

Community
Legal Service



COVENTRY LAW CENTRE

IMMIGRATION

Unmarried Partners

Information about unmarried partners

This leaflet explains what the Immigration Rules say about unmarried partners, whether heterosexual or homosexual, coming to the United Kingdom with or to join someone who is settled here.

Coventry Law Centre
The Bridge
Broadgate
Coventry
CV1 1NG

Tel: 024 76223053

Registered with Charity Commission as Coventry Law Centre: 1087312
Registered as a limited company in England & Wales: 4149673

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Can you bring your unmarried partner to the United Kingdom?

Your unmarried partner may apply to join you in the United Kingdom as long as you are present and settled in the United Kingdom. Settled means that you are living here lawfully with no time limit on your stay. If you are returning to the United Kingdom to settle, your unmarried partner can also apply to join you at the same time.

How does your unmarried partner qualify?

You must both be able to show that:

- any previous marriage (or similar relationship) that either of you were in has permanently broken down;
- you cannot marry each other under United Kingdom law (unless it is because of a blood relationship or because of age);
- you have both been living together as if you are married for at least two years;
- you both plan to live together permanently; and
- you both have enough money to support and adequately accommodate yourselves and any dependants without help from public funds.

Your unmarried partner must get entry clearance before they travel to the United Kingdom.

If the Home Office is satisfied, your unmarried partner will be given permission to stay and work in the United Kingdom for two years. Near the end of this time, if you are both still in the relationship and you both plan to live together permanently, your unmarried partner can apply to stay here permanently.

How does your unmarried partner apply to stay here permanently?

He or she will need to complete an application form. You can get details of which form to complete and copies of the forms from Coventry Law Centre.

Your partner should send the completed form and documents to the Home Office before their permission to stay ends. The application form will give you details of all the documents you will need with your application and where to send it. We would advise you to send the application by recorded delivery and keep a copy of the application form and documents.

If your partner's permission to stay in the United Kingdom is running out, and they need to travel urgently, they can apply in person at one of the Immigration & Nationality Directorate public enquiry offices.

All documents should be originals, unless there is a good reason why your partner cannot produce them with the application. The Home Office will not normally accept photocopies.

What are public funds?

If you come to live or stay in the United Kingdom, you must be able to support and accommodate yourself without claiming certain state benefits. These are:

- Income Support and Jobseeker's Allowance (JSA);
- housing and homelessness assistance;
- Housing Benefit and Council tax benefit;
- Working Families' Tax Credit;
- a social fund payment;
- Child Benefit; or
- any disability allowance.

What is entry clearance?

Entry clearance is a visa or entry clearance certificate given to people so they can travel to the United Kingdom. Your partner must apply for entry clearance to the British Embassy, High Commission or other British Diplomatic Missions (known as British Diplomatic Posts) in the country where he or she lives.

You can get advice and information about an application for entry clearance from Coventry Law Centre.

APPEALS

Coventry Law Centre offers free legal advice and representation. The Law Centre will advise you about appealing and may represent you at the hearing. You can contact the Law Centre for an appeal appointment or telephone our free legal advice line on Tuesdays and Thursdays between 10:00 and 12:00 on 024 76253168.