



If you wish to apply for an extension of stay in the UK on form FLR(AF), please read these guidance notes before making your online application.

## CONTACTING US

Our main website address for contacting us is given below.

OUR WEBSITE: [www.gov.uk/government/organisations/uk-visas-andimmigration](http://www.gov.uk/government/organisations/uk-visas-andimmigration)

## GUIDANCE NOTES

### 1. FOR WHICH APPLICATIONS MUST YOU USE THIS ONLINE APPLICATION?

This online application must be used if you are applying for an extension of stay in one of the following categories:

- Limited leave as a HM Forces member on discharge
- Limited leave as the partner or child of a British or foreign or Commonwealth HM Forces sponsor under Appendix Armed Forces
- Limited leave as the partner or child whose sponsor was discharged from HM Forces
- Limited leave as the partner or child of a British HM forces sponsor applying under transitional arrangements under Part 8 of the Immigration Rules
- Limited leave as the partner and child of a foreign or Commonwealth HM Forces sponsor applying under transitional arrangements under Part 7 of the Immigration Rules

You and any dependants applying with you must be in the UK to apply.

If you have not served in HM Forces or you are not the partner or child of someone who has you should not complete this form. A member of the reserve forces, is not able to apply under Appendix Armed Forces on the basis of HM Forces service.

You must not use this form to make an application for asylum or international protection (this includes an application for humanitarian protection or an Article 3 European Convention on Human Rights (ECHR) application made on protection grounds); or to make further submissions on asylum or human rights grounds after the refusal or withdrawal of an earlier asylum or human rights claim.

### 2. QUALIFYING FOR AN EXTENSION OF STAY

To qualify for an extension of stay in the categories of the Immigration Rules for which you must use this online application, you must meet the requirements set out in the following parts of the Rules:

- Appendix Armed Forces
- Part 7 or 8 of the Immigration Rules where transitional arrangements apply for those with leave under those parts before 1 December 2013.

The full Immigration Rules are on our website.

### 3. WHEN TO APPLY

You and any partner or children applying with you should apply before the end of your/their permitted stay in the UK.

If you are a HM Forces member applying for leave to remain on discharge you may apply 10 weeks before your discharge date.

### 4. YOUR STATUS WHILE YOUR APPLICATION IS BEING CONSIDERED

If you and any dependants apply before the end of your permitted stay in the UK, your/their existing immigration status, including any permission to work, will continue until your/their application(s) is/are decided.

If you are a serving HM Forces member you should be aware your exemption from immigration control under section 8(4) of the Immigration Act stops immediately after you are discharged from HM Forces.

## **5. FINDING APPLICATION FORMS**

You can find application forms, on our website at [www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration)

## **OTHER ENQUIRIES**

For enquiries other than finding an application form, consult our website [www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration)

We also have the following freephone textphone number: 0800 38 98 28 9.

## **6. CHOOSING AN IMMIGRATION ADVISER**

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC). Their website at [www.oisc.gov.uk](http://www.oisc.gov.uk) contains a list of accredited advisors.

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on 0870 606 2555 or visit their website at [www.sra.org.uk](http://www.sra.org.uk)

The address and telephone number for any complaints about a solicitor are:

Legal Ombudsman

PO Box 6806,

Wolverhampton,

WV1 9WJ

Telephone: 0300 555 0333

## **7. BIOMETRIC RESIDENCE PERMITS**

Everyone applying for an extension of stay in the categories for which this online application must be used must apply for a Residence Permit. Further information and guidance about these measures, which are based on powers contained in the UK Borders Act 2007, can be found on our website here: [www.gov.uk/biometric-residence-permits](http://www.gov.uk/biometric-residence-permits)

## ENGLISH LANGUAGE REQUIREMENT

If you are applying for an extension of leave on the basis of your relationship with a HM Forces member, you need to show that you can speak and understand English. You can do this in the following ways:

- You are a national of a specified English speaking country.
- You have passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference or above, with a Home Office approved provider.
- You have an academic qualification recognised by NARIC UK as equivalent to the standard of a Bachelor's or Master's degree or PhD in the UK. This must have been taught in English.
- You are exempt from this requirement if you are aged 65 or over, have a physical or mental condition which prevents you from meeting this requirement or there are exceptional circumstances which would prevent you from meeting it.

Guidance on how to meet the English language requirement can be found on our website: [www.gov.uk/remain-in-uk-family](http://www.gov.uk/remain-in-uk-family).

## 8. Financial Requirement

If you are applying for an extension of leave on the basis of your relationship with a HM Forces member you will either have to meet a maintenance requirement or the financial requirement (minimum income threshold).

You will need to meet the financial requirement set out in Part 12 of Appendix Armed Forces unless you are applying under transitional arrangements or under provisions that instead require maintenance requirements.

You can meet the financial requirement through:

- Income from employment or self employment of your sponsor
- Income from your employment or self employment if you are in the UK
- Certain income from sources other than employment
- State or private pensions of you and your sponsor
- Specified Maternity allowances or bereavement benefits received in the UK or any specified benefit relating to service in HM Forces
- Cash savings over a certain level - this will depend on what you are applying for and the level of other income that you and your sponsor have.

You will be exempt from the income threshold if your sponsor receives a specified disability-related benefit or carer's allowance in the UK.

You are exempt from meeting a minimum income threshold if your sponsor is in receipt of one of the following UK benefits or allowances:

- Carer's Allowance
- Disability Living Allowance
- Severe Disablement Allowance

- Industrial Injuries Disablement Allowance
- Attendance Allowance
- Personal Independence Payment
- Armed Forces Independent Payment or Guaranteed Income Payment Under the Armed Forces Compensation Scheme
- Constant Attendance Allowance, Mobility Supplement or war Disablement Pension under the War Pensions Scheme

The amounts required to meet the financial requirement are;

- Partner - £18,600
- 1 child in addition to partner £22,400
- 2 children in addition to partner - £24,800
- 3 children in addition to partner - £27,200
- There will be an increase of £2,400 for each additional child.

Information about this requirement, including the evidence you must provide, can be found on our Website: [www.gov.uk/government/collections/chapter-8-family-members-transitional-arrangementsimmigration-directorate-instructions](http://www.gov.uk/government/collections/chapter-8-family-members-transitional-arrangementsimmigration-directorate-instructions)

If you do not have to meet the financial requirement you will still need to meet a maintenance requirement. Information about the maintenance requirement including the evidence you must provide, can be found on our website:

[gov.uk/government/collections/chapter-8-family-members-transitional-arrangements-immigrationdirectorate-instructions](http://gov.uk/government/collections/chapter-8-family-members-transitional-arrangements-immigrationdirectorate-instructions)

In addition you must have adequate accommodation for you and your partner and any dependants that live with you. The property must be occupied only by you, your partner and dependants.

Further information about accommodation requirements is on our website:

[www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration)