application for:
    (i) permission to stay under Appendix FRP while in the UK in writing; or
    (ii) entry clearance when outside the UK through the gov.uk website on either: 'Partner of someone in the UK with protection status (family reunion)' or 'Child of someone in the UK with protection status (family reunion)'; and
(d) the applicant must have provided any required biometric information.

FRP 1.2. A family reunion application which does not meet all the validity requirements may be rejected as invalid and not considered.

Suitability requirements for Family Reunion

FRP 2.1. An application for family reunion must be refused on suitability grounds where the Secretary of State:

(a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or
(b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

FRP 2.2. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for Family Reunion

Identity requirement for Family Reunion

FRP 3.1 The applicant must satisfactorily establish their identity and nationality.

Relationship requirements for a partner applying for Family Reunion

FRP 4.1. The applicant must:

(a) be the partner of a person (P) who has protection status; and
(b) have formed part of the family unit of P before P left the country of their habitual residence in order to seek protection; and
(c) where the applicant is not married or in a civil partnership with P they must also have been living with P for at least 2 years before P left the country of their former habitual residence in order to seek protection; and
(d) be in a genuine and subsisting relationship with P; and
(e) not be within the prohibited degree of relationship with P which means they could not marry in the UK as set out in Appendix Relationship with Partner.

Relationship requirement for a child applying for Family Reunion

FRP 5.1. The applicant must be the child of a person (P) who has protection status or of P's partner.

Family life requirements for a child applying for Family Reunion

FRP 6.1. The applicant must:

(a) be under the age of 18 at the date of application or, if they are aged 18 or over, the decision maker must be satisfied there are exceptional circumstances (as set out in FRP 6.2.); and
(b) have formed part of the family unit of P before P left the country of their habitual residence in order to seek protection; and
(c) must meet the independent life requirement for a dependent child in Appendix Children.
(d) DELETED.

FRP 6.2. Where the applicant is aged 18 or over on the date of application the decision-maker must, when considering whether there are exceptional circumstances, consider all relevant factors including:

(a) whether the applicant is dependent on the financial and emotional support of P or P's partner; and
(b) whether the parent or parents the applicant depends on is in the UK, or qualifies for family reunion or resettlement and intends to travel to the UK; and
(c) whether or not the applicant is leading an independent life, has no other relatives to provide financial or emotional support, and whether they can access support or employment in the country in which they are living and whether they would likely become destitute if left on their own.

Eligibility requirements for Family Reunion based on Article 8 European Convention of Human Rights (ECHR)

FRP 7.1. Where an applicant does not meet the requirements for a partner under FRP.4.1. or for a child under FRP.5.1. to FRP 6.2., the decision maker must consider, on the basis of the information provided by the applicant, whether there are exceptional circumstances which would make a refusal of the application a breach of Article 8 of the ECHR, because such refusal would result in unjustifiably harsh consequences for the applicant or their family member, whose Article 8 rights it is evident from the information provided would be affected by a decision to refuse the application.

FRP 7.2. DELETED

Decision on application for Family Reunion

FRP 8.1. If the decision maker is satisfied the applicant meets the suitability requirements and relevant eligibility requirements for Family Reunion, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant for Family Reunion

FRP 9.1. Where an applicant meets the relevant eligibility requirements in FRP 3.1.to FRP 6.2., the applicant will be granted permission for a period which expires at the same time as the permission granted to P.

FRP 9.2. Where an applicant is granted under FRP 7.1., the permission will be granted for a period which expires at the same time as the permission granted to P, up to a maximum period of:

(a) 30 months for permission to stay; or
(b) 33 months for entry clearance.

FRP 9.3. The grant will be subject to the same conditions on work, study and access to public funds as P.

Back to top

Immigration Rules

Appendix Child staying with or joining a Non-Parent Relative (Protection)

This Appendix applies to a child of a non-parent relative who holds protection status in the UK.

Validity requirements for a child to stay with or join a non-parent relative

CNP 1.1. An application for a child to stay with or join a UK based non-parent relative with protection status must meet the following validity requirements:

(a) the applicant's UK based relative must currently have protection status; and
(b) the applicant's UK based sponsor must not be a British Citizen or settled in the UK; and
(c) the applicant must have made an application for:
    (i) permission to stay using the FLR (P) visa application form; or
    (ii) entry clearance on the gov.uk website under 'Child of a non-parent relative with protection status in the UK.'
(d) the applicant must have paid the required application fee and Immigration Health Charge (unless the applicant has been granted a fee waiver in whole or in part); and
(e) the applicant must have provided any required biometric information.

CNP 1.2. An application for a child to stay with or join a UK based non-parent relative with protection status which does not meet all the validity requirements may be rejected as invalid and not considered.

Suitability requirements for a child to stay with or join a non-parent relative

CNP 2.1. An application for a child to stay with or join a non-parent relative with protection status must be refused on suitability grounds where the Secretary of State:

(a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or
(b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

CNP 2.2. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for a child to stay with or join a non-parent relative

CNP 3.1. The applicant must:

(a) be aged under 18 on the date of application; and
(b) meet the independent life requirement for dependent children in Appendix Children; and
(c) DELETED.
(d) have an existing, genuine family relationship with the UK based relative; and
(e) have satisfactorily established their identity and nationality.

CNP 3.2. The decision maker must be satisfied that:

(a) the applicant can, and will, be accommodated and maintained adequately by the UK based relative, without access to public funds and in accommodation which the relative owns or occupies exclusively; and
(b) the application meets the care requirement for dependent children in Appendix Children; and
(c) there are serious and compelling family or other considerations which make exclusion of the applicant undesirable.

CNP 3.3. Where an applicant does not meet the eligibility requirements of CNP.3.1. and CNP 3.2., the decision maker must consider whether a grant of permission to stay or entry clearance is appropriate based on exceptional circumstances which include where:

(a) the applicant has no parent with them; and
(b) the applicant has no family other than in the UK that could reasonably be expected to support them; and
(c) there is an existing, genuine family relationship between the applicant and the UK-based relative; and
(d) the applicant is dependent on the UK based relative.

CNP 3.4. Where the applicant does not meet the requirements in CNP 3.1. and CNP 3.2. and the decision maker is not satisfied that there are exceptional circumstances under CNP 3.3. consideration must be given to whether refusal of the application would be a breach of Article 8 ECHR, because such a refusal would result in unjustifiably harsh consequences for the applicant or their family member, whose Article 8 rights it is evident from the information provided would be affected by a decision to refuse the application.

Decision on applications for a child to stay with or join a non-parent relative

CNP 4.1. Where the decision maker is satisfied that the applicant meets the suitability requirements and the relevant eligibility requirements, the application will

be granted permission to stay if in the UK or entry clearance if outside the UK; otherwise, the application will be refused.

Period and conditions of grant for a child to join a non-parent relative

CNP 5.1. Where an applicant is granted permission to stay with, or entry clearance to join, a non-parent relative, the grant will be for a period which expires at the same time as the permission granted to their UK-based relative.

CNP 5.2. The grant will be subject to the following conditions:

(a) work (including self-employment and voluntary work) permitted; and
(b) study is permitted (subject to the ARTAS requirement when the person is aged 18 or over); and
(c) no access to public funds, unless CPN 5.3. applies.

CNP 5.3. Where the applicant is being granted under CNP 3.3. or CNP 3.4. and the decision maker is satisfied that:

(a) the UK based relative is destitute as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
(b) there are reasons relating to the welfare of the applicant which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration); or
(c) the applicant is facing exceptional circumstances affecting their income or expenditure

then the applicant will not be subject to a condition of no access to public funds.

CNP 5.4. For the purposes of CNP 5.3., 'relevant child' means a person who:

(a) is under the age of 18 years at the date of application; and
(b) it is clear from the information provided by the applicant is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

Requirements for settlement as the child of a UK based non-parent relative

Validity requirements for settlement as the child of a UK based non-parent relative

CNP 6.1. The validity requirements for settlement as the child of a UK based non-parent relative are:

(a) the application must be made on the gov.uk website under the 'Indefinite leave to remain (refugee, humanitarian protection or discretionary leave) form; and
(b) the applicant must have, or have last had, permission as the child of a UK based non-parent relative; and

(c) the UK based relative must be a British Citizen, having been granted citizenship since the child was originally granted under Appendix CPN, or present and settled in the UK; and
(d) the applicant must have provided any required biometrics; and
(e) the applicant must have satisfactorily established their identity and nationality; and
(f) the applicant must have paid the required application fee.

CNP 6.2. An application for settlement as a child applying to stay with or join a UK based non-parent relative with protection status which does not meet all the validity requirements may be rejected as invalid and not considered.

Suitability requirements for settlement as a child of a UK based non-parent relative

CNP 7.1. An application for settlement as a child of a UK based non-parent relative must be refused on suitability grounds where the Secretary of State:

(a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of Part 11 of the Rules applies to the applicant; or
(b) has decided that paragraph 339AA, 339AC, 339D or 339GB of Part 11 would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

CNP 7.2. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for settlement as the child of a UK based non-parent relative

Relationship requirement for settlement as the child of a UK based non-parent relative

CNP 8.1. The applicant's UK based non-parent relative must:

(a) be granted settlement at the same time as the applicant; or
(b) must be settled in the UK or have become a British citizen, providing they had protection status when they settled.

Requirements for settlement as the child of a UK based non-parent relative

CNP 9.1. The applicant must meet the following requirements for a dependent child in Appendix Children:
(a) independent life requirement; and
(b) care requirement.

Care requirement for settlement as the child of a UK based non-parent relative

CNP 9.1. DELETED.

Age requirement for settlement as a child of a UK based non-parent relative

CNP 10.1. The applicant must be under the age of 18 on the date of application for settlement, unless they were last granted permission as the child of a UK based non-parent relative.

CNP 10.2. DELETED.

English language requirement for settlement as child of a UK based non-parent relative

CNP 11.1. Unless an exemption applies (for example if the applicant is aged under 18), the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

CNP 11.2. Unless an exemption applies, the applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a child of a UK based non-parent relative

CNP 12.1. Unless an exemption applies (for example, if the applicant is aged under 18), the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a child of a UK based non-parent relative

CNP 13.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a child of a UK based non-parent relative, the application for settlement will be granted.

CNP 13.2. If the applicant meets the eligibility requirements for settlement but does not meet the suitability requirements for settlement the applicant may be granted a further period of permission to stay which does not exceed 30 months and subject the same conditions as in CNP 5.1. to CPN 5.4; otherwise, the application for settlement will be refused.

CNP 13.3. If the application for settlement is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Adult Dependent Relative

The Adult Dependent Relative route is for a person aged 18 or over who is sponsored by a relative in the UK (who must be a British Citizen, settled in the UK, have protection status or be a specified EEA national who has permission under Appendix EU) and where the sponsor is able to maintain, accommodate and care for the applicant without reliance on public funds.

The applicant must require long-term personal care to perform everyday tasks due to age, illness or disability and that care must be either not available or not affordable in the country where the applicant is living.

The applicant must apply for and obtain entry clearance as an Adult Dependent Relative before their arrival in the UK.

The partner of an Adult Dependent Relative may also apply for entry clearance as an Adult Dependent Relative if they are the partner of either the parent or grandparent of the sponsor who is applying at the same time.

Where a couple, who are both the parents or grandparents of the sponsor, are applying as Adult Dependent Relatives only one of them needs to require long-term personal care.

An Adult Dependent Relative is granted settlement if their sponsor is settled in the UK or is a British Citizen. In other cases, the Adult Dependent Relative is granted temporary permission which expires on the same date as their sponsor's temporary permission and once in the UK they can apply for settlement or further permission to stay in line with their sponsor's permission.

There is a separate route for an Adult Dependent Relative of a BN(O) Status Holder under Appendix Hong Kong British National (Overseas).

Validity requirements for an Adult Dependent Relative

ADR 1.1. A person applying for entry clearance or permission to stay as an Adult Dependent Relative must apply online on the gov.uk website on the specified form as follows:

(a) for applicants in the UK, form "Further leave to remain – Human Rights.
(b) for applicants in the UK, form "Further leave to remain – Immigration Rules".

ADR 1.2. An application for entry clearance or permission to stay as an Adult Dependent Relative must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid (unless the applicant has been granted a fee waiver in whole or part); and
(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
(d) the applicant and their sponsor must both be aged 18 or over at the date of application.

ADR 1.3. An applicant applying for permission to stay must be in the UK on the date of application and must have, or have last been granted, entry clearance or permission to stay as an Adult Dependent Relative.

ADR 1.4. An application which does not meet all the validity requirements for the Adult Dependent Relative route may be rejected as invalid and not considered.

Suitability requirements for an Adult Dependent Relative

ADR 2.1. The applicant must not fall for refusal under the suitability grounds set out in:

(a) S-EC.1.2 to S-EC.1.8. and S-EC 2.2 to S-EC 3.2. of Appendix FM if applying for entry clearance; or
(b) S-LTR.1.2. to S-LTR. 2.1 and S-LTR.3.1 to S-LTR.4.5. of Appendix FM if applying for permission to stay.

ADR 2.2. If applying for permission to stay, the applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

Eligibility requirements for an Adult Dependent Relative

Entry requirements for an Adult Dependent Relative

ADR 3.1. A person seeking to come to the UK as an Adult Dependent Relative must apply for and obtain entry clearance as an Adult Dependent Relative before they arrive in the UK.

ADR 3.2. A person applying for entry clearance as an Adult Dependent Relative must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for an Adult Dependent Relative

ADR 4.1. An applicant applying for entry clearance or permission to stay as an Adult Dependent Relative must be one of the following:

(a) the parent; or
(b) the grandparent; or
(c) the son or daughter; or
(d) the brother or sister,

of a person in the UK (“the sponsor”).

ADR 4.2. The sponsor of the applicant must be one of the following:

(a) a British Citizen; or
(b) settled in the UK; or
(c) in the UK with protection status; or
(d) an EEA national with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of that Appendix.

ADR 4.3. Where the applicant is applying for permission to stay, the sponsor must be the same person who sponsored the applicant when they were last granted entry clearance or permission as an Adult Dependent Relative.

Dependency requirements for an Adult Dependent Relative

ADR 5.1. The applicant, or if the applicant is applying as a parent or grandparent, the applicant’s partner, must as a result of age, illness or disability require long term personal care to perform everyday tasks.

ADR 5.2. Where the application is for entry clearance, the applicant, or if the applicant is applying as a parent or grandparent, the applicant’s partner, must be unable to obtain the required level of care in the country where they are living, even with the financial help of the sponsor because either:

(a) the care is not available and there is no person in that country who can reasonably provide it: or
(b) the care is not affordable.

ADR 5.3. DELETED

Partner requirement on the Adult Dependent Relative route

ADR 5.3A.1. If the applicant is the sponsor's parent or grandparent they must not be in a subsisting relationship with a partner, unless that partner is applying for entry clearance or permission to stay as an Adult Dependent Relative at the same time.

Financial requirement for an Adult Dependent Relative

ADR 6.1. The sponsor must be able to provide adequate maintenance, accommodation and care for the applicant in the UK without access to public funds.

ADR. 6.2. The sponsor must provide evidence of income or cash savings sufficient to show they can meet the financial requirement and:

(a) evidence from income (other than self-employment) or savings must cover the 6 month period immediately before the date of application; or
(b) where the sponsor is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months

immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or

(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing self-employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or

(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or

(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

ADR 6.3. The income or cash savings must be evidenced as specified in paragraphs 1, 12A and 12B of Appendix FM-SE.

ADR 6.4. The sponsor must provide a signed maintenance undertaking confirming that the applicant will not have access to public funds, and that the sponsor will be responsible for the maintenance, accommodation and care of the applicant for either:

(a) a period of 5 years from the date the applicant arrives in the UK if the applicant is to be granted settlement; or

(b) the duration of the period of permission to be granted if the applicant is being granted temporary permission to stay.

ADR 6.5. If the applicant receives public funds during the period covered by the maintenance undertaking (see ADR 6.4.) the UK Government may seek to recover the public funds from the sponsor who gave the undertaking.

Eligibility under Article 8 ECHR for an Adult Dependent Relative

ADR 7.1. If the applicant does not meet all the suitability requirements (subject to ADR 7.2) or does not meet all of the eligibility requirements in ADR 3.1. to ADR 6.4., but the decision maker is satisfied that refusal of the application would breach Article 8 of the Human Rights Convention, because it would result in unjustifiably harsh consequences for the applicant or their family, the applicant will meet the Article 8 ECHR eligibility requirement.

ADR 7.2. Where ADR 7.1. applies and the applicant falls for refusal on suitability grounds under S-EC.1.2 to S-EC.1.5, or S-LTR.1.2 to S-LTR.1.6. of Appendix FM of these rules the application as an Adult Dependent Relative must be refused.

Decision on an application as an Adult Dependent Relative

ADR 8.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements are met, unless paragraph ADR 7.2. applies, the application will be granted as an Adult Dependent Relative; otherwise, the application will be refused.

Period of grant and conditions of permission as an Adult Dependent Relative

ADR 9.1. An applicant applying for entry clearance will, if the sponsor is a British Citizen or settled in the UK, be granted settlement.

ADR 9.2. An applicant applying for entry clearance or permission to stay where an applicant's sponsor has temporary permission to stay in the UK will be granted temporary permission which expires on the same date as their sponsor's temporary permission.

ADR 9.3 Where an applicant is applying for permission to stay and, their sponsor is a British Citizen or settled in the UK, the applicant will be granted permission for 30 months.

ADR 9.4. If the applicant is granted temporary permission, it will be subject to the following conditions:

(a) no access to public funds; and
(b) work permitted (including self-employment and voluntary work); and
(c) study permitted, subject to the ATAS condition in Appendix ATAS.

Settlement as an Adult Dependent Relative for those with temporary permission to stay as an Adult Dependent Relative

Validity requirements for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

ADR 10.1. A person in the UK applying for settlement as an Adult Dependent Relative must apply online on the gov.uk website on the specified form as follows: "Settle in the UK in various immigration categories: form SET(O)".

ADR 10.2. The applicant must be in the UK and must have, or have previously been granted, permission as an Adult Dependent Relative.

ADR 10.3. An application for settlement as an Adult Dependent Relative must meet all the following requirements:

(a) any fee must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

ADR 10.4. An application which does not meet all the validity requirements for settlement as an Adult Dependent Relative may be rejected as invalid and not considered.

Suitability requirements for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

ADR 11.1. The applicant must not fall for refusal under:

(a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:
    (i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or
    (ii) S-ILR.2.2, S-ILR.4.2 to S-ILR.4.5 (subject to ADR. 11.5); or
(b) paragraph 9.6.1. of Part 9 of these rules (subject to ADR 11.5).

ADR 11.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
(b) on immigration bail.

ADR 11.3. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

ADR 11.4. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission and the applicant has spent at least 5 years with such permission since the end of their sentence.

ADR 11.5. Where any of the following have occurred, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission, and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

(a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or
(b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or
(c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or
(d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or
(e) the applicant has breached the conditions of their permission.

Eligibility requirements for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

Sponsorship requirement for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

ADR 12.1. The applicant's sponsor must be the same sponsor as when the applicant was last granted permission as an Adult Dependent Relative. The sponsor must be in the UK and must be one of the following:

(a) a British Citizen; or
(b) settled; or
(c) have protection status and have, at the same time as the applicant, applied for settlement which is granted; or
(d) an EEA national in the UK with limited leave to enter or remain granted under paragraph EU3 of Appendix EU to these rules on the basis of meeting condition 1 in paragraph EU14 of that Appendix and have, at the same time as the applicant, applied for settlement which is granted.

Financial requirement for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

ADR 13.1. The sponsor must be able to provide adequate maintenance, accommodation and care for the applicant in the UK without reliance on public funds.

ADR 13.2. The sponsor must provide evidence of income or cash savings sufficient to show they can meet the financial requirement and:

(a) evidence of income (other than self-employment) or savings must cover the 6 month period immediately before the date of application; or
(b) where the sponsor is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or
(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or
(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or
(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

ADR 13.3. The income or cash savings must be evidenced as specified in paragraphs 1, 12A and 12B of Appendix FM-SE.

ADR 13.4. The sponsor must provide a signed maintenance undertaking confirming that the applicant will not have access to public funds, and that the sponsor will be responsible for the maintenance, accommodation and care of the applicant for a period of 5 years from the date of grant under ADR 14.1. or the duration of the period of permission to be granted under ADR 14.4.

ADR 13.5. If the applicant receives public funds during the periods set out in ADR 13.4., the UK Government may seek to recover public funds from the sponsor who gave the undertaking.

Decision on an application for settlement as an Adult Dependent Relative for those with permission to stay as an Adult Dependent Relative

ADR 14.1. If the decision maker is satisfied that all the suitability and eligibility requirements for settlement as an Adult Dependent Relative are met, the applicant will be granted settlement.

ADR 14.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as an Adult Dependent Relative, the application will be varied by the Secretary of State to an application for temporary permission to stay as an Adult Dependent Relative, and where this happens:

(a) no additional application fee for the application for permission to stay will be required and the settlement application fee will not be refunded; and
(b) the Secretary of State will write to the applicant informing them of this variation and will request the applicant pay the required Immigration Health Charge.

ADR 14.3. If the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid and the applicant will not be refunded the fee paid for the settlement application.

ADR 14.4. Where an application is varied and the applicant meets the requirements for permission to stay the applicant will be granted permission to stay which expires on the same date as their sponsor's permission, or, if the sponsor is a British Citizen or settled in the UK, the applicant will be granted permission for 30 months.

ADR 14.5. If the applicant is granted permission to stay, it will be subject to the following conditions:

(a) no access to public funds; and
(b) work allowed (including self-employment and voluntary work); and
(c) study allowed subject to the ATAS requirement in Appendix ATAS.

ADR 14.6. If the decision maker is not satisfied that the applicant meets all the suitability and relevant eligibility requirements for settlement or permission to stay the application for settlement will be refused.

Back to top

Immigration Rules

Appendix Long Residence

The Long Residence route is for a person who has lived in the UK lawfully and continuously for 10 years or more. The person can count time with permission on most routes towards the 10 year qualifying period.

There is no provision for dependents of a person on the Long Residence route to apply on this route.

A person may apply for immediate settlement if they meet all the requirements for settlement or may apply for temporary permission to stay if they meet the suitability and qualifying period and continuous residence requirements but do not meet the English language or Knowledge of life in the UK requirements.

A person who has lived in the UK for a long period but has not been lawfully and continuously resident for 10 years may be eligible to apply under Appendix Private Life.

Permission to stay on the Long Residence route

Validity requirements for permission to stay on the Long Residence route

LR 1.1. A person applying for permission to stay on the Long Residence route must apply online on the gov.uk website on the specified form “Application to extend your stay in the UK on the basis of long residence”.

LR 1.2. An application for permission to stay on the Long Residence route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided biometrics when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

LR 1.3. The applicant must be in the UK on the date of application.

LR 1.4. An application which does not meet all the validity requirements for permission to stay on the Long Residence route may be rejected as invalid and not considered.

Suitability requirements for permission to stay on the Long Residence route

LR 2.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

LR 2.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded (although it will not count towards the qualifying period); or
(b) on immigration bail.

Eligibility requirements for permission to stay on the Long Residence route

Qualifying period requirement for permission to stay on the Long Residence route

LR 3.1. The applicant must have spent a qualifying period of 10 years lawfully in the UK, for the entirety of which one or more of the following applied:
(a) the applicant had permission, except permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or under any of their predecessor routes); or
(b) the applicant was exempt from immigration control; or
(c) the applicant was in the UK as an EEA national, or the family member of an EEA national, exercising a right to reside under the Immigration (European Economic Area) Regulations 2016 prior to 11pm on 31 December 2020 (and until 30 June 2021 or the final determination of an application under Appendix EU made by them by that date).

LR 3.2. The following periods will not count towards the qualifying period for Long Residence:
(a) time spent on immigration bail, temporary admission or temporary release; and
(b) any period of overstaying between periods of permission before 24 November 2016, even if a further application was made within 28 days of the expiry of the previous permission; and
(c) any period of overstaying between periods of permission on or after 24 November 2016 even if paragraph 39E applies to that period of overstaying; and
(d) any current period of overstaying where paragraph 39E applies.

Continuous residence requirement for permission to stay on the Long Residence route

LR 4.1. The applicant must have met the continuous residence requirement set out in Appendix Continuous Residence for the entirety of the qualifying period.

Transitional arrangements for the Long Residence route

LR 5.1. A person granted an extension of stay on the basis of long residence following an application made on or before 8 July 2012 will remain subject to the rules in force on 8 July 2012.

Decision on an application for permission to stay on the Long Residence route

LR 6.1. If the decision maker is satisfied the suitability and eligibility requirements for permission to stay on the Long Residence route are met, the application will be granted.

LR 6.2. If the decision maker is not satisfied the requirements for permission to stay on the Long Residence route are met, the applicant will be considered under the leave to remain rules for a partner, parent or child under Appendix FM (family life) and the permission to stay requirements of Appendix Private Life, and where those requirements are met, the applicant will be granted leave to remain under the relevant rules in Appendix FM (family life) or granted permission to stay under Appendix Private Life.

LR 6.3. Subject to LR 6.2, if the decision maker is not satisfied that the applicant meets the suitability and eligibility requirements for permission to stay on the Long Residence route, the application will be refused.

Period of grant for permission to stay on the Long Residence route

LR 7.1. The applicant will be granted permission to stay for a period of 24 months.

Conditions of grant for permission to stay on the Long Residence route

LR 8.1. The grant will be subject to the following conditions:

(a) no access to public funds; and

(b) work (including self-employment and voluntary work) is permitted; and

(c) study is permitted, subject to the Academic Technology Approval Scheme (ATAS) condition in Appendix ATAS.

Settlement on the Long Residence route

Validity requirements for settlement on the Long Residence route

LR 9.1. A person applying for settlement on the Long Residence route must apply online on the gov.uk website on the specified form “Apply to settle in the UK – long residence”.

LR 9.2. An application for settlement on the Long Residence route must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided biometrics when required; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

LR 9.3. The applicant must be in the UK on the date of application.

LR 9.4. An application which does not meet all the validity requirements for settlement on the Long Residence route may be rejected as invalid and not considered.

Suitability requirements for settlement on the Long Residence route

LR 10.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

LR 10.2. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded (although it will not count towards the qualifying period); or

(b) on immigration bail.

Eligibility requirements for settlement on the Long Residence route

Qualifying period requirement for settlement on the Long Residence route

LR 11.1. The applicant must have spent a qualifying period of 10 years lawfully in the UK, for the entirety of which one or more of the following applied:

(a) the applicant had permission, except permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or under any of their predecessor routes); or

(b) the applicant was exempt from immigration control; or

(c) the applicant was in the UK as an EEA national, or the family member of an EEA national, exercising a right to reside under the Immigration (European Economic Area) Regulations 2016 prior to 11pm on 31 December 2020 (and until 30 June 2021 or the final determination of an application under Appendix EU made by them by that date).

LR 11.2. The following periods will not count towards the qualifying period for Long Residence:

(a) time spent on immigration bail, temporary admission or temporary release; and

(b) any period of overstaying between periods of permission before 24 November 2016 even if a further application was made within 28 days of the expiry of the previous permission; and

(c) any period of overstaying between periods of permission on or after 24 November 2016 even if paragraph 39E applies to that period of overstaying; and

(d) any current period of overstaying where paragraph 39E applies.

LR 11.3. Subject to LR 11.4, the applicant must have had permission on their current immigration route for at least 12 months on the date of application, or have been exempt from immigration control in the 12 months immediately before the date of application.

LR 11.4. If the applicant's current permission was granted before 11 April 2024, LR 11.3. does not apply.

Continuous residence requirement for settlement on the Long Residence route

LR 12.1. The applicant must have met the continuous residence requirement set out in Appendix Continuous Residence for the entirety of the qualifying period.

English Language requirement for settlement on the Long Residence route

LR 13.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

LR 13.2. The applicant must show they meet the English language requirement, or that an exemption applies, as set out in Appendix English Language.

Knowledge of life in the UK requirement for settlement on the Long Residence route

LR 14.1. Unless an exemption applies, the applicant must meet the Knowledge of life in the UK requirement as set out in Appendix KOL UK.

LR 14.2. The applicant must show they meet the Knowledge of life in the UK requirement, or that they are exempt, as set out in Appendix KOL UK.

Decision on an application for settlement on the Long Residence route

LR 15.1. If the decision maker is satisfied that the suitability and eligibility requirements for settlement on the Long Residence route are met, the applicant will be granted settlement.

LR 15.2. If the decision maker is not satisfied the suitability and eligibility requirements for settlement on the Long Residence route are met, but thinks the applicant may meet requirements for permission to stay on the Long Residence route Page 259 of 289 or one of the following routes, the application will be varied by the Secretary of State to an application for permission to stay:

(a) as a partner, parent or child under Appendix FM (family life); or
(b) under Appendix Private Life.

LR 15.3. If the application is varied as set out in LR 15.2, the Secretary of State will contact the applicant informing them of this variation and:

(a) no additional application fee for the application for permission to stay will be required and the settlement application fee will not be refunded; and
(b) the applicant must pay any required Immigration Health Charge.

LR 15.4. If LR 15.2. applies and the applicant does not pay the required Immigration Health Charge, or does not request a waiver for the Immigration Health Charge,

which is then granted, the application for permission to stay will be rejected as invalid and the applicant will not be refunded the fee paid for the settlement application.

LR 15.5. If the application is varied to an application for permission to stay and the decision maker is satisfied the suitability and eligibility requirements for permission to stay on the Long Residence route are met, the applicant will be granted permission to stay on the Long Residence route.

LR 15.6. If the decision maker is not satisfied the requirements for permission to stay on the Long Residence route are met, the applicant will be considered under the leave to remain rules for a partner, parent or child under Appendix FM (family life) and the permission to stay requirements of Appendix Private Life, and where the relevant requirements are met, the applicant will be granted under those rules.

LR 15.7. If the decision maker is not satisfied the requirements for settlement or permission to stay on the Long Residence route are met, and the applicant is not granted permission to stay under Appendix FM (family life) or Appendix Private Life, the applicant will be refused settlement on the Long Residence route.

Back to top

Immigration Rules

Appendix Victim of Domestic Abuse

This route allows settlement where a person has, or was last granted, permission as a partner on a specified route and the relationship has permanently broken down due to domestic abuse.

The applicant must be in the UK, unless the applicant is overseas because they have been abandoned overseas.

Dependent children can also apply on this route.

An alternative route may be available for relevant family members under Appendix EU who are victims of domestic abuse.

Validity requirements for the Victim of Domestic Abuse route

VDA 1.1. A person applying from outside the UK on the Victim of Domestic Abuse route must apply for entry clearance online on the gov.uk website on the specified form: “Return to the UK”.

VDA 1.2. A person applying in the UK on the Victim of Domestic Abuse route must apply online on the gov.uk website on one of the specified forms as follows:

(a) for the Victim of Domestic Abuse, and a child applying on the Victim of Domestic Abuse route at the same time as their parent and who is included in their parent’s application, form SET (DV); or

(b) for a child of a Victim of Domestic Abuse who is not applying at the same time as their parent, form SET (F).

VDA 1.3. An application on the Victim of Domestic Abuse route must meet all of the following validity requirements:

(c) any fee must have been paid (unless the applicant has been granted a fee waiver); and

(d) the applicant must have provided any required biometrics; and

(e) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

VDA 1.4. An application which does not meet all the validity requirements for the Victim of Domestic Abuse route may be rejected as invalid and not considered.

Suitability requirements for the Victim of Domestic Abuse route

VDA 2.1. The applicant must not fall for refusal under Part 9: grounds or refusal, but paragraph 9.8.4.(a) does not apply.

Eligibility requirements for Victim of Domestic Abuse Route

Entry requirements for the Victim of Domestic Abuse route

VDA 3.1. Where a person is outside the UK they must apply for and obtain entry clearance on the Victim of Domestic Abuse route before they arrive in the UK.

VDA 3.2. Where a person is applying for entry clearance on the Victim of Domestic Abuse route they must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a Victim of Domestic Abuse

VDA 4.1. The applicant must have, or have last been granted, permission as one of the following:

(a) a partner under Appendix FM (except for permission as a fiancé(e) or proposed civil partner) of a person who is a British citizen, settled in the UK or an EEA national in the UK with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of Appendix EU; or

(aa) a spouse, civil partner or durable partner under Appendix EU with limited leave to enter or remain as a family member of a relevant EEA citizen (or of a qualifying British citizen), as a joining family member of a relevant sponsor or as a family member who has retained the right of residence, granted under paragraph EU3 or EU3A of that Appendix; or

(b) a partner under Appendix FM, Part 11, or Appendix Family Reunion (Protection) of a person with permission as a refugee; or

(c) a partner of a person present and settled in the UK under paragraph 285 or 295E of Part 8; or

(d) a victim of domestic abuse under Appendix FM; or

(e) a partner under Appendix Armed Forces or Part 7 (except for permission as a fiancé(e) or proposed civil partner), of any of the below:

(i) a person who is a British citizen; or

(ii) a foreign and commonwealth citizen with at least 4 years' reckonable service in HM Forces at the date of application under this paragraph or

(iii) a member of HM Armed forces who has applied for or been granted permission or settlement as a foreign and commonwealth citizen discharged from HM Armed Forces. or

(f) leave outside the rules granted under the Migrant Victims of Domestic Abuse Concession (formerly the destitution domestic violence concession (DDVC)), and before that were last granted permission under one of the categories defined in VDA 4.1(a) to (e).

VDA 4.2. The relationship between the applicant and their partner must have broken down permanently as a result of domestic abuse.

VDA 4.3. If the applicant is applying from outside the UK, they must have been abandoned outside the UK.

Requirements for a child of a Victim of Domestic Abuse

VDA 5.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement for settlement; and
(b) care requirement; and
(c) age and independent life requirement.

English language requirements for a child of a Victim of Domestic Abuse

VDA 6.1. If the applicant is applying as a child and is aged over 18, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

VDA 6.2. The applicant must show they meet the English language requirement or that an exemption applies, as specified in Appendix English Language.

Knowledge of life in the UK requirements for a child of a Victim of Domestic Abuse

VDA 7.1. The applicant must meet the Knowledge of Life in the UK requirement, or an exemption must apply, as set out in Appendix KOL UK.

Maintenance and Accommodation requirements for a child of a Victim of Domestic Abuse

VDA 8.1 Where the applicant is applying as a child, the decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant without recourse to public funds.

VDA 8.2 Funds must be shown as specified in Appendix FM-SE.

Decision on an application for settlement on the Victim of Domestic Abuse route

VDA 9.1. If the decision maker is satisfied that all the suitability and eligibility requirements for entry clearance or settlement on the Victim of Domestic Abuse route are met, the application will be granted, otherwise the application will be refused.

VDA 9.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant on the Victim of Domestic Abuse route

VDA 10.1. Where the applicant is outside the UK and the requirements for entry clearance are met, they will be granted entry clearance for settlement.

VDA 10.2. Where the applicant is in the UK and the requirements for settlement are met, they will be granted settlement.

Back to top

Immigration Rules

Appendix Bereaved Partner

This route allows settlement where a person has, or was last granted, permission as a partner on a specified route and their partner has died.

The applicant must be in the UK, unless they were last granted permission as a partner under Appendix HM Armed Forces.

Dependent children can also apply on this route.

An alternative route for Bereaved partners of a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997, is available under Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997.

Validity requirements for the Bereaved Partner route

BP 1.1. A person applying from outside the UK on the Bereaved Partner route must apply online for entry clearance on the gov.uk website on form “VAF (AF)”.

BP 1.2. A person applying in the UK on the Bereaved Partner route must apply online on the gov.uk website on the specified form as follows:

(a) for applicants who were last granted permission as a partner or child under Appendix HM Armed Forces, form “SET (AF)”; or

(b) for all other bereaved partners or where a child is applying for permission on the Bereaved Partner route at the same time as their parent and who is included in their parent’s application (with the exception of children granted permission under Appendix HM Armed Forces), form “SET(O)”; or

(c) for children in the UK who are not applying for permission on the Bereaved Partner route at the same time as their parent (with the exception of those granted permission under Appendix HM Armed Forces), form “SET(F)”.

BP 1.3. An application on the Bereaved Partner route must meet all the following validity requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

BP 1.4. An application which does not meet all the validity requirements for the Bereaved Partner route may be rejected as invalid and not considered.

Suitability requirements for the Bereaved Partner route

BP 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal, but paragraph 9.8.4.(a) does not apply.

Eligibility requirements for the Bereaved Partner route

Entry requirements for the Bereaved Partner route

BP 3.1. Where a person is outside the UK they must apply for and obtain entry clearance on the Bereaved Partner route before they arrive in the UK.

BP 3.2. Where a person is applying for entry clearance on the Bereaved Partner route they must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Immigration status requirements for a Bereaved Partner in the UK

BP 4.1. An applicant who is in the UK at the date of application must have, or have last been granted, permission as one of the following:

(a) a partner under Appendix FM (except for permission as a fiancé(e) or proposed civil partner) of a person who is a British citizen, settled in the UK or an EEA national in the UK with limited leave to enter or remain granted under paragraph EU3 of Appendix EU on the basis of meeting condition 1 in paragraph EU14 of Appendix EU; or

(b) a partner of a person present and settled in the UK under paragraph 285 or 295E of Part 8 of these rules; or

(c) a Bereaved Partner under Appendix FM; or

(d) a partner under Appendix HM Armed Forces or Part 7 (except for permission as a fiancé(e) or proposed civil partner), of any of the below:

(i) a person who is a British citizen; or

(ii) a foreign and commonwealth citizen who was serving member of HM forces; or

(iii) a member of HM Armed forces who has applied for or been granted permission or settlement as a foreign and commonwealth citizen discharged from HM Armed Forces.

Immigration status requirements for a Bereaved Partner overseas

BP 5.1. An applicant who is in overseas on the date of application must have, or have last been granted, permission as:

(a) a partner under Appendix HM Armed Forces or Part 7 (except for permission as a fiancé(e) or proposed civil partner), of one of the following:

(i) a person who at the time of their death was a British citizen; or

(ii) a foreign and commonwealth citizen who was at the time of their death a serving member of HM forces; or

(iii) a member of HM Armed forces who at the time of their death had applied for, and would have been granted if they had not died, or had been granted, permission to stay or settlement as a foreign and commonwealth citizen discharged from HM Armed Forces.

Relationship requirement for a Bereaved Partner

BP 6.1. The person who was the applicant's partner at the time of the applicant's last grant of permission as a partner, must have died.

BP 6.2. The applicant and their partner must have been in a genuine and subsisting relationship immediately before the partner's death.

Requirements for a dependent child of a Bereaved Partner

BP 7.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) relationship requirement for settlement; and
(b) care requirement; and
(c) age and independent life requirement.

English language requirements for a child of a Bereaved Partner

BP 8.1. If the applicant is applying as a child and is aged over 18, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

BP 8.2. The applicant must show they meet the English language requirement, or that an exemption applies, as specified in Appendix English Language.

Knowledge of life requirements for a child of a Bereaved Partner

BP 9.1. The applicant must meet the Knowledge of Life in the UK requirement, or an exemption must apply, as set out in Appendix KOL UK.

Maintenance and Accommodation requirements for a child of a Bereaved Partner

BP 10.1 Where the applicant is applying as a child, the decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant without recourse to public funds.

BP 10.2 Funds must be shown as specified in Appendix FM-SE.

Decision on an application for settlement on the Bereaved Partner route

BP 11.1. If the decision maker is satisfied that the suitability and relevant eligibility requirements on the Bereaved Partner route are met, the application will be granted, otherwise the application will be refused.

BP 11.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant on the Bereaved Partner Route

BP 12.1. Where the applicant is outside the UK, they will be granted entry clearance for settlement.

BP 12.2. Where the applicant is in the UK, they will be granted settlement.

Back to top

Immigration Rules

Appendix Adoption

The adoption routes are for a child under the age of 18 to apply to come to the UK either to be adopted or having been adopted overseas.

If a child is granted temporary permission under Appendix Adoption, they would need to apply for settlement under paragraph 298 in Part 8; or for settlement on the route their adoptive parent is on.

Where an adoption has taken place in a country where the adoption is recognised under UK law and the adoptive parent(s) were resident in that country at the time of the adoption, the adopted child may make an application as a dependent child on the same route as their parent(s).

There are four adoption routes:

Hague Convention: this route applies where the adoption is via an adoption agency under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. Most Hague Convention adoptions will be completed overseas, however for some countries the adoption is completed in the UK and the child must apply for entry clearance to come to the UK for the adoption to be completed.

Recognised Overseas Adoptions: this route allows a child to apply for entry clearance to come to the UK where they have been adopted overseas in a country where the adoption is recognised under UK law, or where the adoption has been recognised by order of the High Court in the UK.

De facto Adoption: this route is for a child to apply for entry clearance where the child has been living with their adoptive parent(s) overseas for at least 12 months and there has been a genuine transfer of parental responsibility.

Coming to the UK for adoption: this route is for a child to apply for entry clearance where they are in a country whose adoptions are not recognised in the UK and the child is coming to the UK to be adopted under UK law. Where applicable the relevant UK authority must have issued the adopters with a certificate of eligibility to adopt.

Adoption: Hague Convention

Entry clearance for the Adoption: Hague Convention route

Validity requirements for the Adoption: Hague Convention route

AD 1.1. A child applying for entry clearance on the Adoption: Hague Convention route must apply online on the gov.uk website on the specified form: ‘Non-British

adopted child or child coming to the UK for adoption of a parent or parents who are British citizens or settled in the UK'.

AD 1.2. An application for entry clearance must meet all the following requirements:
(a) any fee and the Immigration Health Charge must have been paid; and
(b) the applicant must have provided biometrics when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AD 1.3. An application which does not meet all the validity requirements of the Adoption: Hague Convention route may be rejected as invalid and not considered.

Suitability requirements for Adoption: Hague Convention route

AD 2.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

Eligibility requirements for Adoption: Hague Convention route

Entry requirement for Adoption: Hague Convention route

AD 3.1. A child seeking to come to the UK under the Adoption: Hague Convention route must apply for and obtain entry clearance on the Adoption: Hague Convention route before they arrive in the UK.

AD 3.2. A child applying for entry clearance on the Adoption: Hague Convention route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Adoption Requirements for Adoption: Hague Convention route

AD 4.1. The adoptive parents or, if there is sole responsibility, the adoptive parent, must be habitually resident in the UK.

AD 4.2. The adoption must be the subject of an agreement made under Article 17(c) of the Hague Convention.

AD 4.3. The applicant must have been entrusted to the adoptive parent(s) by the competent administrative authority of the child's country of origin the purpose of adoption under the Hague Convention.

AD 4.4. The decision maker must be satisfied that the adoption is not one of convenience arranged to facilitate the admission of the child to the UK.

Dependent child requirements for Adoption: Hague Convention route

AD 5.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age; and
(b) independent life requirement; and
(c) care requirement.

Immigration status requirements of parents for Adoption: Hague Convention route

AD 6.1. The applicant must be joining an adoptive parent(s) where one of the following applies:

(a) both parents are British Citizens, settled in the UK, or are in the UK and have a right to stay in the UK without restriction; or
(b) the adoptive parent has sole responsibility for the applicant and is a British Citizen, settled in the UK or is in the UK and has a right to stay in the UK without restriction.

Financial requirement for Adoption: Hague Convention route

AD 7.1. The applicant must show that they will be adequately maintained in the UK by the adoptive parent(s), without access to public funds.

AD 7.2. The applicant must provide evidence from the adoptive parent(s) of income or cash savings sufficient to show the financial requirement is met, and:

(a) evidence from income (other than self-employment) or savings must cover the 6-month period immediately before the date of application; or
(b) where the adoptive parent(s) is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or
(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing self-employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or
(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or
(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

AD 7.3. The applicant must show they meet the financial requirement as set out in Appendix FM-SE.

Accommodation requirement for Adoption: Hague Convention route

AD 8.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Eligibility under Article 8 of the Human Rights Convention for the Adoption: Hague Convention route

AD 9.1. If the applicant meets the Requirements for Adoption, but does not meet the suitability or other eligibility requirements (subject to AD 9.2.), the decision maker must be satisfied that refusal of the application would breach Article 8 of the Human Rights Convention, because it would result in unjustifiably harsh consequences for the applicant or their adoptive family.

AD 9.2. Where AD 9.1. applies and the applicant falls for refusal under 9.2.1, 9.2.3, 9.3.1.,9.4.1., 9.5.1. of Part 9: General Grounds for Refusal, the application on the Adoption: Hague Convention route must be refused.

Decision on an application on the Adoption: Hague Convention route

AD 10.1. If the decision maker is satisfied that the validity, suitability and eligibility requirements are met, or the applicant meets the eligibility requirements at AD 4.1. to AD 4.4. and AD 9.1. (unless paragraph AD 9.2. applies), the applicant will be granted permission to stay on the Adoption: Hague Convention route, otherwise the application will be refused.

Period of grant on the Adoption: Hague Convention route

AD 11.1. The applicant will be granted entry clearance for 24 months, which is to allow the Hague adoption to be completed in the UK.

Conditions of grant on the Adoption: Hague Convention route

AD 12.2. The grant will be subject to the following conditions:

(a) work is permitted; and
(b) study is permitted; and
(c) no access to public funds.

Adoption: Recognised Overseas Adoption

Entry clearance for the Adoption: Recognised Overseas Adoption route

Validity requirements for the Adoption: Recognised Overseas Adoption route

AD 13.1. A child applying for entry clearance on the Adoption: Recognised Overseas Adoption route must apply online on gov.uk on the specified form: 'Non-British

adopted child or child coming to the UK for adoption of a parent or parents who are British citizens or settled in the UK'.

AD 13.2. An application for entry clearance on the Adoption: Recognised Overseas Adoption route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided biometrics when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AD 13.3. An application which does not meet all the validity requirements for the Adoption: Recognised Overseas Adoption route may be rejected as invalid and not considered.

Suitability requirements for the Adoption: Recognised Overseas Adoption route

AD 14.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

Eligibility requirements for Adoption: Recognised Overseas Adoption route

Entry requirements for Adoption: Recognised Overseas Adoption route

AD 15.1. A child seeking to come to the UK on the Recognised Overseas Adoption route must apply for and obtain entry clearance on the Adoption: Overseas Adoption route before they arrive in the UK.

AD 15.2. A child applying for entry clearance on the Recognised Overseas Adoption route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Adoption requirements for Adoption: Recognised Overseas Adoption route

AD 16.1. The applicant must have been legally adopted in a country whose adoption orders are, or at the time of the applicant's adoption were, recognised under UK law.

AD 16.2. The overseas adoption must have been in accordance with a decision taken by the competent Central Authority or court in the child's country of origin, or the country in which they are resident, unless AD 16.4. applies.

AD 16.3. The applicant must provide evidence from the relevant Central Authority to confirm a Certificate of Eligibility has been issued if the adoption engages the requirements in:

(a) section 83 of the Adoption and Children Act 2002; or
(b) articles 58ZA and 58ZB of the Adoption (Northern Ireland) Order 1987; or
(c) section 58 of the Adoption and Children (Scotland) Act 2007.

AD 16.4. For the purpose of this Appendix “Central Authority” depends on the country of habitual residence for the adoptive parent: for residents in England, the Central Authority for an adoption under the Hague Convention is the Department for Education and the Devolved Administrations in Wales, Scotland and Northern Ireland and the Isle of Man Government are Central Authorities in their respective regions.

AD 16.5. Where the requirement in AD 16.1. and AD 16.2. is not met, the adoption must have been recognised by order of the High Court in the UK.

AD 16.6. The decision maker must be satisfied that the adoption is not one of convenience arranged to facilitate the admission of the child to the UK.

Dependent child requirements for Adoption: Recognised Overseas Adoption route

AD 17.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age; and
(b) independent life requirement; and
(c) care requirement.

Immigration status requirements of parents for Adoption: Recognised Overseas Adoption route

AD 18.1. The applicant must be joining or accompanying their adoptive parent(s) where one of the following applies:

(a) both adoptive parents are British Citizens, are settled in the UK or live in the UK and have a right to stay without restriction; or
(b) the adoptive parent has sole responsibility for the applicant and is a British Citizen, is settled in the UK or lives in the UK and has a right to stay without restriction; or
(c) one adoptive parent is a British Citizen, or is settled in the UK, or lives in the UK and has a right to stay without restriction and the other adoptive parent has, or is applying for (and is granted), entry clearance or permission to stay on a route to settlement; or
(d) the adoptive parent has sole parental responsibility, and is applying for (and is granted), entry clearance or permission on a route to settlement; or
(e) one adoptive parent is a British Citizen, is settled, or lives in the UK and has a right to stay without restriction and the decision maker is satisfied there are serious and compelling reasons to grant the applicant entry clearance; or
(f) one adoptive parent has, or is applying for (and is granted), entry clearance or permission to stay on a route to settlement and the decision maker is satisfied there are serious and compelling reasons to grant the applicant entry clearance.

Financial requirements for Adoption: Recognised Overseas Adoption route

AD 19.1. The applicant must show that they will be adequately maintained in the UK by their adoptive parent(s) without access to public funds, unless AD 19.2. applies.

AD 19.2. Where the adoptive parent(s) of the applicant has, or is applying for (and is granted), entry clearance or permission to stay on a route to settlement, the applicant must meet the financial requirement for a dependent child under that route.

AD 19.3. The applicant must provide evidence from the adoptive parent(s) of income or cash savings sufficient to show the financial requirement is met, and:

(a) evidence from income (other than self-employment) or savings must cover the 6-month period immediately before the date of application; or

(b) where the sponsor is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or

(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing self-employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or

(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or

(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

AD 19.4. The applicant must show they meet the financial requirement as set out in Appendix FM-SE.

Accommodation requirement for Adoption: Recognised Overseas Adoption route

AD 20.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Eligibility under Article 8 of the Human Rights Convention for Adoption: Recognised Overseas Adoption route

AD 21.1. If the applicant meets the Requirements for Adoption, but does not meet the suitability or other eligibility requirements (subject to AD 21.2.), the decision maker must be satisfied that refusal of the application would breach Article 8 of the Human Rights Convention, because it would result in unjustifiably harsh consequences for the applicant or their adoptive family.

AD 21.2. Where AD 21.1. applies and the applicant falls for refusal under 9.2.1, 9.2.3, 9.3.1.,9.4.1., 9.5.1. of Part 9 of these rules the application on the Adoption: Recognised Overseas Adoption route, must be refused.

Decision on the Adoption: Recognised Overseas Adoption route

AD 22.1. If the decision maker is satisfied that the validity, suitability and the relevant eligibility requirements are met, or the applicant meets the eligibility requirements at AD16.1. to AD 16.6 and AD21.1. (unless paragraph AD 21.2. applies), the applicant will be granted permission to stay on the Adoption: Recognised Overseas Adoption route, otherwise the application will be refused.

Period of grant on the Adoption: Recognised Overseas Adoption route

AD 23.1. The applicant will be granted settlement, if either:

(a) both adoptive parents are a British Citizen, settled or live in the UK and have a right to stay without restriction; or

(b) in the case of sole parental responsibility, the adoptive parent is a British Citizen, settled or lives in the UK and has a right to stay without restriction,

AD 23.2. If the adoptive parent(s) is not a British Citizen, settled or living in the UK with a right to stay without restriction, the applicant will be granted permission which ends on the same date as the permission granted to their adoptive parent(s).

Conditions of grant on the Adoption: Recognised Overseas Adoption route

AD 24.1. The grant will be subject to the following conditions:

(a) work is permitted: and

(b) study is permitted; and

(c) no access to public funds.

De Facto Adoption

Entry clearance for the Adoption: De Facto route

Validity requirements for Adoption: De Facto route

AD 25.1. A child applying for entry clearance on the Adoption: de facto route must apply online on gov.uk on the specified form ‘Non-British adopted child or child coming to the UK for adoption of a parent or parents who are British citizens or settled in the UK’.

AD 25.2. An application for entry clearance on the Adoption: de facto route must meet all the following requirements:

(a) any fee and the Immigration Health Charge must have been paid; and

(b) the applicant must have provided biometrics when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AD 25.3. An application which does not meet all the validity requirements for the Adoption: de facto route may be rejected as invalid and not considered.

Suitability requirements for Adoption: De Facto route

AD 26.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

Eligibility requirements for Adoption: De Facto route

Entry requirements for the Adoption: De Facto route

AD 27.1. A child seeking to come to the UK under the Adoption: De Facto route must apply for and obtain entry clearance on the Adoption: de facto route before they arrive in the UK.

AD 27.2. A person applying for entry clearance on the Adoption: De Facto route must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Adoption requirements for Adoption: De Facto route

AD 28.1. At the date of application, the adoptive parents must both have:
(a) been resident together overseas for at least 18 months; and
(b) lived with the applicant for the 12 months immediately before the date of application; and
(c) assumed the role of the applicant's parent(s) since the beginning of the 18-month period, so that there has been a genuine transfer of parental responsibility.

AD 28.2. Where the adoptive parent has sole responsibility, at the date of application they must have:
(a) been resident overseas for at least 18 months; and
(b) lived with the applicant for the 12 months immediately before the date of application; and
(c) assumed the role of the applicant's parent since the beginning of the 18-month period, so that there has been a genuine transfer of parental responsibility.

AD 28.3. The applicant must provide evidence that:
(a) the de facto adoption is not one of convenience arranged to facilitate the applicant's admission to the UK; and
(b) they will have the same rights and obligations as any other child of the de facto adoptive parent(s)'s family; and

(c) the birth parent(s) or those looking after the applicant immediately before they were physically transferred to the care of their de facto adoptive parent(s) are unable to care for the applicant; and
(d) the applicant has broken or lost ties with their biological family.

Dependent child requirements for the Adoption: De Facto route

AD 29.1. The applicant must meet the following requirements for a dependent child in Appendix Children:
(a) age; and
(b) independent life requirement; and
(c) care requirement.

Immigration status requirement of parents for the Adoption: De Facto route

AD 30.1. The applicant must be accompanying an adoptive parent(s) and one of the following applies:
(a) both adoptive parents are British Citizens, or has settled status, or have a right to stay in the UK without restriction or are being admitted to the UK for settlement; or
(b) one adoptive parent is a British Citizen, or has settled status, or has a right to stay in the UK without restriction, or is being admitted to the UK for settlement and they have sole responsibility for the child's upbringing; or
(c) one adoptive parent is a British Citizen, or has settled status, or has a right to stay in the UK without restriction, or is being admitted to the UK for settlement and the other prospective adoptive parent has or is being given permission to come to the UK on a route to settlement; or
(d) one adoptive parent is a British Citizen, or has settled status, or has a right to stay in the UK without restriction, or is being admitted to the UK for settlement, and the decision maker is satisfied there are serious and compelling reasons to grant the applicant entry clearance.

Financial requirement for the Adoption: De Facto route

AD 31.1. The applicant must show that they will be adequately maintained in the UK by the adoptive parent(s) without access to public funds, unless AD 31.2. applies.

AD 31.2. Where an adoptive parent of the applicant has, or is applying for, permission on a route to settlement, the applicant must meet the financial requirement as a dependent child under that route.

AD 31.3. The applicant must provide evidence from the adoptive parent(s) of income or cash savings sufficient to show the financial requirement is met, and:
(a) evidence from income (other than self-employment) or savings must cover the 6-month period immediately before the date of application; or
(b) where the sponsor is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months

immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or
(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing self-employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or
(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or
(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

AD 31.4. The applicant must show they meet the financial requirement as set out in Appendix FM-SE.

Accommodation requirement for Adoption: De Facto route

AD 34.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Eligibility under Article 8 of the Human Rights Convention for Adoption: De Facto route

AD 35.1. If the applicant meets the Adoption requirements for Adoption but does not meet the suitability or other eligibility requirements (subject to AD 35.2.), the decision maker must be satisfied that refusal of the application would breach Article 8 of the Human Rights Convention, because it would result in unjustifiably harsh consequences for the applicant or their adoptive family.

AD 35.2. Where AD 35.1. applies and the applicant falls for refusal under 9.2.1, 9.2.3, 9.3.1.,9.4.1., 9.5.1. of Part 9 of these rules the application on the Adoption: De Facto route, must be refused.

Decision for Adoption: De Facto route

AD 36.1. If the decision maker is satisfied that the validity, suitability and the relevant eligibility requirements are met, or the applicant meets the eligibility requirements at AD 28.1. to AD 28.3. and AD 35.1. (unless paragraph AD 35.2. applies), the applicant will be granted permission to stay on the Adoption: De Facto route, otherwise the application will be refused.

Period of grant for Adoption: De Facto route

AD 37.1. The applicant will be granted settlement, if either:
(a) both adoptive parents are a British Citizen, settled or have a right to stay in the UK without restriction; or
(b) in the case of sole parental responsibility, the adoptive parent is a British Citizen, settled or has a right to stay in the UK without restriction.

AD 37.2. In all other cases the applicant will be granted permission which ends on the same date as the permission granted to their de facto adoptive parent.

Condition of grant for Adoption: De Facto route

AD 38.3. The grant will be subject to the following conditions:

(a) work is permitted: and
(b) study is permitted, and
(c) no access to public funds.

Adoption: coming to the UK for adoption

Entry clearance for the Adoption: coming to the UK for adoption route

Validity requirements for Adoption: coming to the UK for adoption route

AD 39.1. A child applying for entry clearance or permission to stay on the Adoption: coming to the UK for adoption route must apply online on gov.uk on the specified form: 'Non-British adopted child or child coming to the UK for adoption of a parent or parents who are British citizens or settled in the UK'.

AD 39.2. An application for entry clearance on the Adoption: coming to the UK for adoption route must meet all of the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided biometrics when required; and
(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AD 39.3. An application which does not meet all the requirements for Adoption: coming to the UK for adoption route may be rejected as invalid and not considered.

Suitability requirements for Adoption: coming to the UK for adoption route

AD 40.1. The decision maker must be satisfied that the applicant should not be refused under Part 9: grounds for refusal.

Eligibility requirements for Adoption: coming to the UK for adoption route

Entry requirement for Adoption: coming to the UK for adoption route

AD 41.1. A child seeking to come to the UK under the Adoption: coming to the UK for adoption route must apply for and obtain entry clearance on the Adoption: coming to the UK for adoption route before they arrive in the UK.

AD 41.2. A child applying for entry clearance under the Adoption: coming to the UK for adoption must, if Appendix Tuberculosis of these rules applies, provide a valid medical certificate confirming they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Dependent child requirements for Adoption: coming to the UK for adoption route

AD 42.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

(a) age; and
(b) independent life requirement; and
(c) care requirement.

Adoption requirements for Adoption: coming to the UK for adoption route

AD 43.1. The applicant must:

(a) be coming to the UK for adoption by an adoptive parent(s), in accordance with the laws relating to adoption in the UK; and
(b) demonstrate that the adoption is not one of convenience arranged to facilitate the applicant's admission to the UK; and
(c) demonstrate they will have the same rights and obligations as any other child of the adoptive parent(s)'s family; and
(d) be being adopted due to the inability of the applicant's birth parent(s) or current carer(s) (or those looking after the applicant immediately before they were physically transferred to the care of their adoptive parent(s)) to care for the applicant and there has been a genuine transfer of parental responsibility to the adoptive parent(s).

AD 43.2. The applicant must provide evidence from the relevant Central Authority (see AD 16.4) to confirm a Certificate of Eligibility has been issued if the adoption engages the requirements in:

(a) section 83 of the Adoption and Children Act 2002; or
(b) articles 58ZA and 58ZB of the Adoption (Northern Ireland) order 1987; or
(c) section 58 of Adoption and Children (Scotland) Act 2007.

Financial requirement for Adoption: coming to the UK for adoption route

AD 44.1. The applicant must show that they will be adequately maintained in the UK by the adoptive parent(s), without access to public funds, unless AD 44.2. applies.

AD 44.2. Where an adoptive parent of the applicant has, or is applying for (and is granted), permission on a route to settlement, the applicant must meet the financial requirement as a dependent under that route.

AD 44.3. The adoptive parent(s) must provide evidence of income or cash savings sufficient to show they can meet the financial requirement and:

(a) evidence from income (other than self-employment) or savings must cover the 6-month period immediately before the date of application; or
(b) where the sponsor is receiving maternity, paternity, adoption or sick pay, their income from salaried employment can be shown for either the 6 months

immediately before the date of application or the start date of the maternity, paternity, adoption or sick leave; or
(c) where the income is from self-employment it must be shown for the last full financial year before the date of application, with additional evidence of ongoing self-employment as in paragraphs 7 or 9 (as relevant) of Appendix FM-SE; or
(d) where there is non-employment income it must be shown to have been received in the 12 months before the date of application except where specified in paragraph 10 of Appendix FM-SE; or
(e) where property has been sold and the money received has been converted into cash savings the requirements in paragraph 11A(d) of Appendix FM-SE must be met.

AD 44.4. The applicant must show they meet the financial requirement as set out in Appendix FM-SE.

Accommodation requirement for Adoption: coming to the UK for adoption route

AD 45.1. The applicant's accommodation in the UK must not be overcrowded or contravene public health regulations.

Adoptive parent's immigration status requirements for Adoption: coming to the UK for adoption

AD 46.1. The applicant must be accompanying or joining an adoptive parent(s) where one of the following applies:
(a) both adoptive parents are either British Citizens, or have settled status, or live in the UK and have a right to stay without restriction; or
(b) one adoptive parent is a British citizen, or has settled status, or lives in the UK and has a right to stay without restriction and they have sole responsibility for the applicant's upbringing; or
(c) one adoptive parent is a British citizen, or has settled status, or lives in the UK and has a right to stay without restriction and the other parent has, or is seeking (and is granted), entry clearance or permission to stay on a route to settlement; or
(d) one adoptive parent has, or is seeking (and is granted), permission to come to the UK on a route to settlement and has sole responsibility for the child's upbringing; or
(e) one adoptive parent is a British Citizen, or has settled status, or lives in the UK and has a right to stay without restriction and the decision maker is satisfied there are serious and compelling reasons to grant the applicant entry clearance; or
(f) one adoptive parent has, or is seeking (and is granted), permission to come to the UK on a route to settlement and the decision maker is satisfied there are serious and compelling reasons to grant the applicant entry clearance.

Eligibility under Article 8 of the Human Rights Convention for Adoption: coming to the UK for adoption route

AD 47.1. If the applicant meets the Requirements for Adoption, but does not meet the suitability or other eligibility requirements (subject to AD 47.2.), the decision maker must be satisfied that refusal of the application would breach Article 8 of the Human Rights Convention, because it would result in unjustifiably harsh consequences for the applicant or their adoptive family.

AD 47.2. Where AD 47.1. applies and the applicant falls for refusal under 9.2.1, 9.2.3, 9.3.1.,9.4.1., 9.5.1. of Part 9 of these rules the application on the Adoption: coming to the UK for adoption route, must be refused.

Decision on application for Adoption: coming to the UK for adoption route

AD 48.1. If the decision maker is satisfied that the validity, suitability and the relevant eligibility requirements are met, or the applicant meets the eligibility requirements at AD 43.1. to AD 43.2. and AD 47.1. (unless paragraph AD 47.2 applies) the applicant will be granted permission to stay on the Adoption: coming to the UK for adoption route, otherwise the application will be refused.

Period of grant for the Adoption: coming to the UK for adoption route

AD 49.1. An applicant applying for entry clearance to come to the UK for adoption will be granted permission for 24 months.

Conditions of grant for the Adoption: coming to the UK for adoption route

AD 49.2. The grant will be subject to the following conditions:

(a) work is permitted; and
(b) study is permitted; and
(c) no access to public funds.

Back to top

Immigration Rules

Appendix Private Life

The Private Life route is for a person seeking permission to stay in the UK on the basis they have developed a Private Life in the UK.

A child born in the UK to a person who has permission on the Private Life route can apply for permission for the same duration as their parent.

The Private Life route is a route to settlement.

A child born in the UK who has been continuously resident for 7 years may qualify for immediate settlement on this route.

Alternative routes may be available to those considering the Private Life route. For example, a person may be able to qualify for immediate settlement on the basis of 10 years Long Residence in the UK, under Appendix Long Residence of these rules.

Validity requirements for the Private Life route

PL 1.1. A person applying for permission to stay on the Private Life route must apply online on the gov.uk website on the specified form: “Application to remain in the UK on the basis of family life or private life”.

PL 1.2. An application for permission to stay on the Private Life route must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid (unless the applicant has been granted a fee waiver in whole or in part); and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

PL 1.3. If a private life claim is made under Article 8 of the Human Rights Convention and it is made:

(a) at the same time as a protection claim or further submission in person after a protection claim has been refused; or

(b) when the applicant is in detention (and the claim is submitted to a prison officer, custody officer or a member of Home Office staff at the place of detention); or

(c) during an appeal (subject to the consent of the Secretary of State where applicable), the requirements at PL 1.1. and at PL 1.2. (a) and (c) will be waived.

PL 1.4. An application which does not meet all the validity requirements for the Private Life route may be rejected as invalid and not considered.

Suitability requirements on the Private Life route

PL 2.1. The application must not fall for refusal under the suitability grounds for refusal for leave to remain as set out in S-LTR.1.2. to S-LTR.2.2. and S-LTR.3.1. to S-LTR.4.5. of Appendix FM of these rules.

PL 2.2. The application must not fall for refusal under paragraph 9.6.1. (sham marriage or civil partnership) of Part 9: grounds for refusal.

Eligibility requirements on the Private Life route

Residence requirements for a child on the Private Life route

PL 3.1. Where the applicant is aged under 18 at the date of application the following requirements must be met:

(a) the applicant must have been continuously resident in the UK for at least 7 years; and

(b) the decision maker must be satisfied that it would not be reasonable to expect the applicant to leave the UK.

Residence requirements for a young adult on the Private Life route (where the applicant arrived in the UK as a child)

PL 4.1. Where the applicant is aged 18 or over and aged under 25 at the date of application and arrived in the UK before the age of 18, the applicant must have spent at least half their life continuously resident in the UK.

Residence requirements for an adult on the Private Life route (including a young adult who does not qualify under PL4.1)

PL 5.1. Where the applicant is aged 18 or over on the date of application:

(a) the applicant must have been continuously resident in the UK for more than 20 years; or

(b) where the applicant has not been continuously resident in the UK for more than 20 years, the decision maker must be satisfied there would be very significant obstacles to the applicant's integration into the country where they would have to live if required to leave the UK.

Exclusion of certain asylum seekers

PL 6.1. An applicant who has made a protection or asylum claim which has been declared inadmissible under Part 11 of these rules before 28 June 2022, or under

section 80B and 80C of the Nationality, Immigration and Asylum Act 2002, and which continues to be treated as inadmissible, cannot meet the requirement at PL 5.1(b).

Continuous Residence requirements on the Private Life route

PL 7.1. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1. may include time spent in the UK with or without permission.

PL 7.2. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1. does not include any period during which the applicant was serving a sentence of imprisonment or was detained in an institution other than a prison.

PL 7.3. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1 is broken (i.e. is no longer continuous) if any of the following apply:

(a) the applicant has been absent from the UK for more than 6 months at any one time; or

(b) the applicant has spent a total of 550 days or more absent from the UK during the period of continuous residence at PL 3.1, PL 4.1 or PL 5.1; or

(c) the applicant has been removed, deported or has left the UK having had an application for permission to enter or stay in the UK refused; or

(d) the applicant left the UK with no reasonable expectation at the time of leaving that they would lawfully be able to return.

Eligibility requirement for Private Life route relying on Article 8 of the Human Rights Convention

PL 8.1. If the applicant does not meet the suitability requirements (subject to PL 8.2), or does not meet any of the eligibility requirements in PL 3.1., PL 4.1. or PL 5.1. the decision maker must be satisfied that refusal of permission to stay would not breach Article 8 of the Human Rights Convention on the basis of private life.

PL 8.2. Where PL 8.1. applies and the applicant falls for refusal under suitability paragraphs S-LTR.1.2., S-LTR.1.3., S-LTR.1.4., S-LTR.1.5., S-LTR.1.6 or S-LTR 1.8. of Appendix FM of these rules the application on the Private Life route will be refused.

Decision on an application on the Private Life route

PL 9.1. If the decision maker is satisfied that all the suitability requirements are met and the eligibility requirements at PL 3.1, PL 4.1, PL 5.1 or PL.8.1. are met then, unless paragraph PL 8.2. applies, the applicant will be granted permission to stay on the Private Life route, otherwise the application will be refused.

Period and conditions of grant of permission to stay on the Private Life route

PL 10.1. If the applicant is under 18 at the date of application (or was under 18 when first granted permission on the private life route), they will be granted permission to stay for either:

(a) 30 months, where the applicant has applied for a period of 30 months; or

(b) 60 months, where the applicant has applied for a period of 60 months.

PL 10.2. If the applicant is a young adult who has spent half their life in the UK at the date of application (or was previously granted as a young adult on the private life route), they will be granted permission to stay for either:

(a) 30 months, where the applicant has applied for a period of 30 months; or

(b) 60 months, where the applicant has applied for a period of 60 months.

PL 10.3. In all other cases the applicant will be granted 30 months permission to stay.

PL 10.4. Where a person is seeking to extend their permission to stay, any remaining period of permission at the date of application will be added to their next grant of permission, up to a maximum of 28 days.

PL 10.5. The grant of permission will be subject to the following conditions:

(a) work (including self-employment and voluntary work) permitted; and

(b) study is permitted, subject to the ATAS condition in Appendix ATAS; and

(c) if the decision maker is satisfied that:

(i) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or

(ii) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration), or

(iii) the applicant is facing exceptional circumstances affecting their income or expenditure,

then the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.

PL 10.6. For the purposes of PL 10.5.(c)(ii) ‘relevant child’ means a person who:

(a) is under the age of 18 years at the date of application; and

(b) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

Settlement on the Private Life route

Validity requirements for settlement on the Private Life route

PL 11.1. A person on the Private Life route who is applying for settlement must apply online on the gov.uk website on the specified form as follows:

Adult (aged 18 or over)	**Settlement on the private life route**
Child (aged under 18)	Settlement as a child (including a child aged over 18 already in the UK as a dependent)

PL 11.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

PL 11.3. An applicant must have, or have last been granted, permission on the Private Life route, unless they are a child who was born in the UK.

PL 11.4. An application which does not meet all the validity requirements for settlement on the Private Life route may be rejected as invalid and not considered.

Suitability requirements for settlement on the Private Life route

PL 12.1. The applicant must not fall for refusal under:

(a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:

(i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or

(ii) S-ILR.2.2, S-ILR.4.2 to S-ILR.4.5 (subject to PL 12.4); or

(b) paragraph 9.6.1. of Part 9 of these rules (subject to PL 12.4).

PL 12.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

PL 12.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years continuous residence with permission as set out in PL 12.6. and has completed 5 years continuous residence with such permission since the end of their sentence.

PL 12.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in PL 12.6. and has completed 5 years continuous residence with such permission after

the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

(a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or

(b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or

(c) litigation debt owed to the Home Office, unless the debt has been paid (SILR.4.4 of Appendix FM); or

(d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or

(e) the applicant has breached the conditions of their permission.

PL 12.5. Unless the applicant is a child or young adult who was granted permission to stay on the basis of private life under paragraphs PL 3.1. or PL 4.1, if the applicant entered the UK illegally settlement must be refused unless the applicant has completed a qualifying period of 10 years with permission under PL 12.6.

PL 12.6. Where an applicant must complete a qualifying period of 10 years continuous residence (under PL 12.3. to PL 12.5.), they must have had permission as (or as a combination of) the following for that 10 year qualifying period:

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as “family permission as a parent” or “family permission as a partner”; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 12.7. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement on the Private Life route

Child born in the UK requirements for settlement on the Private life route

PL 13.1. The applicant must have been born in the UK and must provide a full UK birth certificate.

PL 13.2. The applicant must have lived continuously in the UK since their birth and for at least 7 years at the date of application.

PL 13.3. The decision maker must be satisfied that it is not reasonable to expect the applicant to leave the UK.

Qualifying period requirement for settlement on the Private Life route (where the applicant was not born in the UK)

PL 14.1. An applicant who has, or last had, permission to stay on the private life route as a child, or young adult who met the half-life test under PL 4.1, must have lived in the UK for a continuous qualifying period of 5 years with permission as set out in PL 14.3 or 14.4.

PL 14.2. An applicant who is aged 18 or over at the date of application and does not meet the requirement in PL 14.1 must have lived in the UK for a continuous qualifying period of 10 years with permission set out in PL 14.3. or 14.4.

PL 14.3. Permission on the following routes (or any combination of those routes) counts towards the qualifying period in PL 14.1. or PL 14.2:

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as “family permission as a parent” or “family permission as a partner”; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 14.4. Permission on any other route that includes rules allowing an applicant to qualify for settlement also counts towards the qualifying period in PL 14.1. or PL 14.2, if the applicant:

(a) did not enter the UK illegally (unless they have permission to stay on the private life route as a child or young adult); and

(b) has had permission either under paragraph 276ADE or 276 BE(2) before 20 June 2022 or Appendix Private Life for at least one year at the date of application.

Continuous Residence requirement for settlement on the Private Life route

PL 15.1. The applicant must meet the continuous residence requirements as set out in Appendix Continuous Residence for the qualifying period for settlement

English language requirement for settlement on the Private Life route

PL 16.1. Unless an exemption applies (for example where the applicant is aged under 18), the applicant must show English language ability on the Common European Page 180 of 202 Framework of Reference for Languages in speaking and listening to at least level B1.

PL 16.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement on the Private Life route

PL17.1. Unless an exemption applies (for example where the applicant is aged under 18), the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement on the Private Life route

PL 18.1. If the decision maker is satisfied the suitability and eligibility requirements for settlement on the Private Life route are met the applicant will be granted settlement.

PL 18.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay on the private life route the application will be varied by the Secretary of State to an application for permission to stay on the private life route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and

(b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

PL 18.3. If the applicant does not pay the requested Immigration Health Charge or does not request a fee waiver for the Immigration Health Charge which is then granted, the application for permission to stay will be rejected as invalid and the applicant will not be refunded the fee paid for the settlement application.

PL 18.4. Where an applicant is granted permission to stay they will be granted for a period as set out in PL 10.1. to 10.4. (as relevant), subject to the conditions in PL 10.5.

PL 18.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay the application for settlement on the Private Life route will be refused.

Dependent child born in the UK to a person on the Private Life Route

Validity requirements for a child born in the UK to a person on the Private Life route

PL 19.1. A person applying for permission to stay as a child born in the UK to a person on the Private Life route must apply online on the gov.uk website on the specified form: “Application to remain in the UK on the basis of family life or private life”.

PL 19.2. An application for permission to stay as a child born in the UK to a person on the Private Life route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid (unless a fee waiver has been granted in whole or in part); and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have been born in the UK: and

(e) the applicant must be applying as a child of a person (P) on the Private Life route who:

(i) has made a valid application for permission to stay in the UK on the Private Life route that has not been decided; or

(ii) has permission to stay on the Private Life route; or

(iii) is settled or has become a British citizen, providing P had permission to stay on the Private Life route when they settled, and the applicant was born before P settled; and

(f) the applicant must be in the UK on the date of application.

PL 19.3. An applicant must be aged under 18 at the date of application.

PL 19.4. If a claim is made under Article 8 of the Human Rights Convention:

(a) at the same time as a protection claim or further submission in person after a protection claim is refused; or

(b) in an appeal (subject to the consent of the Secretary of State where applicable); the requirements at PL 19.1. and at PL 19.2. (a) and (c) will be waived.

PL 19.5. An application which does not meet all the validity requirements for a child born in the UK of a person on the Private Life route may be rejected as invalid and not considered.

Suitability requirements for a child born in the UK to a person on the Private Life route

PL 20.1. The applicant must not fall for refusal under suitability grounds for refusal in S-LTR.1.2. to S-LTR.2.2. and S-LTR.3.1. to S-LTR.4.5. of Appendix FM of these rules.

PL 20.2. The application for permission to stay must not fall for refusal under paragraph 9.6.1. (sham marriage or civil partnership) of Part 9: grounds for refusal.

Eligibility requirements for a child born in the UK to a person on the Private Life route

Relationship requirements for a child born in the UK to a person on the Private Life route

PL 21.1. The applicant must be the child of a parent (P) where one of the following applies:

(a) P has permission on the Private Life route; or

(b) P is at the same time, applying for (and is granted) permission on the Private Life route; or

(c) P is settled or has become a British citizen, providing P had permission on the Private Life route when they settled, and the applicant was born before P settled.

PL 21.2. The applicant's other parent must have permission to be in the UK (other than a visitor) unless:

(a) P in PL 21.1 is the sole surviving parent; or

(b) P in PL 21.1 has sole responsibility for the child's upbringing; or

(c) the parent who does not have permission on the Private Life route is a British citizen or a person who has a right to enter or stay in the UK without restriction and is or will be ordinarily resident in the UK; or

(d) the decision maker is satisfied there are serious and compelling reasons to grant the child permission to stay with the parent (P) in PL 21.1.

Care requirement for a child born in the UK to a person on the Private Life route

PL 22.1. There must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Decision on an application as a child born in the UK to a person on the Private Life route

PL 23.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met the applicant will be granted permission to stay, otherwise the application will be refused.

Period of grant as a child born in the UK to a person on the Private Life route

PL 24.1. The applicant will be granted permission to stay which ends on the same date as whichever of their parents' permission ends first unless the other parent is a British citizen or a person who has a right to enter or stay in the UK without restriction and is or will be ordinarily resident in the UK. In such cases, the applicant will be granted permission to stay which ends on the same date as the parent on the Private Life route.

Condition of grant as a child born in the UK to a person on the Private Life route

PL 25.1. The grant of permission will be subject to the following conditions:

(a) work is permitted; and

(b) study is permitted, subject to the ATAS condition in Appendix ATAS; and

(c) if the decision maker is satisfied that:

(i) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or

(ii) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration), or

(iii) the applicant is facing exceptional circumstances affecting their income or expenditure,

then the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.

PL 25.2. For the purposes of PL 25.1(c) 'relevant child' means a person who:

(a) is under the age of 18 years at the date of application; and

(b) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

Settlement as a child born in the UK of a person on the Private Life route

Validity requirements for settlement as a child born in the UK of a person on the Private Life route

PL 26.1. A child applying for settlement as a child born in the UK of a person on the Private Life route must apply online on the gov.uk website on the specified form:

“Settlement as a Child (including a child aged over 18 already in the UK as a dependent).”.

PL 26.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as a child born in the UK of a person (P) on the Private Life route who:

(i) has made a valid application for settlement on the Private Life route that has not been decided; or

(ii) is settled or has become a British Citizen, providing P had permission on the Private Life route when they settled, and the applicant was born before P settled; and

(e) the applicant must be in the UK.

PL 26.3. An application as a child born in the UK of a person on the Private Life route which does not meet all the validity requirements for settlement may be rejected as invalid and not considered.

Suitability requirements for settlement as a child born in the UK of a person on the Private Life route

PL 27.1. The applicant must not fall for refusal under:

(a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:

(i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or

(ii) S-ILR.2.2, S-ILR.4.2, to S-ILR.4.5 (subject to PL 27.4); or

(b) paragraph 9.6.1. of Part 9 of these rules (subject to PL 27.4).

PL 27.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

PL 27.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission as set out in PL 27.5 and has spent at least 5 years with such permission since the end of their sentence.

PL 27.4. Where any of the following occur during the applicant’s qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission under PL 27.5 and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

(a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or

(b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or

(c) litigation debt owed to the Home Office, unless the debt has been paid (SILR.4.4 of Appendix FM); or

(d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or

(e) the applicant has breached the conditions of their permission.

PL 27.5. Where an applicant must complete a qualifying period of 10 years (under PL 27.3. to PL 27.4.), they must have had permission as one or a combination of the following for that 10 year qualifying period:

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as “family permission as a parent” or “family permission as a partner”; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 27.6. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as at child born in the UK of a person on the Private Life route

Relationship requirement for settlement as a child born in the UK of a person on the Private Life route

PL 28.1. The applicant must be the child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement on the Private Life route; or

(b) P is settled in the UK or has become a British citizen, providing P had permission on the Private Life route when they settled and the applicant either:

(i) had permission as P’s child at that time; or

(ii) was born before P settled.

PL 28.2. The applicant's other parent (not P) must be being granted settlement at the same time, or be settled or a British citizen, unless:

(a) the person (P) in PL 28.1. is the applicant's sole surviving parent; or

(b) the person (P) in PL 28.1. has sole responsibility for the applicant's upbringing; or

(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a child born in the UK of a person on the Private Life route

PL 29.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

PL 29.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a child born in the UK of a person on the Private Life route

PL 30.1. Where the applicant is aged under 18, there must be suitable arrangements for their care and accommodation in the UK, which must comply with relevant UK law.

English language requirement for settlement as a child born in the UK of a person on the Private Life route

PL31.1. Unless an exemption applies (for example where the applicant is aged under 18), the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

PL 31.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a child born in the UK of a person on the Private Life route

PL 32.1. Unless an exemption applies (for example where the applicant is aged under 18), they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent child born in the UK of a person on the Private Life route

PL 33.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a dependent child born in the UK of a person on the Private Life route are met the applicant will be granted settlement.

PL 33.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as a dependent child born in the UK of a person on the Private Life route, the application will not be refused, but will be varied by the Secretary of State to an application for permission to stay as a dependent child born in the UK of a person on the Private Life route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and

(b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

PL 33.3. If the applicant does not pay the requested Immigration Health Charge, or does not request and is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

PL 33.4. Where an applicant is granted permission to stay, they will be granted for the period as set out in PL 24.1, subject to the conditions in PL 25.1.

PL 33.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay as a dependent child born in the UK of a person on the Private Life route, the application for settlement will be refused.

Back to top

Immigration Rules

Appendix Settlement Family Life

This route is for a person who has permission to stay as a partner or parent (or has had a combination of the two) under Appendix FM, and who is eligible to settle in the UK after a qualifying period of 10 years.

The person may also be able to count time with permission on other routes towards the 10 year qualifying period, if certain conditions are met.

Alternatively, partners, parents and their dependent children may qualify for settlement on the basis of 10 years Long Residence in the UK, under paragraphs 276A to 276D or 298 of the rules.

Where a person has permission as a partner and the relationship has broken down due to domestic abuse, the applicant may be able to qualify for settlement as a victim of domestic abuse under Appendix FM.

Where a person has permission as a partner and their partner has died, the applicant may be able to qualify for settlement as a bereaved partner under Appendix FM.

Dependent children of a partner or parent who is applying to settle on this route may also qualify for settlement under these Rules.

Children born in the UK where a parent is settled in the UK will be British citizens by birth. There are registration routes for British Citizenship for children born in the UK before their parent is settled: either once a parent is granted settlement or if the child lives in the UK for the first 10 years of their life. Other children may also apply for registration as a British citizen at the Home Secretary's discretion: Registration as a British citizen: children - GOV.UK (www.gov.uk).

Settlement as a partner or parent based on a qualifying period of 10 years

Validity requirements for settlement as a partner or parent based on a qualifying period of 10 years

SETF 1.1. A person who is applying for settlement must apply online on the gov.uk website on the specified form "Settlement as a partner or parent.".

SETF 1.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application.

SETF 1.3. The applicant must have, or have last been granted, permission as a partner or parent under Appendix FM.

SETF 1.4. An application which does not meet all the validity requirements for settlement may be rejected as invalid and not considered.

Suitability Requirements for settlement as a partner or parent based on a qualifying period of 10 years

SETF 2.1. The applicant must not fall for refusal under:

(a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:

(i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or

(ii) S-ILR.2.2, S-ILR.4.2 to S-ILR.4.5 (subject to SETF 2.4); or

(b) paragraph 9.6.1. of Part 9 of these rules (subject to SETF 2.4).

SETF 2.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

SETF 2.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission as set out in SETF 2.6 and the applicant has spent at least 5 years with such permission since the end of their sentence.

SETF 2.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in SETF 2.6 and has completed 5 years continuous residence with such permission after the date of the first permission after the suitability ground came to the attention of the decision maker:

(a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or

(b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or

(c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or

(d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or

(e) the applicant has breached the conditions of their permission.

SETF 2.5. Unless the applicant is a child or young adult who was granted on the basis of private life under PL 3.1. or PL 4.1 of Appendix Private Life, if the applicant has entered the UK illegally they must be refused settlement unless the applicant has completed a qualifying period of 10 years with permission under SETF 2.6.

SETF 2.6. Where an applicant must complete a qualifying period of 10 years (under SETF 2.3. to SETF 2.5.), they must have had permission as one of, or a combination of the following for that 10 year qualifying period:

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as “family permission as a parent” or “family permission as a partner”; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 2.7. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a partner or parent based on a qualifying period of 10 years

Qualifying period requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 3.1. The applicant must have spent a continuous qualifying period in the UK of 10 years with permission under the following (or any combination of the following):

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as “family permission as a parent” or “family permission as a partner”; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 3.2. If the applicant does not meet SETF 3.1, the 10-year qualifying period can be met by also counting time on any other route that includes rules allowing an applicant to qualify for settlement, if the applicant:

(a) did not enter the UK illegally; and

(b) has had permission as a partner (if applying as a partner) or parent (if applying as a parent) under Appendix FM for at least one year.

Continuous residence requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 4.1. The applicant must have met the continuous residence requirement as set out in Appendix Continuous Residence for the qualifying period.

English language requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 5.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

SETF 5.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 6.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Relationship requirement for settlement as a partner based on a qualifying period of 10 years

SETF 7.1. The applicant must be the partner of a person who is one of the following:

(a) a British citizen who is living in the UK; or

(b) present and settled in the UK; or

(c) applying for settlement at the same time as the applicant.

SETF 7.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SETF 7.3. The applicant must have had permission based on their relationship with their current partner for at least one year.

Relationship requirement for settlement as a parent based on a qualifying period of 10 years

SETF 8.1. The applicant must have, or have last had, permission as a parent of a child (C) under Appendix FM (whether or not the child is aged under 18 at the date of the parent's application for settlement).

SETF 8.2. The applicant must be the parent of a child who:

(a) is a British citizen and living in the UK; or

(b) is present and settled in the UK; or

(c) is applying for settlement at the same time as the applicant.

SETF 8.3. If the child (C) at SETF 8.1. is under 18 at the date of application, the applicant must have:

(a) sole parental responsibility; or

(b) C must normally live with the applicant; or

(c) the applicant must have direct access (in person) to C, as agreed with the parent or carer with whom C normally lives or as ordered by a court in the UK.

SET 8.4. The applicant must show that they are taking, and intend to continue to take, an active role in the child's upbringing.

Decision on an application for settlement as a partner or parent based on a qualifying period of 10 years

SETF 9.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a partner or parent based on a qualifying period of 10 years are met the applicant will be granted settlement.

SETF 9.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix FM as either a partner (D-LTRP.1.2.) or parent (D-LTRPT.1.2.), the application will not be refused, but will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and

(b) the Secretary of State will write to the applicant informing them of this variation and, if required, will request the applicant pay any Immigration Health Charge.

SETF 9.3. If the applicant does not pay the requested Immigration Health Charge, or does not request or is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

SETF 9.4. Where an applicant is granted permission to stay it will be granted for the period as set out in D-LTRP.1.2 or D-LTRPT.1.2 of Appendix FM (as relevant), subject to the conditions in the relevant paragraph.

SETF 9.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay as a partner or parent, the application for settlement will be refused.

Settlement as the child of a partner or parent based on a qualifying period of 10 years

Validity requirements for settlement as a dependent child of a partner or parent based on a qualifying period of 10 years

SETF 10.1. A child who is applying for settlement on this route must apply online on the gov.uk website on the specified form as follows: “Settlement as a Child (including a child aged over 18 already in the UK as a dependent)”.

SETF 10.2. An application for settlement must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK, and

(e) the applicant must be applying as the child of a person (P) who:

(i) has made a valid application for settlement in the UK as a partner or parent based on a 10 year qualifying period, and that application has not been decided; or

(ii) is settled or has become a British citizen, providing P had permission as a partner or parent based on a 10 year qualifying period when P settled.

SETF 10.3. The applicant must have, or have last had, permission to stay in the UK as a dependent child, unless they were born in the UK.

SETF 10.4. An application which does not meet all the validity requirements for settlement as a child may be rejected as invalid and not considered.

Suitability requirements for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 11.1. The applicant must not fall for refusal under:

(a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:

(i) S-ILR.1.2, S-ILR.1.6 to S-ILR.10.1, S-ILR.3.1.; or

(ii) S-ILR.2.2, S-ILR.4.2, to S-ILR.4.5 (subject to SETF 11.4); or

(b) paragraph 9.6.1. of Part 9 of these rules (subject to SETF 11.4).

SETF 11.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

SETF 11.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with

permission as set out in SETF 11.6 and the applicant has spent at least 5 years continuous residence with such permission since the end of their sentence.

SETF 11.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in SETF 11.6 and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

(a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or

(b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or

(c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or

(d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or

(e) the applicant has breached the conditions of their permission

SETF 11.5. Unless the applicant is a child or young adult who was granted on the basis of private life under PL 3.1. or PL 4.1. of Appendix Private Life, if the applicant has entered the UK illegally they must be refused settlement unless the applicant has completed a qualifying period of 10 years with permission under SETF 11.6.

SETF 11.6. Where an applicant must complete a qualifying period of 10 years (under SETF 11.3. to SETF 11.5.), they must have had permission as one or a combination of the following for that 10 year qualifying period:

(a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or

(b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or

(c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or

(d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or

(e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 11.7. The applicant must not be:

(a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for settlement as a child of a partner or parent based on a qualifying period of 10 years

Relationship requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 12.1. The applicant must be the child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as a partner or parent based on a qualifying period of 10 years; or

(b) P is settled or has become a British citizen, providing P had permission as a partner or parent based on a qualifying period of 10 years when they settled.

SETF 12.2. If applying as a child, the applicant's other parent must be being granted settlement at the same time, or be settled or a British citizen, unless:

(a) the person (P) in SETF 12.1. is the applicant's sole surviving parent; or

(b) the person (P) in SETF 12.1. has sole responsibility for the applicant's upbringing; or

(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 13.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

SETF 13.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 14.1. If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

English language requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 15.1. Unless an exemption applies (for example where the applicant is aged under 18), the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

SETF 15.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 16.1. Unless an exemption applies (for example where the applicant is aged under 18), they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 17.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

SETF 17.2 If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix FM as a child of a person with limited leave as a partner or parent (D-LTRC.1.1.), or qualifies under paragraph GEN 3.2 of Appendix FM, the application will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

(a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and

(b) the Secretary of State will write to the applicant informing them of this variation and, if required, will request the applicant pay any Immigration Health Charge.

SETF 17.3 If the applicant does not pay the requested Immigration Health Charge, or does not request and is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

SETF 17.4. Where an applicant is granted permission to stay they will be granted for the period as set out in paragraph D-LTRC.1.1 of Appendix FM, subject to the conditions in paragraph D-LTRP.1.2 (where their parent has permission as a partner) or D-LTRPT.1.2 (where their parent has permission as a parent).

SETF 17.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.

Back to top

Immigration Rules

Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997

This route is for Gurkhas or Hong Kong military unit veterans who were discharged before 1 July 1997 to settle in the UK.

An application can be made from in the UK or overseas.

The partner, children and dependent adult children of a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997 can also apply to settle on this route.

The partner or child of a deceased Gurkha or Hong Kong military unit veteran discharged before 1 July 1997 can also apply to settle on this route.

Gurkhas or Hong Kong military unit veterans discharged on or after 1 July 1997 must refer to Appendix Armed Forces.

Requirements for entry clearance and settlement for a Gurkha and Hong Kong military unit veteran discharged before 1 July 1997

Validity requirements for a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997

AF (GHK) 1.1. A person applying from outside the UK must apply online for entry clearance on the gov.uk website on the specified form VAF AF, or in person at the Visa Application Centre in Kathmandu.

AF (GHK) 1.2. A person applying in the UK must apply online on the gov.uk website on the specified form SET(AF).

AF (GHK) 1.3. An application must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.

AF (GHK) 1.4. An application which does not meet all the validity requirements may be rejected as invalid and not considered.

Suitability requirements for a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997

AF (GHK) 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

AF (GHK) 2.2. If the applicant is in the UK on the date of application, they must not be in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded.

Eligibility requirements for a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997

Entry requirements

AF (GHK) 3.1. A person seeking to come to the UK must apply for and obtain entry clearance as a Gurkha or Hong Kong military veteran before they arrive in the UK.

AF (GHK) 3.2. A person applying must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Military Service Eligibility requirements

AF (GHK) 4.1. The applicant must be one of the following:

(a) a national or citizen of Nepal who served in the Brigade of Gurkhas of the British Army and was discharged before 1 July 1997; or

(b) a national or citizen of China, enlisted in Hong Kong (Hong Kong Chinese locally enlisted personnel) who served in the Hong Kong Military Service Corps (HKMSC) of the British Army and was discharged before 1 July 1997; or

(c) a national or citizen of China, enlisted in Hong Kong (Hong Kong Chinese locally enlisted personnel) who served in the Hong Kong Squadron of the Royal Navy and was discharged before 1 July 1997.

AF (GHK) 4.2. The applicant's established military service must have been for a continuous period of at least 4 years, unless one or more of the following applies:

(a) the applicant is in receipt of a Ministry of Defence (MoD) disability pension; or

(b) the applicant has a medal awarded by the MoD for gallantry.

Decision on an application as a Gurkha or Hong Kong military unit veteran discharged from service before 1 July 1997

AF (GHK) 5.1. If the decision maker is satisfied that all the suitability and eligibility requirements for entry clearance or settlement for a Gurkha or Hong Kong military unit veteran are met, the application will be granted; otherwise, the application will be refused.

AF (GHK) 5.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Gurkha or Hong Kong military unit veteran discharged from service before 1 July 1997

AF (GHK) 6.1. Where the applicant is outside the UK, they will be granted entry clearance for settlement.

AF (GHK) 6.2 Where the applicant is in the UK, they will be granted settlement.

Partner, bereaved partner or dependent child ("child") of a Gurkha or Hong Kong military unit veteran.

Validity requirements for a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran

AF (GHK) 7.1. A person applying from outside the UK must apply online on the gov.uk website on the specified form VAF AF, or in person at the Visa Application Centre in Kathmandu.

AF (GHK) 7.2. A person applying in the UK, must apply online on the gov.uk website on the specified form SET(AF).

AF (GHK) 7.3. An application as a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other document that satisfactorily establishes their identity and nationality.

AF (GHK) 7.4. An applicant applying as a partner must be aged 18 or over on the date of application.

AF (GHK) 7.5. An application which does not meet all the validity requirements for a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran may be rejected as invalid and not considered.

Suitability requirements for a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran

AF (GHK) 8.1. The applicant must not fall for refusal under Part 9: grounds for refusal of these rules.

AF (GHK) 8.2. If the applicant is in the UK on the date of application, they must not in breach of immigration laws, except that, where paragraph 39E of these rules applies, any current period of overstaying will be disregarded.

Eligibility requirements for a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran

AF (GHK) 9.1. The applicant must be one of the following:

(a) the partner or child of a person (P) where one of the following applies:

(i) P has entry clearance or settlement as a Gurkha or Hong Kong military unit veteran under the pre-1997 Gurkha scheme (Gurkhas discharged before 1 July 1997 and their family members concession published on GOV.UK from 2008 to 2023), or Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997; or

(ii) P is, at the same time, applying for (and is granted) entry clearance or settlement as a Gurkha or Hong Kong military unit veteran under Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997; or

(iii) P is a deceased Gurkha or Hong Kong military unit veteran.

Entry requirement for a partner, bereaved partner or child of a Gurkha or member of a Hong Kong military unit veteran

AF (GHK) 10.1. A person seeking to come to the UK as the partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran must have obtained entry clearance before they arrive in the UK.

AF (GHK) 10.2. A person seeking to come to the UK as the partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements of a partner, bereaved partner of a Gurkha or Hong Kong military unit veteran

AF (GHK) 11.1. If the applicant is applying as a partner, other than a bereaved partner, they must meet the relationship requirements as specified in Appendix Relationship with Partner.

AF (GHK) 11.2. If the applicant is applying as a bereaved partner, they must provide a death certificate for the Gurkha or Hong Kong military unit veteran.

AF (GHK) 11.3. If the applicant is applying as a bereaved partner, the following requirements must be met:

(a) if the applicant is applying as a bereaved partner of a Hong Kong military unit veteran, and they or their partner was in a polygamous marriage or civil partnership at the time of the veteran's death, they may only rely on that marriage or civil partnership for the purposes of an application for entry clearance or settlement as a partner where no other partner to the marriage or civil partnership is seeking, or has been granted entry clearance or settlement;

(b) a bereaved partner of a Gurkha must be:

(i) the first or only partner on the Kindred Roll; or

(ii) the next in turn according to the order in which they were registered on the Kindred Roll, if the applicant can show that the first partner has permanently waived their right to come to the UK; and

(c) the applicant must show that their deceased partner either:

(i) had, before their death, been granted entry clearance or settlement as a Gurkha or Hong Kong military unit veteran under the pre-1997 Gurkha concession or under Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997; or

(ii) would have met the requirements for entry clearance or settlement as a Gurkha or Hong Kong military unit veteran under Appendix Gurkha and Hong Kong military unit veteran discharged from service before 1 July 1997, had they not died; and

(d) the applicant must not have remarried; and

(e) the relationship between the applicant and their partner must have been genuine and subsisting at the date of the Gurkha's or Hong Kong military unit veteran's death.

Relationship requirements for a child of a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997

AF (GHK) 12.1. The applicant must be the child of a Gurkha or Hong Kong military unit veteran who has been or is being granted settlement as a Gurkha or Hong Kong military unit veteran.

AF (GHK) 12.2. If the Gurkha or Hong Kong military unit veteran is deceased at the date of application ("bereaved child"), the applicant must show that their parent either:

a) before their death had been granted entry clearance or settlement as a Gurkha or Hong Kong military unit veteran under the pre-1997 Gurkha scheme (Gurkhas discharged before 1 July 1997 and their family members concession published on GOV.UK from 2008 to 2023) or under Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997; or

b) would have met the requirements for settlement as a Gurkha or Hong Kong military unit veteran under Appendix Gurkha and Hong Kong military unit veteran discharged from service before 1 July 1997 had they not died.

AF (GHK) 12.3. If the applicant is applying as a bereaved child of a Gurkha or Hong Kong military unit veteran discharged from service before 1 July 1997, they must provide a death certificate for the Gurkha or Hong Kong military unit veteran.

Child requirements for a child of a Gurkha or Hong Kong military unit veteran discharged before 1 July 1997

AF (GHK) 13.1. If the applicant is aged under 18 on the date of application, the applicant must meet the following requirements for a dependent child in Appendix Children:

(a) care requirement; and

(b) age and independent life requirement.

AF (GHK) 13.2. If the applicant is aged 18 or over on the date of application, they must meet all of the following requirements:

(a) they must have been aged under 18 on the date the Gurkha or Hong Kong military unit veteran parent was discharged; and

(b) they must be living in the same household as the Gurkha or Hong Kong military unit veteran parent; and

(c) they must not have been living in a different household from the Gurkha or Hong Kong military unit veteran parent for more than 2 years continuously before the date of application; and

(d) they must never have lived in a different household from the Gurkha or Hong Kong military unit veteran parent for more than 2 years continuously, unless this was by reason of education or something similar (such that the family unit was maintained during the period when the applicant did not live in the same household); and

(e) have not formed an independent family unit.

Decision on an application as a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran

AF (GHK) 14.1. If the decision maker is satisfied that all the suitability and eligibility requirements for either a partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran are met, the application will be granted; otherwise, the application will be refused.

AF (GHK) 14.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for partner, bereaved partner or child of a Gurkha or Hong Kong military unit veteran

AF (GHK) 15.1. Where the applicant is outside the UK, they will be granted entry clearance for settlement.

AF (GHK) 15.2. Where the application is in the UK, they will be granted settlement.

Back to top

Immigration Rules

Appendix ATAS: Academic Technology Approval Scheme (ATAS)

ATAS seeks to prevent the transfer of information, knowledge or technology which could develop, advance or support an Advanced Conventional Military Technology (ACMT) and Weapons of Mass Destruction (WMD) programme or their means of delivery.

The ATAS requirement means the applicant must obtain a valid ATAS certificate, issued by the Counter-Proliferation and Arms Control Centre, and to provide it with an application on Student, Skilled Worker, ICT, Global Business Mobility, Scale-up, T5 International Agreement and Government Authorised Exchange routes to study or work as a researcher in any of the specified subjects listed in this Appendix.

The ATAS condition means that someone must obtain a valid ATAS certificate prior to commencing study or research in any of the specified subjects or fields of research.

A person is subject to the ATAS condition if they have been granted permission which allows study or work subject to the ATAS condition.

A person is exempt from the ATAS requirement and ATAS condition if they are a national of one of the countries listed in this Appendix.

ATAS requirement

ATAS 1.1. An applicant (who is not a national of a country listed at ATAS 3.1.) requires a valid ATAS certificate if the course of study for which the Confirmation of Acceptance for Studies was assigned is a subject set out at ATAS 4.1. which:

(a) leads to a master's degree; or
(b) leads to a PhD; or
(c) leads to another postgraduate qualification; or
(d) is a period of study or research which is part of an overseas postgraduate qualification.

ATAS 1.2. An applicant (who is not a national of a country listed at ATAS 3.1.) requires a valid ATAS certificate if they are applying in a work route which requires a Certificate of Sponsorship, that Certificate of Sponsorship is issued by a work sponsor that is also a licensed student sponsor, and the role set out in the Certificate of Sponsorship:

(a) is in one of the following SOC 2020 occupation codes:
- 2111 Chemical scientists
- 2112 Biological scientists

- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 2115 Social and humanities scientists
- 2119 Natural and social science professionals not elsewhere classified
- 2122 Mechanical engineers
- 2123 Electrical engineers
- 2124 Electronics engineers
- 2125 Production and process engineers
- 2126 Aerospace engineers
- 2127 Engineering project managers and project engineers
- 2129 Engineering professionals not elsewhere classified
- 2161 Research and development (R&D) managers
- 2162 Other researchers, unspecified discipline
- 2311 Higher education teaching professionals
- 3111 Laboratory technicians
- 3112 Electrical and electronics technicians
- 3113 Engineering technicians
- 3114 Building and civil engineering technicians
- 5234 Aircraft maintenance and related trades

(b) includes an element of research at PhD level or above; and

(c) that field of research is a subject set out at ATAS 4.1

ATAS 1.3. The applicant must provide a print-out of the valid ATAS certificate for the course of study or research role to show that the ATAS requirement is met.

ATAS condition

ATAS 2.1. The ATAS condition means the person (who is not a national of a country listed at ATAS 3.1), must have a valid ATAS certificate before commencing study (unless they are a student continuing a course of study and they have made, or intend to make within the required time period, an application required by ATAS 2.2) or research in a subject listed at ATAS 4.1 which:

(a) leads to a UK postgraduate degree; or
(b) leads to another postgraduate qualification; or
(c) is a period of study which is part of an overseas postgraduate qualification; or
(d) is research as part of a course of postgraduate study, employment or academic activity at a licensed student sponsor.

ATAS 2.2. A Student who intends to continue study on a course of study which is subject to the ATAS requirement must apply for a new ATAS certificate where:

(a) the completion date of the course of study has changed and will be delayed by more than 3 months; or
(b) the course contents or research proposal of the course of study change,

and the application for a new certificate must be made within 28 days of the change in (a) or (b) above being known to the Student.

Nationals who are exempt from the ATAS requirement and condition

ATAS 3.1. A person does not need to meet the ATAS requirement, and will not be subject to the ATAS condition, if they are a national of any of the following countries:

Australia
Austria
Belgium
Bulgaria
Canada
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Ireland
Italy
Japan
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Netherlands
New Zealand
Norway
Poland
Portugal
Republic of Korea
Romania
Singapore
Slovakia
Slovenia
Spain
Sweden
Switzerland
United States of America

Academic Subjects relevant to ATAS

ATAS 4.1. The ATAS requirement and ATAS condition apply to the following subjects:

(a) research, or doctorates or master's by research in:

Subjects allied to Medicine:
CAH codes:
CAH02-02-01 - Pharmacology
CAH02-02-02 - Toxicology
CAH02-02-03 - Pharmacy
CAH10-01-06 - Bioengineering, Medical and Biomedical Engineering

Biological Sciences:
CAH codes:
CAH03-01-02 - Biology (non-specific)
CAH03-01-03 - Ecology and Environmental Biology
CAH03-01-06 - Zoology
CAH03-01-04 - Microbiology and Cell Science
CAH03-01-05 - Plant Sciences
CAH10-03-05 - Biotechnology
CAH03-01-07 - Genetics
CAH02-05-03 - Biomedical Sciences (non-specific)
CAH03-01-08 - Molecular Biology, Biophysics and Biochemistry
CAH03-01-01 - Biosciences (non-specific)
CAH03-01-10 - Others in Biological Sciences

Veterinary Sciences, Agriculture and related subjects:
CAH codes:
CAH05-01-02 - Others in Veterinary Sciences
CAH06-01-02 - Agricultural sciences

Physical Sciences:
CAH codes:
CAH07-02-01 - Chemistry
CAH10-03-07 - Materials Science
CAH07-01-01 - Physics
CAH07-01-02 - Astronomy
CAH26-01-05 - Others in Geographical Studies
CAH07-04-01 - Physical Sciences (non-specific)
CAH07-04-03 - Sciences (non-specific)
CAH07-04-04 - Natural Sciences (non-specific)

Mathematical and Computer Sciences:
CAH codes:
CAH09-01-01 - Mathematics
CAH09-01-02 - Operational Research
CAH11-01-01 - Computer Science
CAH11-01-02 - Information Technology

CAH11-01-03 - Information Systems
CAH11-01-04 - Software Engineering
CAH11-01-05 - Artificial Intelligence

Engineering:
CAH codes:
CAH10-01-01 - Engineering (non-specific)
CAH10-01-07 - Civil Engineering
CAH10-01-02 - Mechanical Engineering
CAH10-01-04 - Aeronautical and Aerospace Engineering
CAH10-01-05 - Naval Architecture
CAH10-01-08 - Electrical and Electronic Engineering
CAH10-01-09 - Chemical, Process and Energy Engineering

Technologies:
CAH codes:
CAH10-03-03 - Polymers and Textiles
CAH10-03-01 - Minerals Technology
CAH10-03-02 - Materials Technology
CAH10-03-04 - Maritime Technology

(b) taught master's in:

CAH codes:
CAH10-03-07 - Materials Science
CAH07-01-01 - Physics (including Nuclear Physics)
CAH10-01-02 - Mechanical Engineering
CAH10-01-04 - Aeronautical and Aerospace Engineering
CAH10-01-09 - Chemical, Process and Energy Engineering
CAH10-03-01 - Minerals Technology
CAH10-03-02 - Materials Technology

Back to top

Immigration Rules

Appendix English Language

This Appendix sets out how the English language requirement is met.

It applies only to applications under Appendix Student, Appendix Skilled Worker, Appendix Representative of an Overseas Business, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Global Talent, Appendix Start-up, Appendix Innovator Founder, Appendix Domestic Worker in a Private Household, Appendix High Potential Individual, Appendix Settlement Family Life, Appendix Private Life, Appendix Scale Up, Appendix Child staying with or joining a Non-Parent Relative (Protection), Appendix Hong Kong British National (Overseas), Appendix Victim of Domestic Abuse, Appendix Temporary Work-International Agreement, Appendix HM Armed Forces, Appendix Long Residence and Appendix Bereaved Partner.

The route sets out whether the English language requirement must be met and at what level.

Exemption

EL 1.1. An applicant for settlement is exempt from the English language requirement if at the date of application any of the following apply:

(a) they are aged 65 or over; or

(b) they are aged under 18; or

(c) they have a disability (physical or mental condition) which prevents them from meeting the requirement; or

(i) have spent a continuous period of 15 years in the UK with permission; and

(ii) can show an English language speaking and listening qualification at A2 CEFR or ESOL entry level 2 or Scottish Credit and Qualification Framework level 3; and

(iii) provide confirmation from a qualified English teacher that the applicant has attended an English language class for at least 75 guided learning hours (not unsupervised study or preparation time) in the 12 months before the date of application and the teacher's view is the applicant is unlikely to attain B1 level through further study.

EL1.2. An applicant for entry clearance or permission to stay under Appendix HM Armed Forces is exempt from the English language requirement if at the date of application any of the following apply:

(a) they are aged 65 or over; or

(b) they are aged under 18; or

(c) they have a disability (physical or mental condition) which prevents them from meeting the requirement; or

(d) there are exceptional circumstances which prevent the applicant from meeting the English language requirement.

How the requirement is met

EL 2.1. An applicant will meet the English language requirement if any of the requirements in EL 3.1. to EL 7.2 are met.

EL 2.2. The English language requirement is also met by a person applying for entry clearance or permission to stay as a Student if any of the requirements in EL 7.1. to EL 8.4. are met.

EL 2.3. The English language requirement is also met by a person applying for entry clearance or permission to stay as a Skilled Worker route if:
(a) the requirements in EL 7.1. and EL 7.2. are met: or
(b) the requirement in EL 9.1. is met.

EL 2.4. The English language requirement is also met by a person applying for:
(a) entry clearance or permission to stay on the Start-up route, or
(b) entry clearance or permission to stay on the Innovator Founder route; or
(c) entry clearance, permission to stay or settlement on the Scale-up route, or
(d) entry clearance or permission to stay on the High Potential Individual route, or
(e) settlement under Appendix Settlement Family Life, or
(f) settlement under Appendix Private Life, or
(g) entry clearance, permission to stay or settlement on the International Sportsperson route; or
(h) entry clearance, permission to stay or settlement on the Representative of an Overseas Business route; or
(i) entry clearance or permission to stay on the T2 Minister of Religion route; or
(j) settlement on the UK Ancestry route; or
(k) settlement on the Global Talent route; or
(l) settlement on the Domestic Workers in a Private Household route or
(m)settlement on Hong Kong British National (Overseas) route; or
(n) settlement on the Appendix Child Staying with or joining a Non-Parent Relative (Protection) route; or
(o) settlement on the Appendix Bereaved Partner route; or
(p) entry clearance or settlement under Appendix Victim of Domestic Abuse; or
(q) entry clearance, permission to stay or settlement under Appendix HM Armed Forces; or
(r) settlement under Appendix Long Residence; or
(s) entry clearance under Appendix Temporary Work – International Agreement.
if the requirements in EL 7.1 and EL 7.2. are met.

EL 2.5. DELETED.

Met in a previous application

EL 3.1. An applicant will meet the English language requirement if they have already shown they met the requirement, at the level required for their current application, in a previous successful application for entry clearance or permission to stay.

Majority English speaking country

EL 4.1. An applicant will meet the English language requirement if they are a

national of any of the following majority-English-speaking countries:

Antigua and Barbuda
Australia
The Bahamas
Barbados
Belize
The British Overseas Territories
Canada
Dominica
Grenada
Guyana
Jamaica
Malta
New Zealand
St Kitts and Nevis
St Lucia
St Vincent and the Grenadines
Trinidad and Tobago
United States of America

Academic qualification

EL 5.1. An applicant will meet the English language requirement if they have an academic qualification which meets one of the requirements at EL 5.2. and is proven by the required evidence under EL 5.3. or EL 5.4.

EL 5.2. The requirements are that the applicant has:
(a) a bachelor's degree, master's degree or doctorate awarded in the UK; or
(b) a degree or degree-level qualification taught in a university or college in a majority- English-speaking country listed in EL 4.1. (except Canada), or Ireland, which meets or exceeds the recognised standard of a bachelor's degree, master's degree or doctorate awarded in the UK; or
(c) a degree or degree level qualification which meets, or exceeds, the recognised standard of a UK bachelor's degree; master's degree or doctorate and was taught or researched in English.

EL 5.3. The requirement at EL 5.2. must be proven by one of:
(a) a certificate from the awarding body: or
(b) a transcript issued by the university or college that awarded the qualification; or
(c) an official letter from the university or college that awarded the qualification containing information equivalent to a degree certificate.

EL 5.4. If the qualification was awarded by a body from outside the UK, the requirement at EL 5.2. must, in addition to the requirement at EL 5.3, be proven by confirmation from Ecctis that the qualification meets the requirements at EL 5.2(b) or EL 5.2(c).

English language test

EL 6.1. An applicant will meet the English language requirement if they have provided a valid digital reference number from an approved provider showing they have passed an approved English language test to the required level in the two years before the date of application.

The list of approved tests and providers, updated from time to time, can be found at https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-selt#approved-test-providers-and-approved-tests.

GCSE or A Level English

EL 7.1. An applicant will meet the English language requirement if they have a GCSE, an International GCSE, an A level, a Scottish National Qualification at level 4 or 5 or a Scottish Higher or Advanced Higher in English (language or literature) that was awarded:
(a) by an Ofqual (or SQA, Qualifications Wales or CCEA) regulated awarding body; and
(b) following education undertaken in a UK based school which began while they were aged under 18.

EL 7.2. The requirement at EL 7.1. must be proven by either:
(a) a certificate from the awarding body: or
(b) an official transcript issued by the awarding body.

Additional ways Students can meet the English language requirement

EL 8.1. An applicant under Appendix Student will meet the English language requirement if they are applying for a course of study at degree level or above and are sponsored by a higher education provider with a track record of compliance who states on the Confirmation of Acceptance for Studies that they have assessed the applicant's English language ability and how they have assessed it.

EL 8.2. Where an assessment under EL 8.1. has been carried out the Confirmation of Acceptance for Studies entry must confirm that the applicant has a knowledge of English equivalent to level B2, or above, of the Council of Europe's Common European Framework for Language Learning in all 4 components (reading, writing, speaking and listening) or that the requirement at ST 15.3. is met.

EL 8.3. An applicant under Appendix Student will meet the English language requirement if they have taken an approved English test and been exempted from a component of that test by the test provider due to a disability, and the student sponsor has confirmed that they are satisfied the English language ability of the applicant is sufficient to undertake the course of study.

EL 8.4. An applicant under Appendix Student will meet the English language requirement if they are applying for a short-term study abroad programme of up to six months and both:
(a) the study abroad programme is part of a course of study at degree level or above at an overseas higher education institution in the United States of America; and
(b) Ecctis confirm that the course of study overseas will lead to an academic (not a

professional or vocational) qualification at UK bachelor's degree level or above.

Professional regulation for Skilled Workers

EL 9.1. An applicant applying for entry clearance or permission to stay under Appendix Skilled Worker will meet the English language requirement if they are being sponsored to work as a doctor, dentist, nurse, midwife or veterinarian, and have passed an English Language assessment which is accepted by the relevant regulated professional body as a requirement for registration.

Back to top

Immigration Rules

Appendix KOL UK

This Appendix sets out how the Knowledge of Life in the UK requirement is met by a person applying for settlement.

It applies only to applications for settlement under Appendix Student, Appendix Skilled Worker, Appendix Representatives of an Overseas Business, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Global Talent, Appendix Innovator Founder, Appendix T5 (Temporary Worker) International Agreement Worker, Appendix Domestic Worker in a Private Household, Appendix Scale-up, Appendix Private Life, Appendix Settlement Family Life, Appendix Hong Kong British National (Overseas) and Appendix Long Residence.

Applications for settlement under other routes must continue to meet Appendix KOLL.

Exemption

KOL 1.1. An applicant is exempt from the Knowledge of Life in the UK requirement if at the date of application they:

(a) are aged 65 or over; or
(b) are aged under 18; or
(c) have a disability (physical or mental condition) which prevents them from meeting the requirement; or
(d) are applying for settlement as a partner, parent or dependent child aged over 18 and are exempt from meeting the English language requirements following 15 years under Appendix EL 1.1(d).

Knowledge of Life in the UK requirement

KOL 2.1. An applicant will meet the Knowledge of Life in the UK requirement if they:

(a) provide a valid digital reference number from an educational institution or other person approved for this purpose by the Secretary of State showing they have passed the Life in the UK test; or
(b) are resident in the Isle of Man, and provide a valid digital reference number from an educational institution or other person approved for this purpose by the Lieutenant Governor showing they have passed the Isle of Man's Life in the UK test; or
(c) are resident in the Bailiwick of Guernsey or in the Bailiwick of Jersey, and provide a valid digital reference number from an educational institution or other person approved for that purpose by the Lieutenant Governor of Guernsey or Jersey showing they have passed the "Citizenship Test".

Back to top

Immigration Rules

Appendix Finance

Requirements in respect of finance

This Appendix sets out how the financial requirement must be met.

The routes set out the requirements for the amount of funds and length of time they must be held.

This Appendix applies to applications under these routes: Appendix Student, Appendix Short-term Student, Appendix Child Student, Appendix Parent of a Child Student, Appendix Skilled Worker, Appendix Global Business Mobility – Senior or Specialist, Appendix Global Business Mobility – Graduate Trainee, Appendix Global Business Mobility – UK Expansion Worker, Appendix Global Business Mobility – Service Supplier, Appendix Global Business Mobility – Secondment Worker, Appendix Scale-up, Appendix High Potential Individual, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Start-up, Appendix Innovator Founder, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Temporary Work - Seasonal Worker, Appendix Youth Mobility Scheme, Appendix Temporary Work - Creative Worker, Appendix Temporary Work - Religious Worker, Appendix Temporary Work - Charity Worker, Appendix Temporary Work - International Agreement, Appendix Temporary Work - Government Authorised Exchange, Appendix Domestic Worker in a Private Household and Appendix Hong Kong British National (Overseas).

Currency
FIN 1.1. Where money is held in one or more foreign currencies, this will be converted into pound sterling (£) using the spot exchange rate which appears on www.oanda.com for the date of the application unless FIN 1.2. or FIN 1.3. applies.

FIN 1.2. Where money is held in one or more foreign currencies and the exchange rate for a foreign currency does not appear on www.oanda.com, this will be converted into pound sterling (£), using the monthly FCDO Consular Exchange Rate ("CER") rate published at www.gov.uk/government/publications/fco-consular-services-abroad-exchange-rates on the date of application. The following currencies do not appear on www.oanda.com:

- Syrian Pounds

FIN 1.3. The following currencies will also be converted into pound sterling (£) using the monthly FCDO CER rate published at www.gov.uk/government/publications/fco-consular-services-abroad-exchange-rates applicable on the date of application:

- Iranian Rials.

Financial institutions

FIN 2.1. Funds will not be considered if they are held in a financial institution where any of the following apply:

(a) the decision maker is unable to make satisfactory verification checks; or
(b) the financial institution is not regulated by the appropriate regulatory body for the country in which that institution is operating; or
(c) the financial institution does not use electronic record keeping.

Overdrafts

FIN 3.1. Overdraft facilities will not be counted towards meeting financial requirements.

Requirement to have legally earned or acquired funds, savings, or income

FIN 4.1. If funds, savings or income were earned or acquired when the applicant was in the UK, they must have been earned or acquired lawfully and while the applicant had permission and was not in breach of any conditions attached to that permission.

Account holders

FIN 5.1. Accounts relied on must be in the name of the applicant (either alone or as a joint account holder), unless one of the following applies:

(a) the account is in the name of the applicant's partner who is applying for entry clearance or permission to stay at the same time or has been granted permission; or
(b) the applicant is applying as a Child Student, Student, Short-Term Student (English language), or dependent child, and the account is in the name of their parent, or their legal guardian; or
(c) the applicant is applying as a Child Student and they are being cared for by a close relative, or a private foster care arrangement has been made which complies with the requirements in CS 9.3. to CS 9.5, and the account is in the name of the applicant's close relative or private foster carer; or
(d) the requirements for the route under which the applicant is applying state that an account in the name of a third party may be relied upon and the account is in the name of that third party.

FIN 5.2. The applicant, or account holder in FIN.5.1, must have control of the funds.

FIN 5.3. If the applicant is applying as a Student, Short-Term Student (English language), or Child Student and they are relying on funds held in an account in the name of a parent or legal guardian as specified in FIN 5.1. they must provide proof of that relationship and written consent from the parent or legal guardian to use those funds.

Third party support

FIN 6.1. Promises of future third-party support will not be accepted as evidence of funds, except where this is specified in the route under which the applicant is applying.

Dates of financial evidence

FIN 7.1. The most recently dated piece of financial evidence must be dated within 31 days before the date of application.

FIN 7.2. The length of time for which funds are held will be calculated by counting back from the date of the closing balance on the most recently dated piece of financial evidence.

FIN 7.3. The financial evidence provided must cover the whole period of time for which the funds must be held.

Accounts

FIN 8.1. Funds may be held in any form of personal bank or building society account (including current, deposit, savings, pension from which the funds can be withdrawn or investment account) provided the account allows the funds to be accessed immediately.

FIN 8.2. Funds held in other accounts or financial instruments such as shares, bonds, credit cards, pensions from which the funds cannot be withdrawn immediately, regardless of notice period, will not be accepted as evidence of funds.

FIN 8.3. An applicant applying as a Student or Child Student, will meet the financial requirements if they provide evidence of any of the following (or a combination of them):

(a) money held in an account that meets the requirements set out in FIN 5.1. and FIN 8.1; or
(b) funds provided by an official financial sponsor, which must be His Majesty's Government, the applicant's national government, the British Council or any international organisation, international company, university or Independent School; or
(c) a student loan provided by:
    (i) a government; or
    (ii) a government sponsored student loan company; or
    (iii) an academic or educational loans scheme which is provided by a financial institution regulated for the purpose of issuing student loans by either the Financial Conduct Authority (FCA) or the Prudential Regulation Authority (PRA) or, in the case of an overseas loan, the official regulatory body for purpose of issuing student loans in the country the institution is in and where the money is held.

FIN 8.4. An applicant applying as a Short-Term Student will meet financial requirements if they provide evidence of any of the following (or a combination of them):

(a) money held in an account that meets the requirements set out in FIN 5.1. and FIN 8.1; or
(b) sufficient funds from an official financial sponsor, which must be His Majesty's Government, the applicant's national government, the British Council or any international organisation, international company, university or Independent School.

Evidence of financial sponsorship or student loans for students

FIN 9.1. An applicant relying on funds provided by an official financial sponsor under FIN 8.3.(b) must provide evidence, either:

(a) where the student sponsor is providing financial sponsorship, the funds being

provided must be stated in the Confirmation of Acceptance for Studies; or
(b) a letter of confirmation from the official financial sponsor.

FIN 9.2. An applicant relying on a student loan under FIN 8.3.(c), must show evidence of the student loan by providing a student loan letter from the lender which must:

(a) be dated no more than 6 months before the date of application; and
(b) confirm the loan is a student loan provided to the applicant by either the relevant government or a government sponsored student loan company or an academic or educational loans scheme; and
(c) confirm there are no conditions on release of the loan funds other than a successful application to study in the UK as a Student or Child Student; and
(d) confirm the amount of the loan; and
(e) confirm the loan is to the applicant; and
(f) confirm the funds will be:
    (i) available to the applicant before they travel to the UK; or
    (ii) paid directly to the student sponsor before the applicant travels to the UK, with any living cost portion of the loan being made available to the applicant by the time they arrive in the UK; or
    (iii) available before the applicant begins their course if the loan is provided by the applicant's national government; and
(g) confirm the lender meets the requirement at FIN 8.3(c).

Back to top

Immigration Rules

Appendix Returning Resident

This route is for a 'Returning Resident', which means a person who previously had indefinite permission to enter or stay (settlement) in the UK which has now lapsed and who now wants to return to and settle in the UK.

A Returning Resident's previous settlement in the UK must have lapsed by operation of law after they were outside the UK for a continuous period:
• of more than 2 years under the Immigration (Leave to Enter and Remain) Order 2000, or
• of more than 5 years, if they previously had settlement in the UK under the EU Settlement Scheme, or
• of more than 4 years, if they previously had settlement in the UK under the EUSS as a Swiss national or a family member of a Swiss national.

A Returning Resident cannot bring or be joined by a partner or children on this route. Each person must qualify as a Returning Resident in their own right.

Settlement does not lapse for a person who is outside the UK accompanying their partner or parent who is a member of HM Forces or a Crown Servant.

A Returning Resident may also be able to apply under the Windrush Scheme.

Validity requirements for an application as a Returning Resident

RR 1.1. A person applying as a Returning Resident must apply online on the gov.uk website on the specified form as follows:

(a) Form "UKA/ROA/RR"; or

(b) for applicants under the Windrush Scheme, the "Windrush Scheme application (Overseas)" form. See Applying to the Windrush schemes from overseas guidance - GOV.UK (www.gov.uk)

RR 1.2. An application as a Returning Resident must meet all the following requirements:

(a) the applicant must be outside the UK; and

(b) the applicant must have paid any required fee (no fee is required under the Windrush Scheme); and

(c) the applicant must have provided any required biometrics; and

(d) the applicant must provide a passport or other travel document which satisfactorily establishes their identity and nationality.

RR 1.3. DELETED.

RR 1.4. An application which does not meet all the validity requirements for a Returning Resident may be rejected as invalid and not considered.

Suitability requirements for a Returning Resident

RR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

Eligibility requirements for a Returning Resident

Entry requirement for a Returning Resident

RR 3.1. A person seeking to come to the UK as a Returning Resident must apply for and obtain an entry clearance as a Returning Resident before they arrive in the UK.

RR 3.2. A person applying for entry clearance as a Returning Resident must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

RR 3.3. A person applying for entry clearance must have previously been granted settlement in the UK which has lapsed by operation of law due to their absence from the UK.

Intention to settle requirement for a Returning Resident

RR 4.1. The decision maker must be satisfied that the applicant genuinely intends to return to the UK for the purpose of settlement.

Previous departure from UK requirement for a Returning Resident

RR 5.1. Unless they are applying under the Windrush Scheme, the applicant must not have received assistance from public funds towards the cost of leaving the UK.

Strong ties to the UK requirement for a Returning Resident

RR 6.1. The decision maker must be satisfied that the applicant has maintained strong ties to the UK during their absence from the UK.

Parental consent requirement for a Returning Resident aged under 18

RR 7.1. The applicant must meet the parental consent requirement for “applicant not applying as a dependent child” in Appendix Children.

RR 7.2. DELETED.

Decision on an application as a Returning Resident

RR 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Returning Resident are met, the application will be granted; otherwise, the application will be refused.

RR 8.2. If the application is refused, a request can be made for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Returning Resident

RR 9.1. The applicant will be granted entry clearance for settlement.

Back to top

Immigration Rules

Appendix Statelessness

This route is for a person in the UK who has no nationality and so is stateless, and is unable to become, or obtain a status leading to becoming, a permanent resident of another country.

A partner or child of a stateless person can apply to stay in the UK under Part 14: Stateless Person on or after the 31 January 2024 if they have or last had permission as a partner or child under Part 14: Stateless Person. A child born in the UK to a parent who has either permission to enter or stay as a stateless person or is the partner of a stateless person can also apply for permission to stay under Part 14. For those eligible to apply under Part 14 as a partner or child of a stateless person, the Part 14 rules in place on the 30 January 2024 will apply.

In any other case, a partner or child of a stateless person (who is not themselves stateless and therefore applying in their own right) can apply to join or remain with a Stateless person in the UK under Appendix FM.

The Stateless route is a route to settlement.

Validity requirements for a Stateless person

S 1.1. A person applying for permission to stay as a Stateless person must apply online on the gov.uk website on the specified form “Further Leave to Remain – Stateless person”.

S 1.2. An application for permission to stay as a Stateless person must meet all the following validity requirements:

(a) the applicant must have provided any required biometrics; and
(b) the applicant must have satisfactorily established their identity; and
(c) the applicant must be in the UK on the date of application.

S 1.3. An application which does not meet all the validity requirements for a Stateless person may be rejected as invalid and not considered.

Suitability requirements for a Stateless person

S 2.1. The applicant must not fall for refusal under Part 9: Grounds for refusal.

S 2.2. The applicant must not be excluded from protection under the 1954 Convention relating to the Status of Stateless Persons (‘1954 Statelessness Convention’) on the basis that they are:

(a) at present receiving protection or assistance from organs or agencies of the United Nations, other than the United Nations High Commissioner for

Refugees; or
(b) recognised by the competent authorities of a country in which they have taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

S 2.3. The applicant must not be excluded from protection under the 1954 Statelessness Convention on the basis that there are serious reasons for considering that they have:

(a) committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provisions in respect of such crimes; or
(b) committed a serious non-political crime outside the UK prior to their arrival in the UK; or
(c) been guilty of acts contrary to the purposes and principles of the United Nations.

Eligibility requirements for a Stateless person

S 3.1. The applicant must be a person who is not considered as a national by any state under the operation of its law, as set out in Article 1(1) of the 1954 Statelessness Convention.

S 3.2. The applicant must have taken all reasonable steps, but nonetheless failed to:

(a) acquire, or re-acquire, nationality with the competent authorities of any relevant countries; and
(b) establish a right to admission as a permanent resident, or a status leading to permanent residence, in any relevant countries.

S 3.3. If the applicant is a child born in the UK, their parent or legal guardian must have taken all reasonable steps to register the child's birth with the competent authorities and have been unsuccessful.

S 3.4. The applicant must have obtained and submitted all reasonably available evidence to show they meet the requirements in S 3.1. and S 3.2 and, if the applicant is a child, S 3.3.

Decision on application by a Stateless person

S 4.1. If the decision maker is satisfied that all the suitability and relevant eligibility requirements are met for a Stateless person the application will be granted, otherwise the application will be refused.

S 4.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions of permission for a Stateless person

S 5.1. The applicant will be granted permission to stay for 5 years.

S 5.2. The grant will be subject to the following conditions:

(a) work (including self-employment and voluntary work) permitted; and
(b) study is permitted, subject to the ATAS condition in Appendix ATAS; and
(c) access to public funds.

Settlement as a Stateless person

Validity requirements for settlement as a Stateless person

S 6.1. A person applying for settlement as a Stateless person must apply online on the gov.uk website on the specified form “Further Leave to Remain - Stateless”.

S 6.2. An application for settlement must meet all the following validity requirements:

(a) the applicant must have provided any required biometrics; and
(b) the applicant must satisfactorily establish their identity; and
(c) the applicant must be in the UK on the date of application.

S 6.3. The applicant must have, or have last been granted, permission as a Stateless person.

S 6.4. An application which does not meet the validity requirements for settlement as a Stateless person may be rejected as invalid and not considered.

Suitability requirements for settlement as a Stateless person

S 7.1. The applicant must not fall for refusal under Part 9: general grounds for refusal.

S 7.2. The applicant must not be excluded from protection under the 1954 Convention relating to the Status of Stateless Persons (‘1954 Statelessness Convention’) on the basis that they are:

(a) at present receiving protection or assistance from organs or agencies of the United Nations, other than the United Nations High Commissioner for Refugees; or
(b) recognised by the competent authorities of a country in which they have taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

S 7.3. The applicant must not be excluded from protection under the 1954 Statelessness Convention on the basis that there are serious reasons for considering that they have:

(a) committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provisions in respect of such crimes; or
(b) committed a serious non-political crime outside the UK prior to their arrival in the UK; or
(c) been guilty of acts contrary to the purposes and principles of the United Nations.

Eligibility requirements for settlement as a Stateless person

Qualifying period requirement for settlement as a Stateless person

S 8.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a Stateless person.

S 8.2. If the applicant has not spent a period of 5 years in the UK with permission as a Stateless person, the 5 year qualifying period can be met by also counting time on any other route that includes rules allowing a person to qualify for settlement, if the applicant has had permission as a Stateless person for at least one year immediately before the date of application.

Continuing status requirement for settlement as a Stateless person

S 9.1. The applicant must continue to meet the eligibility requirements for a permission to stay as a Stateless person at S 3.1. to S 3.4, including during the period when they have had permission to stay as a Stateless person.

Decision on an application for settlement as a Stateless person

S 10.1. If the decision maker is satisfied all the suitability and relevant eligibility requirements for settlement as a Stateless person are met, the applicant will be granted settlement.

S 10.2. If the decision maker is not satisfied that all the suitability and eligibility requirements for settlement as a Stateless person are met, but is satisfied that the applicant meets the requirements for permission to stay as a Stateless person, the applicant will be granted a further period of permission to stay as a Stateless person for 5 years.

S 10.3. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay as a Stateless person, the application for settlement will be refused.

S 10.4. If the application for settlement is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Back to top

Immigration Rules

Appendix Continuous Residence

Requirements in respect of continuous residence

This Appendix applies only to applications under Appendix HM Armed Forces (only settlement as a Partner or Child), Appendix Skilled Worker, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Innovator Founder, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Domestic Worker in a Private Household, Appendix Temporary Work - International Agreement, Appendix Scale-up, Appendix Settlement Family Life, Appendix Private Life (settlement only, apart from where the applicant is applying to settle as a child born in the UK), Appendix Hong Kong National (Overseas), and Appendix Long Residence.

How the continuous residence requirement is met

CR 1.1. The continuous residence requirement is met if the applicant has spent the qualifying unbroken continuous residence period required by their route lawfully in the UK.

Absences from the UK

CR 2.1. To meet the continuous residence requirement the applicant must not have been outside the UK for more than 180 days in any 12-month period (unless CR 2.2, CR 2.2A, CR 3.1. or CR 3.2. applies, subject to CR 2.3.).

CR 2.2. For any absences from the UK with permission granted under the rules in place before 11 January 2018, the applicant must not have been outside the UK for more than 180 days during any consecutive 12-month period, ending on the same date of their current application unless CR 2.2A applies, and subject to CR 2.3.

CR 2.2A. Where the application is under Appendix Long Residence, for any qualifying period before 11 April 2024, the applicant must not have been outside the UK for more than 184 days at any one time, and must not have spent a total of more than 548 days outside the UK during that qualifying period, subject to CR 2.3.

CR 2.3. When calculating the period of absence in CR 2.1, CR 2.2. or CR 2.2A, any period spent outside the UK will not count towards the period of absence where the absence was for any of the following reasons:

(a) the applicant was assisting with a national or international humanitarian or environmental crisis overseas, providing if on a sponsored route their sponsor agreed to the absence for that purpose; or

(b) travel disruption due to natural disaster, military conflict or pandemic; or

(c) compelling and compassionate personal circumstances, such as the life-threatening illness of the applicant, or life-threatening illness or death of a close family member; or

(d) research activity undertaken by a Skilled Worker which was approved by their sponsor and where the applicant was sponsored for a job in one of the following SOC 2020 occupation codes:

- 2111 Chemical scientists
- 2112 Biological scientists
- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 2115 Social and humanities scientists
- 2119 Natural and social science professionals not elsewhere classified
- 2161 Research and development (R&D) managers
- 2162 Other researchers, unspecified discipline
- 2311 Higher education teaching professionals

(e) research activity undertaken by a person on the Global Talent route who was endorsed by:

(i) The Royal Society; or

(ii) The British Academy; or

(iii) The Royal Academy of Engineering; or

(iv) UKRI; or

(f) research activity undertaken by a person on the Global Talent route who qualified on the basis of a prize listed in table 6 of Appendix Global Talent: Prestigious Prizes; or

(g) for an applicant under Appendix Settlement Family Life, absences for work, study or supporting family overseas, so long as the family have throughout the period of absence maintained a family life in the UK and the UK remained their place of permanent residence; or

(h) where the applicant's partner is absent from the UK on Crown service as:

(i) a regular member of HM Armed Forces (the Royal Navy, the Royal Marines, the Army (including the Brigade of Gurkhas) and the Royal Air Force); or

(ii) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government; or

(iii) a permanent member of the British Council, and the applicant accompanies them overseas.

CR 2.4. Unless applying under Appendix Long Residence, any time the applicant spent lawfully in the Channel Islands or Isle of Man is treated for the purpose of this Appendix as time spent in the UK provided the applicant's most recent grant of permission was in the UK.

CR 2.5 Absences before 20 June 2022 will not be counted when calculating the continuous residence period for settlement applications under Appendix Settlement

Family Life if the applicant was subsequently granted permission as a partner or parent under Appendix FM or under paragraph 276ADE or 276BE(2), following those absences.

Continuous residence for dependants

CR 3.1. Where the applicant is applying as a partner or child, and the person on whom they are dependent, was absent for a reason in CR 2.3, that period of absence will not count towards the 180 day limit in CR 2.1. or CR 2.2. when calculating the applicant's continuous residence period.

CR 3.2. Where the applicant is applying as a partner or child and the person on whom they are dependent was absent during a period of permission granted before 11 January 2018, that period of absence will not count towards the 180 day absence in CR 2.1. or CR 2.2 when calculating the applicant's continuous residence period if the person on whom they were dependent was on one of the following routes:

(a) Tier 1; or

(b) Tier 2; or

(c) Tier 5 (Temporary Worker); or

(d) Global Talent; or

(e) Start Up; or

(f) Innovator Founder.

Breaking continuous residence

CR 4.1. An applicant's continuous residence period will be broken if any of the following apply:

(a) the applicant is convicted of an offence and sentenced to a period of imprisonment (unless it is a suspended sentence) or directed to be detained in an institution other than a prison, unless the applicant is applying for settlement under Appendix Settlement Family Life or Appendix Private Life and CR 4.4. applies; or

(b) the applicant is subject to a deportation order, exclusion order or exclusion direction; or

(c) the applicant is subject to removal directions, or in the case of an application under Appendix Long Residence removed from the UK, under section 10 of the Immigration and Asylum Act 1999; or

(d) the applicant does not currently have, or did not have, permission, unless:

(i) the applicant was granted permission following a successful application where paragraph 39E of these rules applied; or

(ii) (except for applications under Appendix Long Residence), the applicant had permission when they left the UK, applied for entry clearance before that permission expired, or within 14 days of that permission expiring, and that application for entry clearance was successful; or

(iii) the application is under Appendix Long Residence, and the applicant had permission when they left the UK and returned to the UK with a valid permission (on the same or another route) provided they do not exceed the absence period in CR 2.1, CR 2.2. or CR 2.2A; or

(iv) CR 4.2. applies; or

(e) the applicant is absent from the UK for longer than the periods permitted under CR 2.1, CR 2.2., and CR 2.2A, and none of the exceptions in CR 2.3, CR 2.5, CR 3.1. and CR 3.2. apply; or

(f) the applicant is removed from the UK, is deported or leaves the UK having been refused permission to enter, permission to stay or settlement, and any permission held at the time of that voluntary departure has expired, unless CR 4.2. applies.

CR 4.2. Any period without permission under CR 4.1.(d) before 24 November 2016 will break the continuous residence period unless:

(a) the applicant made a successful application for permission (either in or outside the UK) within 28 days of the date their previous permission expired: or

(b) the applicant had permission when they left the UK, applied for entry clearance before that permission expired and that application for entry clearance was successful.

CR 4.3. Where CR 4.1(d) applies, any period of time where the applicant did not have permission will be disregarded when calculating the continuous residence period in CR 6.1.

CR 4.4. Where an applicant applying for settlement under Appendix Settlement Family Life or Appendix Private Life is:

(a) convicted of an offence and sentenced to imprisonment in the UK for 12 months or less; or
(b) directed to be detained in an institution other than a prison for 12 months or less,

that period of imprisonment or detention will not break the applicant's continuous residence during the qualifying period of 10 years for the purposes of SETF 2.3, SETF 11.3, PL 12.3., or PL 27.3, but the time spent in prison or detained in an institution other than a prison will not count towards continuous residence.

Lawful presence

CR 5.1. The applicant will not be regarded as lawfully present in the UK under CR 1.1. (and these periods will not count towards the qualifying period for continuous residence):

(a) during any period of imprisonment or detention under CR 4.1.(a) or CR 4.4.; and

(b) during any period, the applicant is subject to a deportation order, exclusion order, or exclusion direction; and

(c) during any period the applicant is subject to removal directions under section 10 of the Immigration and Asylum Act 1999 (except where the application is under Appendix Long Residence); and

(d) during any period where they required permission and did not have it unless:

(i) the applicant was in the UK without permission between 1 and 31 August 2020; and

(ii) the applicant had permission immediately before that date,

in which case the applicant will be treated as lawfully present between 1 and 31 August 2020.

CR 5.2. DELETED

Calculating the continuous residence period

CR 6.1. The continuous residence periods in CR 2.1, CR 2.2. and CR 2.2A. will be calculated by counting back from whichever of the following dates is the most beneficial to the applicant:

(a) the date of application; or

(b) any date up to 28 days after the date of application; or

(c) the date of decision; or

(d) for a person applying for settlement on the UK Ancestry route, the date of their last grant of permission.

Back to top

Immigration Rules

Appendix Relationship with Partner

This Appendix sets out the requirements for an application based on a relationship with a partner: spouse, civil partner, or unmarried partner in a durable relationship of at least 2 years. It applies to applications under:

- Appendix HM Armed Forces
- Appendix International Armed Forces and International Civilian Employees
- Appendix Settlement Protection
- Appendix Student
- Appendix Graduate
- Appendix Skilled Worker
- Appendix Global Business Mobility – Senior or Specialist Worker
- Appendix Global Business Mobility – Graduate Trainee
- Appendix Global Business Mobility – UK Expansion Worker
- Appendix Global Business Mobility – Service Supplier
- Appendix Global Business Mobility – Secondment Worker
- Appendix T2 Minister of Religion
- Appendix Representative of an Overseas Business
- Appendix UK Ancestry
- Appendix Global Talent
- Appendix High Potential Individual
- Appendix Scale-up
- Appendix Start-up
- Appendix Innovator Founder
- Appendix International Sportsperson
- Appendix Temporary Work - Creative Worker
- Appendix Temporary Work - Religious Worker
- Appendix Temporary Work - Charity Worker
- Appendix Temporary Work - International Agreement
- Appendix Temporary Work - Government Authorised Exchange
- Appendix Hong Kong British National (Overseas)
- Appendix Ukraine Scheme
- Appendix Family Reunion (Protection)
- Appendix Settlement Family Life
- Appendix Gurkhas and Hong Kong military unit veteran discharged before 1 July 1997

Age requirement for a person applying as a partner

RWP 1.1. The applicant and their partner must be aged 18 or over on the date of application.

Requirement that the partners must not be closely related

RWP 2.1. The applicant and their partner must not be so closely related that they would be prohibited from marrying, or entering into a civil partnership with, each other as defined in the Marriage Acts 1949 to 1986, the Marriage (Scotland) Act

1977 and 1986, the Marriage (Northern Ireland) Order 2003, the Civil Partnership Act 2004 and the Marriage and Civil Partnership (Scotland) Act 2014.

Requirement for previous relationships to have broken down permanently

RWP 3.1. Any previous marriage or civil partnership or durable relationship of the applicant or their partner with another person must have permanently broken down unless RWP 7.1. applies.

Requirement that any marriage or civil partnership is valid

RWP 4.1. Where the applicant and their partner are married or in a civil partnership, that marriage or civil partnership must be recognised by law in the country in which it took place.

Requirement for a durable relationship where a person is not married or in a civil partnership

RWP 5.1. Where the applicant and their partner are not married or in a civil partnership, they must have been in a relationship similar to a marriage or civil partnership for at least 2 years before the date of application.

Genuine and subsisting relationship requirement

RWP 6.1. The applicant and their partner must have met in person.

RWP 6.2. The relationship between the applicant and their partner must be genuine and subsisting.

Polygamous or polyandrous marriages and civil partnerships

RWP 7.1. If the applicant or their partner is currently in a polygamous or polyandrous marriage or civil partnership, they may only rely on that marriage or civil partnership for the purposes of an application for entry clearance, permission to enter or stay or settlement as a partner where no other partner to the marriage or civil partnership is seeking, or has been granted:

(a) permission to enter or stay (except as a visitor or person in transit); or
(b) settlement; or
(c) a certificate of entitlement to Right of Abode in the UK.

Back to top

Immigration Rules

Appendix Children

This Appendix sets out the requirements for applications made by children.

This Appendix takes into account the need to safeguard and promote the welfare of children in the UK, in line with the Secretary of State's duty under section 55 of the Borders, Citizenship and Immigration Act 2009.

It applies to applications on specified routes as set out in this Appendix.

Applicant applying as a dependent child

This section applies to the following routes (to the extent set out in the route), where the applicant is applying as a dependent child:

- Appendix HM Armed Forces
- Appendix International Armed Forces and International Civilian Employees
- Appendix Settlement Protection
- Appendix Student
- Appendix Graduate
- Appendix Skilled Worker
- Appendix Global Business Mobility – Senior or Specialist Worker
- Appendix Global Business Mobility – Graduate Trainee
- Appendix Global Business Mobility – UK Expansion Worker
- Appendix Global Business Mobility – Service Supplier
- Appendix Global Business Mobility – Secondment Worker
- Appendix T2 Minister of Religion
- Appendix Representative of an Overseas Business
- Appendix UK Ancestry
- Appendix Global Talent
- Appendix High Potential Individual
- Appendix Scale-up
- Appendix Start-up
- Appendix Innovator Founder
- Appendix International Sportsperson
- Appendix Domestic Workers in a Private Household
- Appendix Temporary Work – Creative Worker
- Appendix Temporary Work – Religious Worker
- Appendix Temporary Work – Charity Worker
- Appendix Temporary Work – International Agreement
- Appendix Temporary Work – Government Authorised Exchange
- Appendix Hong Kong British National (Overseas)
- Appendix Family Reunion (Protection)
- Appendix Child staying with or joining a Non-Parent Relative (Protection)
- Appendix Victim of Domestic Abuse
- Appendix Bereaved Partner
- Appendix Adoption

• Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997.

Age Requirement

CHI 1.1. The applicant must be under the age of 18 on the date of application unless CHI 1.2 applies.

CHI 1.2. The applicant may be aged 18 or over on the date of application if the applicant was last granted entry clearance or permission to stay as the dependent child of their parent or parents.

Independent Life Requirement

CHI 1A.1. The applicant must not be leading an independent life.

Care Requirement

CHI 2.1. If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK which must comply with relevant UK law.

Relationship Requirement: Entry Clearance and Permission to Stay

CHI 3.1. Where the application is for entry clearance or permission to stay, the applicant must be the child of a parent (P) where one of the following applies:

(a) P has entry clearance or permission to stay on the same route the applicant is applying for; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission to stay on the same route the applicant is applying for; or

(c) P is settled or has become a British citizen, providing P previously had permission to stay on the same route the applicant is applying for and the applicant had permission as P's child at that time or was born since P's last grant of permission and before P settled; or

(d) P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled and the applicant is applying on the UK Ancestry route; or

(e) the applicant is applying under Appendix HM Armed Forces and P is:

(i) a member of HM Armed Forces who is exempt from immigration control; or

(ii) at the same time applying for (and is being granted) settlement as a HM Armed Forces service leaver; or

(iii)settled or is a British citizen and P had permission (or exemption) as a member of HM Armed Forces before they were granted citizenship; or

(f) the applicant is applying under Appendix International Armed Forces and P is a member of an International Armed Forces exempt from immigration control.

CHI 3.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

(a) the parent applying for or with entry clearance or permission to stay is the sole surviving parent or has sole responsibility for the child's upbringing; or

(b) the parent who does not have permission:

(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and

(ii) lives, or intends to live, in the UK; or

(c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay or who is covered by CHI 3.2.(b).

CHI 3.3. If the applicant was born in the UK and is the child of a person with permission or their partner, the applicant must provide a full UK birth certificate showing the names of their parent(s).

Relationship Requirement: Settlement

CHI 4.1. Where the application is for settlement, the applicant must be the child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement on the same route the applicant is applying for; or

(b) P is settled or has become a British citizen, providing P previously had permission on the same route the applicant is applying for or:

(c) the applicant is applying under Appendix HM Armed Forces and P:

(i) is a member of HM Armed Forces exempt from immigration control with at least 5 years' reckonable service; or

(ii) has been granted or, is at the same time applying for (and is being granted) settlement as a HM Armed Forces service leaver; or

(iii)has leave to enter or remain under this Appendix or Part 7 paragraphs 276E-QA of these Rules or under the concession which existed outside these Rules whereby the Secretary of State exercised their discretion to grant leave to enter or remain to a member of HM Forces who has been medically discharged; or

(iv)is settled or is a British citizen and P had permission (or exemption) as a member of HM Armed Forces before they were granted citizenship.

CHI 4.2. The applicant must:

(a) have last been granted permission as a dependent child of P in CHI 4.1; or

(b) have been born in the UK and be applying as a child of P in CHI 4.1; or

(c) where the application is under Appendix UK Ancestry, the applicant must be applying as a child of P in CHI 4.1; or

(d) have last been granted permission under Appendix Adoption as the child of P in CHI 4.1; or

(e) where (a), (b), (c) and (d) do not apply and the application is under Appendix Bereaved Partner or Appendix Victim of Domestic Abuse, the applicant must have been born overseas after P's grant of permission as a partner and be applying as a child of P in CHI 4.1.

CHI 4.3. The applicant's other parent (who is not the person (P)) in CHI 4.1. must be being granted settlement at the same time, or be settled or a British citizen, unless:

(a) the person (P) in CHI 4.1. is the applicant's sole surviving parent or has sole responsibility for the applicant's upbringing; or

(b) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement; or

(c) the applicant is applying as a dependent child under Appendix Victim of Domestic Abuse.

CHI 4.4. If the applicant was born in the UK and is the child of a person with permission, or their partner, the applicant must provide a full UK birth certificate showing the names of their parent(s).

Applicant not applying as a dependent child

This section applies to the following routes, where the applicant is not applying as a dependent child under:

• Appendix Child Student

• Appendix International Sportsperson

• Appendix Returning Resident

• Appendix Short-term Student (English language)

• Appendix Student • Appendix Temporary Work – Creative Worker

• Appendix Temporary Work – Government Authorised Exchange

• Appendix UK Ancestry.

Parental Consent Requirement for applicant not applying as a dependent child

CHI 5.1. If the applicant is under the age of 18 on the date of application, they must have written consent from:

(a) both parents; or

(b) one parent, if that parent has sole responsibility for the applicant; or

(c) the applicant's legal guardian.

CHI 5.2. The written consent must provide contact details of the parent(s) or legal guardian and confirm support for all of the following:

(a) the application; and

(b) the applicant's living and care arrangements in the UK; and

(c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

Back to top

Immigration Rules

Appendix Tuberculosis (TB)

This appendix sets out when a person is required to provide a valid TB certificate with their application for entry clearance and the requirements for a TB certificate to be valid.

TB1. A person must provide a valid TB certificate with their application if paragraph TB2 applies, and they are applying for entry clearance to come to the UK:

(a) for more than 6 months, except for applications made under Appendix Ukraine Scheme; or

(b) as a fiancé(e) or proposed civil partner under Appendix FM: family members; or

(c) as a returning resident in accordance with Appendix Returning Residents.

TB2. A valid TB certificate is required if the applicant has been continuously present in a country or countries listed at TB6 for 6 months or more, which includes a period (of any length) within the 6 months before the date of application.

TB3: A TB certificate is valid only if it:

(a) was issued by a medical practitioner approved by the Secretary of State for the purpose of these rules, as listed on the Gov.uk website; and

(b) confirms that the applicant has undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in the applicant; and

(c) was issued within the 6-month period immediately before the date of application; and

(d) has not expired.

TB4. A person may be required to provide a new valid TB certificate before the application for entry clearance is granted, if:

(a) the TB certificate provided with their application expired more than 6 months before the date on which the application is considered; and

(b) the applicant otherwise meets the requirements to be granted entry clearance.

TB5. The decision maker may waive the requirement to provide a valid TB certificate if they are satisfied that the applicant is unable to obtain a certificate and it is reasonable to waive the requirement on the specific facts of the case.

TB6. The list of countries for the purpose of TB2 is:

- Afghanistan
- Algeria
- Angola
- Armenia
- Azerbaijan
- Bangladesh
- Belarus
- Benin
- Bhutan
- Bolivia
- Botswana
- Brunei Darussalam
- Burkina Faso
- Burma
- Burundi
- Cambodia
- Cape Verde
- Central African Republic
- Chad
- Cameroon
- China
- Congo
- Congo Democratic Republic
- Côte d'Ivoire
- Democratic People's Republic of Korea
- Djibouti
- Dominican Republic
- Ecuador
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Georgia

- Ghana
- Guatemala
- Guinea
- Guinea Bissau
- Guyana
- Haiti
- Hong Kong or Macau
- India
- Indonesia
- Iraq
- Kazakhstan
- Kenya
- Kiribati
- Korea
- Kyrgyzstan
- Laos
- Lesotho
- Liberia
- Madagascar
- Malawi
- Malaysia
- Mali
- Marshall Islands
- Mauritania
- Micronesia
- Moldova
- Mongolia
- Morocco
- Mozambique
- Namibia
- Nepal
- Niger
- Nigeria
- Pakistan

- Palau
- Papua New Guinea
- Panama
- Paraguay
- Peru
- Philippines
- Russian Federation
- Rwanda
- Sao Tome and Principe
- Senegal
- Sierra Leone
- Solomon Islands
- Somalia
- South Africa
- South Sudan
- Sri Lanka
- Sudan
- Suriname
- Swaziland
- Tajikistan
- Tanzania
- Thailand
- Timor Leste
- Togo
- Turkmenistan
- Tuvalu
- Uganda
- Ukraine
- Uzbekistan
- Vanuatu
- Vietnam
- Zambia
- Zimbabwe

Back to top