

Community
Legal Service



COVENTRY LAW CENTRE

IMMIGRATION

Information about spouses, and partners

This leaflet explains what the Immigration Rules say about husbands, wives, fiancés or fiancées coming to the United Kingdom with, or to join someone who is settled here.

Can your husband, wife, fiancé or fiancée come to the United Kingdom?

Your husband, wife, fiancé or fiancée may apply to come with you or join you in the United Kingdom as long as:

- you currently live and are settled in the United Kingdom; or
- you are returning to the United Kingdom with them to live here permanently

How does your husband or wife qualify?

He or she must also show that:

- you are legally married to each other;
- you are going to live together permanently as man and wife;
- you have met each other;
- you can support yourselves and any dependants without help from public funds;
- you have adequate accommodation where you and your dependants can live without help from public funds; and
- he or she is not under 16.

If you have more than one husband or wife, only one of them will be allowed to join you here as your husband or wife.

Your husband or wife must get entry clearance before they travel to the United Kingdom.

When your husband or wife arrives in the United Kingdom, they will be given permission to stay and work for 24 months. Near the end of the 24 months, if you are still married and plan to live together, your husband or wife may apply to remain here permanently.

The Coventry Law Centre give advice and information on entry clearance applications.

How does your fiancé or fiancée qualify to come to the United Kingdom?

Your fiancé or fiancée must show that:

you plan to marry within a reasonable time (usually six months);
you plan to live together permanently after you are married;
you have met each other;
there is somewhere for him or her and any dependants to live until you are married without help from public funds; and
they and any dependants can be supported without working or having to get help from public funds.

The Home Office will give your fiancé or fiancée permission to stay here for six months but they must not work. When you are married, your husband or wife may apply to stay here. If the Home Office approves of the application, they will give your husband or wife permission to stay and work for 24 months. Near the end of 24 months, your husband or wife may apply to stay here permanently.

Your fiancé or fiancée must get entry clearance before they travel to the United Kingdom.

How does your husband or wife apply to stay in the United Kingdom?

You will need to complete an application form. Applications will not be valid unless they are made on the appropriate application form.

To apply for further leave to remain, please use form FLR(M)

To apply for indefinite leave to remain, please use form SET(M).

You can get applications forms from Coventry Law Centre.

You should send the completed form, by recorded delivery and keep copies of all documents and forms, before your permission to stay ends. The Applicant form will give you details of **all** the documents you will need to send with your application and where you should send it.

If you need to travel urgently you can apply in person at one of the Immigration & Nationality Directorate public enquiry offices.

All documents should be originals unless you have a good reason why you cannot produce them with your 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 you are given so you can travel to the United Kingdom. You must apply for entry clearance to the British Embassy, High Commission or other British Diplomatic Mission (known as British Diplomatic Posts) in the country where your husband, wife, fiancé or fiancée lives.

If you require the correct forms for an application for entry clearance please contact the Law Centre.

If your spouse's application is refused, you will have a right to appeal against that decision. Please note that you should lodge your appeal within 28 days of being refused entry clearance.

APPEALS

Coventry Law Centre will advise you about appealing and may represent you at the hearing. The Law Centre offers free legal advice and representation.

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.

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

Although every effort is made to ensure the information in this leaflet is accurate and up to date, it should not be treated as a complete and authoritative statement of the law and does not constitute legal advice - we cannot be held liable for any inaccuracies and their consequences. The information in this leaflet is written for people resident in, or affected by, the laws of United Kingdom only.