

Appendix International Forces and International Civilian Employees caseworker guidance

Version 3.0

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About this guidance

This guidance tells you how to consider applications made under Appendix International Armed Forces and International Civilian Employees.

It provides guidance on how to deal with applications for entry clearance, permission to enter or permission to stay from:

- members of International Armed Forces who are exempt from immigration control under the <u>1971 Immigration Act</u> and the <u>Visiting Forces Act 1952</u>, and their family members
- members of International Armed Forces who are not exempt from immigration control, including course F
- international civilian employees who are employed to work in the UK by a NATO force (including the American Red Cross working with US forces in the UK) or a company under contract to a NATO force
- an international civilian employee who is employed in the UK by the Australian Department of Defence, and their family members

A partner or dependent child of a member of a relevant International Armed Force or International Civilian Employee can also apply on this route.

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 who are not exempt from Immigration control because they are serving in International Reserve Forces or in a civilian capacity with an International Reserve Force cannot apply on this route.

For further information on exemptions from the Immigration Health Surcharge (IHS), you must refer to: <u>Pay for UK healthcare as part of your immigration application:</u> <u>Who needs to pay - GOV.UK (www.gov.uk)</u>.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or think that the guidance has factual errors, then email Armed Forces Policy.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Review, Atlas and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 3.0
- published for Home Office staff on 19 March 2025

Changes from last version of this guidance

This guidance has been amended to update the Purpose of visit section.

Introduction

Background

This guidance was introduced in April 2024 with the introduction of <u>Appendix</u> <u>International Armed Forces and International Civilian Employees</u> alongside <u>Appendix</u> <u>HM Armed Forces</u> and <u>Appendix Gurkha and Hong Kong military unit veteran</u> <u>discharged before 1 July 1997</u> set out in <u>HC590</u> Statement of Changes to the Immigration Rules, laid before Parliament on 14 March 2024. It forms part of a suite of guidance relating to Immigration Rules covering requirements for the Armed Forces, both domestic and international to come to, or stay in the UK.

<u>Appendix International Armed Forces and International Civilian Employees</u> was subject to minor administrative updates laid in Parliament on 10 September 2024 as part of HC217.

Relevant legislation

The Immigration Rules set out the requirements applicants must meet to be granted permission to enter or stay in the UK under <u>Appendix International Armed Forces</u> and International Civilian Employees to the Immigration Rules which was laid in Parliament on 14 March 2024 as part of <u>HC590</u>.

Relevant legislation, Immigration Rules and guidance that decision makers may need to have reference to incudes:

- the Immigration Act 1971
- Immigration (exempt from control) Order 1972
- the Visiting Forces Act 1952

Members of International Armed Forces exempt from immigration control

Who is exempt from immigration control?

This section tells you about members of international armed forces who are exempt from immigration control under section 8(4)(a), (c) and (c) of the Immigration Act 1971 (the 1971 Act) as amended.

Any person who is exempt from immigration control does not require prior entry clearance. However, it is strongly advised that an exempt vignette is obtains before travelling to the UK to avoid unnecessary delays on arrival.

A member of an International Armed Force is a person who is a member of a Commonwealth force or a force raised under the law of a colony, a protectorate or a protected state, who is undergoing or about to undergo training in the UK, with any body, contingent or detachment of the home forces, including relevant NATO forces; those serving or posted for service in the UK as a member of a visiting force as listed in the <u>Visiting Forces Act 1952</u> (VFA), or added to the VFA through an Order of Council statutory instrument; or those serving or posted as a member of an international headquarters or defence organisation as designated by an Order of Council, including relevant NATO forces, or as a member of an international headquarters or defence organisation which is designated by Order in Council.

Visiting Forces Act (VFA)

The <u>Visiting Forces Act 1952</u> is Ministry of Defence (MoD) legislation that deals with the jurisdiction of certain international forces in the UK. Section 8(4)(a), (b) and (c) of the <u>Immigration Act 1971</u> as amended, takes its definition of exempt visiting forces from the countries listed in the VFA.

The <u>Visiting Forces Act 1952</u> can be added to by the MoD through Orders of Council.

The following countries forces are listed in the VFA as exempt from immigration control in the UK:

Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA
Antigua and Barbuda	Australia	The Bahamas	Bangladesh	Barbados
Belize	Bermuda	Botswana	Brunei	Canada

Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA	Listed on the face of the VFA
Cameroon	The Republic of Cyprus	Democratic Republic of the Congo (formerly Tanganyika)	Dominica	Fiji
The Gambia	India	Jamaica	Kenya	Kiribati
Lesotho	Malawi	Malaysia	Maldives	Malta
Mauritius	Mozambique	Namibia	Nauru	New Zealand
Nigeria	Pakistan	Papua New Guinea	Saint Christopher and Nevis	Saint Lucia
Saint Vincent and the Grenadines	Seychelles	Solomon Islands	-	Swaziland
Tanzania	Tonga	Trinidad and Tobago	Tuvalu	Uganda
Vanuatu	Western Samoa	Zambia	Zimbabwe	Ceylon
Ghana	South Africa	Sierra Leone	The New Hebrides	Greneda
Zanzibar	Singapore	Guyana	Tanganyika	Norway

The following countries forces are exempt from immigration control in the UK as designated by Order of Council:

Forces designated by the Order in Council	Forces designated by the Order in Council			
Albania	Algeria	Armenia	Austria	Azerbaijan
Belarus	Belgium	Bosnia- Herzegovina	Bulgaria	Croatia
The Czech Republic	Denmark	Estonia	The Federal Republic of Germany	France
Finland	The Former Yugoslav Republic of Macedonia	Georgia	Greece	Hungary
Ireland	Italy	Japan	Jordan	Kazakhstan
Kosovo	Kyrgyzstan	Latvia	Lithuania	Luxembourg
Malta	Moldova	Montenegro	Morocco	The Netherlands
Norway	Oman	Poland	Portugal	Romania

Forces designated by the Order in Council	Forces designated by the Order in Council			
Russia	Saudi Arabia	Senegal	Serbia	Slovenia
The Slovak Republic	Spain	Sweden	Switzerland	Tajikistan
Turkey	Turkmenistan	Ukraine	The United States of America	Uzbekistan

Partnership for Peace

The <u>Partnership for Peace</u> extends most (although not all) of the <u>NATO Statement of</u> <u>Forces Agreement (SOFA) (dated 19 June 1951)</u> provisions regarding the status of their forces, to members of the Partnership.

Article III of the NATO SOFA agreement is one of those provisions that extends to the <u>Partnership for Peace</u> which sets out that entry must be allowed upon presentation of military identity card and movement orders.

The following countries are signed up to the Partnership for Peace and are therefore, also exempt from immigration control as a result of the NATO SOFA Agreement:

| Forces
exempt as a
result of the
NATO SOFA
Agreement |
|--|--|--|--|--|
| Armenia | Austria | Azerbaijan | Belarus
(suspended
since
November
2021) | Bosnia-
Herzegovina |
| Estonia | Georgia | Ireland | Kazakhstan | Kyrgyzstan |
| Malta | Moldova | Serbia | Russia
(suspended
since
November
2021) | Tajikistan |
| Ukraine | - | - | - | - |

Application process

Any person who is exempt from immigration control does not require prior entry clearance and in accordance with the 1971 Act, no application is required. However, it is strongly advised that visa national individuals apply for and obtain an exempt vignette before travelling to the UK to avoid unnecessary delays on arrival. There is no charge for a request of evidence of exempt status.

No biometric information is required for applications made in the UK if exempt.

The Immigration Health Surcharge does not apply to exempt International Armed Forces personnel.

Verification of status

Members of international armed forces or nationals of countries covered by The Partnership for Peace or SOFA must carry the following documentation:

- an identity card issued by their national authorities showing their name, date of birth, rank and number, branch of the service and photograph
- in the case of serving members of the United States forces, a common access card
- individual or collective 'movement orders', when travelling on duty or on leave, authorising journeys these orders may be issued by either:
 - \circ the force concerned
 - Supreme Headquarters Allied Powers Europe (SHAPE)
 - in some cases, by other allied headquarters, such as, those of the Allied Maritime Component Command (MCC) formerly the Commander-in-Chief Eastern Atlantic Area (CINCEASTLANT) and the Commander-in-Chief Air Force Eastern Atlantic Area (CINAIREASTLAN)

The VFA does not require members of international armed forces travelling to the UK from VFA designated countries to present a valid passport or exempt vignette, but it may assist on arrival in the UK if they do so.

You may encounter instances where arrangements have been made for groups from VFA countries to travel to the UK, for example on board ships or naval vessels, and the group or crew includes civilian personnel. Civilians cannot be considered as exempt under the VFA and they must present a valid passport and, if appropriate, entry clearance. Civilians will be considered for entry under the Immigration Rules and may be refused if they do not present the correct documentation.

In the case of groups of visiting forces, such as naval vessels, the Border Force National Command Centre require the following information:

- date and length of the visit
- crew list including names, roles and nationalities
- confirmation that the MoD are aware of the visit along with an MoD contact point

- details of those thought to be exempt from immigration control with reasons for the exemption listed
- passport and, if necessary, entry clearance details for those who are not exempt

Related content

<u>Contents</u>

Family members of members of International Armed Forces exempt from immigration control

Validity

The validity requirements for a partner or child of a member of International Armed Forces are set out in paragraphs AFI 12.1. to AFI 12.4. of Appendix International Forces and International Civilian Employees to the immigration Rules.

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 may be rejected as invalid and not considered.

Family members of members of international armed forces exempt from control pay the Immigration Health Surcharge (IHS).

Dependants of US military personnel are exempt from immigration control under the <u>Immigration (Exemption from Control) Order 1972</u>, as amended by the <u>Immigration (Exemption from Control) (Amendment) Order 2015</u>.

Suitability

In considering the suitability criteria in paragraphs AFI 13.1. and AFI 13.2. of Appendix International Armed Forces and International Civilian Employees and Part <u>9 of the Immigration Rules</u>, you must refer to the Grounds for refusal: criminality guidance.

Eligibility

As set out in paragraph AFI 14.1. to AFI 14.2. of Appendix International Forces and International Civilian Employees, where a person is seeking to come to the UK they must apply for and obtain entry clearance before they arrive in the UK.

Dependants of US military personnel

Dependants of US military personnel are exempt from immigration control under the <u>Immigration (Exemption from Control) Order 1972</u>, as amended by the <u>Immigration (Exemption from Control) (Amendment) Order 2015</u>.

Tuberculosis (TB) certificate

Where an applicant is applying under Appendix International Armed Forces and International Civilian Employee, they will need to provide a valid TB certificate with their application if they have been residing within a country listed in <u>Appendix TB to</u> the Immigration Rules for the 6 months immediately preceding the application.

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This only applies to entry clearance applications.

Relationship - partner

As set out in paragraphs AFI 15.1. to AFI 15.2. of Appendix International Forces and International Civilian Employees to the immigration Rules, the applicant must either:

- be the partner of a member of an International Armed Force 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
- 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

The requirements of <u>Appendix Relationship with Partner</u> must be met.

There are no provisions under <u>Immigration Rules: Appendix International Armed</u> <u>Forces and International Civilian Employees</u> for other adult relatives.

Relationship - child

The relationship requirements for a child of a member of International Armed Forces is set out in paragraph AFI 16.1. of Appendix International Forces and International Civilian Employees to the immigration Rules.

The applicant must meet the age, independent life, care and relationship requirements for a dependent child in <u>Appendix Children</u>.

Financial

Paragraphs AFI 17.1. to AFI 17.2. of Appendix International Forces and International Civilian Employees sets out the financial requirements for a member of the International Armed Forces, where:

- the applicant must show that the member of International Armed Forces is able to adequately maintain themselves and their partner and any child in the UK without access to public funds
- the applicant must show they meet the financial requirement as specified in <u>Appendix FM-SE</u>

Accommodation

As set out in Paragraph AFI 18.1. of Appendix International Forces and International Civilian Employees to the immigration Rules, the applicant's accommodation in the UK must not be overcrowded nor contravene public health regulations.

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.

For further guidance on the accommodation requirement, see Part 8 - Family Migration: Adequate maintenance and accommodation guidance.

Decision making

If you are satisfied that that applicant meets the validity, suitability and relevant eligibility requirements set out in paragraphs AFI 19.1. to AFI 23.1. of Appendix International Forces and International Civilian Employees for a partner or child of International Armed Forces, the application will be granted, otherwise the application must be refused.

If an application under Appendix International Forces and International Civilian Employees is refused and the applicant thinks the Home Office has made an error in considering their application, they can apply for an <u>administrative review</u>.

Period of a grant

As set out in paragraph AFI 20.1. of Appendix International Forces and International Civilian Employees, the period of grant for a partner of a member of International Armed Forces is the shorter period of:

- 4 years
- the duration of the member of International Armed Forces period of posting

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

As set out in paragraph AFI 21.2. of Appendix International Forces and International Civilian Employees, the grant for a partner or child of a member of International Armed Forces will be subject to all the following conditions:

- no access to public funds
- no work if permission is being granted for less than 6 months
- work permitted if period of grant is for 6 months or more
- study is permitted, subject to the ATAS conditions in Appendix ATAS

Application process

No application is necessary as exempt status is conferred by the <u>Immigration Act</u> <u>1971</u> and Anyone who is exempt from immigration control does not require prior entry clearance. However, it is strongly advised that individuals <u>apply for and obtain</u> <u>an exempt vignette</u> or digital status before travelling to the UK to avoid unnecessary delays on arrival.

For further information on applying for exempt vignettes, see: <u>Exempt (EXM) -</u> <u>GOV.UK (www.gov.uk)</u>.

The Immigration Health Surcharge (IHS) does not apply to exempt International Armed Forces personnel, including dependants of US military personnel.

For further information about the IHS see: <u>Pay for UK healthcare as part of your</u> <u>immigration application</u> and Immigration health surcharge guidance.

Verification of military status

Individuals must hold documentary evidence of the military or employment status of their partner or parent within the US Armed Forces. This can include copies of the travel orders and military ID of their partner or parent.

If they satisfy the Border Force officer that they meet the criteria the passport may be endorsed with the Border Force officer's personal date stamp.

If, following enquiries, including those made with the relevant International Armed Force, you are not satisfied the passenger has the status they claim you may consider them as a civilian who requires leave to enter and they should be examined for eligibility under the Immigration Rules.

International Civilian Employees

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

International civilian employees or their family members are not exempt from control under the Immigration Act or Immigration (Exempt from Control) Order. These applicants are defined in Paragraph 4.2.(a) of Appendix International Armed Forces and International Civilian Employees as international civilian employees.

Any reference to a civilian employee of NATO includes an employee of the American National Red Cross working with US forces in the UK. The Australian Department of Defence includes the newly formed Australian Submarine Agency.

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

Employees of firms under contract to NATO forces are employees of firms who have a contract with a NATO force in the UK. They are normally but not always US nationals who come to build and maintain NATO forces installations in the UK. Subcontractors may not apply under this provision.

International Civilian Employees may not be accompanied or joined by fiancé(e)s or proposed civil partners.

Validity

Paragraphs AFI 1.1. to AFI 1.4. of Appendix International Armed Forces and International Civilian Employees tells you the validity requirements for a person applying for entry clearance or permission to stay as an International Civilian Employee.

The Immigration Health Surcharge (IHS) must be paid, except by international civilian employees at NATO or the Australian Department of Defence in the UK (and their dependents) do not pay the IHS.

Where the relevant requirements are not met the application is invalid and may be rejected.

Suitability

Paragraphs AFI 2.1. to AFI 2.2. of Appendix International Armed Forces and International Civilian Employees tells you the suitability requirements for a person applying for entry clearance or permission to stay as an International Civilian Employee.

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In considering the suitability criteria in Appendix International Armed Forces and International Civilian Employees, you must refer to <u>Part 9 of the Immigration Rules</u>, Grounds for refusal: criminality guidance.

Eligibility

Paragraphs AFI 3.1. to AFI 3.2. of Appendix International Armed Forces and International Civilian Employees tells you the entry requirements for a person applying for entry clearance as an International Civilian Employee.

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.

Tuberculosis (TB) certificate

Where an applicant is applying under Appendix International Armed Forces and International Civilian Employees, they will need to provide a valid TB certificate with their application if they have been residing within a country listed in <u>Appendix TB to</u> the <u>Immigration Rules</u> for the 6 months immediately preceding the application. This only applies to entry clearance applications.

Purpose of visit

Paragraphs AFI 4.1. to AFI 4.2. of Appendix International Forces and International Civilian Employees sets out the employment requirements for an International Civilian Employee.

An individual must be a civilian employed to work in the UK by:

- a NATO force based in the UK
- a company under contract to a NATO force
- the Australian Department of Defence
- the American National Red Cross to work with US Forces

International Civilian Employees are not exempt from immigration control and must hold the following documents:

- if a visa national, valid entry clearance
- a valid passport
- if directly employed by a NATO force or the Australian Department of Defence, movement orders
- either a letter confirming employment or, if an employee of a firm under contract to a NATO force, a contract which includes the proposed end date of their employment

The applicant must provide documentary evidence to demonstrate that they are coming to the UK for one of the purposes listed above and that they will leave the UK

upon completion of their deployment. This can be in the form of a letter from their employer, orders issued by the military they are working alongside or other documentation that sets out the terms of their role.

Financial

Paragraphs AFI 5.1. to AFI 5.2. of <u>Appendix International Armed Forces and</u> <u>International Civilian Employees</u> explains the financial requirements for an International Civilian Employee. They must in all cases:

- be able to adequately maintain themselves and any dependants in the UK without access to public funds
- show they meet the financial requirement as specified in Appendix FM-SE

Accommodation

The applicant must provide evidence that accommodation will not be overcrowded or in contravention of public health regulations.

For further guidance on the accommodation requirement, see Part 8 - Family Migration: Adequate maintenance and accommodation guidance.

Grant application

If you are satisfied that the applicant meets all the requirements of Appendix International Armed Forces and International Civilian Employees, you must grant the application.

Refuse application

If you are not satisfied that the applicant meets all the requirements of Appendix International Armed Forces and International Civilian Employees, you must refuse the application.

If an application under Appendix International Armed Forces and International Civilian Employees is refused and the applicant thinks the Home Office has made an error in considering their application, they can apply for an <u>administrative review</u>.

Period of grant

The period of grant for an International Civilian Employee of a NATO force or the Australian Department of Defence is either:

- six months, where the duration of their period of employment in the UK does not exceed 6 months
- five years, where the duration of their period of employment in the UK exceeds 6 months

The period of grant for an International Civilian Employee of a company under contract to NATO force is the shorter period of:

- four years
- the duration of the training, study or familiarisation

Conditions of grant

The grant for an International Civilian Employee will be subject to the following conditions:

- no access to public funds
- no work, other than as a member of the International Armed Force
- study permitted, subject to the ATAS condition in Appendix ATAS

International Civilian Employees from a Visiting Forces Act (VFA) designated country

You may receive applications for exempt status under the VFA made by individuals from a VFA designated country, but who are civilians.

VFA exemption from immigration control does not extend to civilian employees so they will not qualify under that route, but they may qualify entry clearance under paragraphs 4.1- 4.2 of Appendix International Armed Forces and International Civilian Employees.

The qualifying criteria and period of grant is set out in paragraph 10 of Appendix International Armed Forces and International Civilian Employees.

Partner or child of an International Civilian Employee

This section tells you how to deal with an application from the partner or child of an International Civilian Employee.

Validity

The validity requirements for a partner or child of an International Civilian Employee are set out in paragraphs AFI 12.1. to AFI 12.5. of Appendix International Armed Forces and International Civilian Employees to the immigration Rules.

An applicant applying for permission to stay must be in the UK on the date of their application.

The Immigration Health Surcharge (IHS) must be paid except by dependants of international civilian employees at NATO or the Australian Department of Defence.

An application which does not meet all the validity requirements as a partner or child of an International Civilian Employee may be rejected as invalid and not considered.

Suitability

In considering the suitability criteria in paragraphs AFI 13.1. and 13.2. of Appendix International Armed Forces and International Civilian Employees and <u>Part 9 of the</u> <u>Immigration Rules</u>, you must refer to the Grounds for refusal: criminality guidance.

Eligibility

This set out in paragraph AFI 14.1. to AFI 14.2. of Appendix International Armed Forces and International Civilian Employees, where a person is seeking to come to the UK they must apply for and obtain entry clearance before they arrive in the UK.

Tuberculosis (TB) certificate

Where an applicant is applying under Appendix International Armed Forces and International Civilian Employees, they will need to provide a valid TB certificate with their application if they have been residing within a country listed in <u>Appendix TB to</u> the Immigration Rules for the six months immediately preceding the application. This only applies to entry clearance applications.

Relationship - partner

As set out in Paragraphs AFI 15.1. to AFI 15.2. of Appendix International Armed Forces and International Civilian Employees to the immigration Rules, the applicant must meet the requirements for a partner in <u>Appendix Relationship with Partner</u>

Relationship - child

As set out in Paragraphs AFI 15.1. to AFI 15.2. of Appendix International Armed Forces and International Civilian Employees to the immigration Rules, the applicant must meet the age, independent life, care and relationship requirements for a dependent child in <u>Appendix Children</u>.

Financial

Paragraphs AFI 17.1. to AFI 17.2. of Appendix International Armed Forces and International Civilian Employees set out the financial requirements for a member of the International Armed Forces or an International Civilian Employee, where the:

- the applicant must show that the International Civilian Employee is able to adequately maintain themselves and their partner and any child in the UK without access to public funds
- the applicant must show they meet the financial requirement as specified in <u>Appendix FM-SE</u>

Accommodation

The applicant must provide evidence that the accommodation will not be overcrowded or contravene public health regulations.

For further guidance on the accommodation requirement, see Part 8 - Family Migration: Adequate maintenance and accommodation.

Decision

If you are satisfied that that applicant meets the validity, suitability and relevant eligibility requirements for a partner or child of a member of an International Armed Force exempt from immigration control, the application will be granted. If the requirements are not met, the application must be refused.

If an application under Appendix International Armed Forces and International Civilian Employees is refused and the applicant thinks the Home Office has made an error in considering their application, they can apply for an <u>administrative review</u>.

Period of grant

As set out in paragraphs AFI 22.1. to AFI 22.2. of Appendix International Armed Forces and International Civilian Employees the period of grant for a partner of a civilian employee of a NATO force or the Australian Department of Defence are:

• six 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 does not exceed 6 months

 five 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 exceeds 6 months

A period of grant for a partner of an International Civilian Employee under contract to a NATO force is the shorter period of 4 years, or the duration of the period of the civilian employee's employment.

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

As set out in paragraph AFI 23.1. of Appendix International Armed Forces and International Civilian Employees, the grant for a partner or child of a civilian employee of a company under contract to a NATO force will be subject to all of the following conditions:

- no access to public funds
- no work if granted permission is for less than 6 months
- work permitted if grant is for 6 months or more
- study is permitted, subject to the ATAS conditions in Appendix ATAS

Members of International Armed Forces: subject to immigration control (course F)

This page tells you about the entry or extension requirements for members of international armed forces who are subject to immigration control, also known as attending Course F.

Validity

Paragraphs AFI 1.1. to AFI 1.4. of Appendix International Armed Forces and International Civilian Employees tells you the validity requirements for a person applying for entry clearance or permission to stay as a member of an International Armed Force subject to immigration control.

The Immigration Health Surcharge (IHS) must be paid.

Suitability

Paragraphs AFI 2.1. to AFI 2.2. of Appendix International Armed Forces and International Civilian Employees tells you the suitability requirements for a person applying for entry clearance or permission to stay as a member of an International Armed Force subject to immigration control.

In considering the suitability criteria in Appendix International Armed Forces and International Civilian Employees, you must refer to <u>Part 9 of the Immigration Rules</u>, Grounds for refusal: criminality guidance.

Eligibility

Paragraphs AFI 3.1. to AFI 3.2. of Appendix International Armed Forces and International Civilian Employees tells you the entry requirements for a person applying for entry clearance as a member of an International Armed Force subject to immigration control.

A person seeking to come to the UK must apply for and obtain entry clearance as a member of an International Armed Force subject to immigration control. before they arrive in the UK.

Tuberculosis (TB) certificate

Where an applicant is applying under Appendix International Armed Forces and International Civilian Employees, they will need to provide a valid TB certificate with their application if they have been residing within a country listed in <u>Appendix TB to</u> the Immigration Rules for the 6 months immediately preceding the application.

This only applies to entry clearance applications.

Purpose of visit

Paragraphs AFI 4.1. to AFI 4.2. of Appendix International Armed Forces and International Civilian Employees sets out the service requirements for a member of an International Armed Force subject to immigration control.

To be eligible to apply under Appendix International Armed Forces and International Civilian Employees the applicant must be a serving member of a foreign armed force and have been invited by either:

- HM Armed Forces to undergo training, provided by HM Armed Forces, which is to take place in the UK
- UK Ministry of Defence (MoD) to study, or become familiar with military equipment being supplied by a firm based in the UK

They must:

- be accommodated and maintained adequately without recourse to public funds
- intend to leave the UK at the end of the relevant training, study or familiarisation
- not fall to be refused on grounds of suitability

The applicant must provide documentary evidence to demonstrate that they are coming to the UK for one of the purposes listed above and that they will leave the UK upon completion.

Where the relevant requirements are not met the application is invalid and may be rejected without consideration of the application.

Academic Technology Approval Scheme (ATAS)

Appendix International Armed Forces and International Civilian Employees requires a person aged 18 or over to meet the requirements of part 15 of the Immigration Rules in that they must, where applicable, provide evidence that they have obtained a valid ATAS clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office. This must be issued to the applicant prior to the start of study and must be related to the specific course they are due to attend.

Financial

Paragraphs AFI 5.1. to AFI 5.2. of Appendix International Armed Forces and International Civilian Employees explains the financial requirements as a member of an International Armed Force subject to immigration control.

They must in all cases be able to adequately maintain themselves and any dependants in the UK without access to public funds, and show they meet the financial requirement as specified in <u>Appendix FM-SE</u>.

Accommodation

The applicant must provide evidence that the accommodation will not be overcrowded or contravene public health regulations.

For further guidance on the accommodation requirement, see Part 8 - Family Migration: Adequate maintenance and accommodation.

Grant application

If you are satisfied that the applicant meets all the requirements of Appendix International Armed Forces and International Civilian Employees, you must grant the application.

Period of grant

Permission will be granted for whichever is the shorter period of:

- the duration of the period of training, study or familiarisation
- four years

A period of leave granted under Appendix International Armed Forces and International Civilian Employees may be granted for an additional 3 months beyond the end of the training, study or familiarisation period providing the period of leave granted does not exceed 4 years if:

- the leave is required so the applicant can meet third country transit regulations which require passengers to have 3 months extant leave in the UK
- travel to the third country forms part of the training, study or familiarisation

Conditions of grant

Permission should be given on Code 4:

- employment restrictions
- no recourse to public funds

Refuse application

If you are not satisfied that the applicant meets all the requirements of Appendix International Armed Forces and International Civilian Employees, you must refuse the application.

If an application under Appendix International Armed Forces and International Civilian Employees is refused and the applicant thinks the Home Office has made an error in considering their application, they can apply for an <u>administrative review</u>.

Switching

There is no provision in Appendix International Armed Forces and International Civilian Employees to allow for individuals to switch into this category once in the UK.

Applicants must hold entry clearance or leave to enter in this capacity either under Appendix International Armed Forces and International Civilian Employees or the previous course F concession.

Family members of member of International Armed Forces: subject to immigration control (course F)

This page tells you what type of application should be submitted by an applicant under Appendix International Armed Forces and International Civilian Employees as a family member of a member of an international armed force subject to immigration control.

If the applicant is a visa national or is seeking entry for longer than 6 months, the applicant must use the following process:

- pay the relevant fee
- pay the Immigration Health Surcharge
- provide evidence of sponsor posting to the UK (posting / movement order)
- evidence maintenance and accommodation

A non-visa national may seek permission to enter if the period of training, study or familiarisation to be undertaken by the member of an international armed force subject to immigration control is known to be for 6 months or less and they meet all the other requirements of the Immigration Rules.

Validity

The validity requirements for a as a family member of a member of an international armed force subject to immigration control are set out in paragraphs AFI 12.1. to AFI 12.5. of Appendix International Armed Forces and International Civilian Employees.

An application which does not meet all the validity requirements as a partner or child of a member of a family member of a member of an international armed force subject to immigration control may be rejected as invalid and not considered.

Suitability

In considering the suitability criteria in paragraphs AFI 13.1. and 13.2. of Appendix International Armed Forces and International Civilian Employees and <u>Part 9 of the</u> <u>Immigration Rules</u>, you must refer to the Grounds for refusal: criminality guidance.

Eligibility

This set out in paragraph AFI 14.1. to AFI 14.2. of Appendix International Armed Forces and International Civilian Employees, where a person is seeking to come to the UK they must apply for and obtain entry clearance before they arrive in the UK.

Tuberculosis (TB) certificate

Where an applicant is applying under Appendix International Armed Forces and International Civilian Employees, they will need to provide a valid TB certificate with their application if they have been residing within a country listed in <u>Appendix TB to</u> the Immigration Rules for the 6 months immediately preceding the application.

This only applies to entry clearance applications.

Relationship - partner

As set out in Paragraphs AFI 15.1. to AFI 15.2. of Appendix International Armed Forces and International Civilian Employees to the immigration Rules, the applicant must meet the requirements for a partner in <u>Appendix Relationship with Partner</u>.

Relationship - child

As set out in Paragraphs AFI 15.1. to AFI 15.2. of Appendix International Armed Forces and International Civilian Employees to the immigration Rules, the applicant must meet the following requirements for a dependent child in <u>Appendix Children</u>:

- age requirement
- independent life requirement
- care requirement
- relationship requirement: entry clearance and permission to stay

Financial

Paragraphs AFI 17.1. to AFI 17.2. of Appendix International Armed Forces and International Civilian Employees set out the financial requirements as a family member of a member of an international armed force subject to immigration control, where the:

- the applicant must show that the member of an international armed force subject to immigration control is able to adequately maintain themselves and their partner and any child in the UK without access to public funds
- the applicant must show they meet the financial requirement as specified in <u>Appendix FM-SE</u>

Accommodation

The applicant must provide evidence that accommodation will not be overcrowded or contravene public health regulations.

For further guidance on the accommodation requirement, see Part 8 - Family Migration: Adequate maintenance and accommodation.

Decision making

If you are satisfied that that applicant meets the validity, suitability and relevant eligibility requirements for a as a family member of a member of an international armed force subject to immigration control, the application will be granted, otherwise the application must be refused.

If an application under Appendix International Armed Forces and International Civilian Employees is refused and the applicant thinks the Home Office has made an error in considering their application, they can apply for an <u>administrative review</u>.

Period of grant

Permission will be issued for whichever is the shorter period of either:

- the duration of the period of training, study or familiarisation to be undertaken by the member of an international armed force subject to immigration control
- four years

Conditions of grant

The conditions of a grant of permission are:

- no access to public funds
- no work if granted permission is for less than 6 months
- work permitted if grant is for 6 months or more
- study is permitted, subject to the ATAS conditions in <u>Appendix ATAS</u>