

## ***Membership of UK, CTA, EU, EEA, ECSMA and CESC***

### ***United Kingdom***

- 1 The United Kingdom (UK) consists of
- Great Britain (England, Scotland, Wales)
  - Northern Ireland, and
  - adjacent territorial waters

### ***Common Travel Area***

- 2 The Common Travel Area (CTA) consists of
- The United Kingdom
  - Channel Islands
  - Isle of Man, and
  - Republic of Ireland
- 3 Nationals of these countries may travel freely within the CTA without a passport or other travel documents, and have the right of residence throughout the CTA.

### ***European Union (EU)***

- 4 All nationals of EU member countries have the right to reside and work in other member states. See *Table 1* for EU membership.

### ***Family members***

- 5 Under EC law family members are defined as including the
- wife, husband or civil partner (not unmarried partner)
  - separated or divorced spouses or civil partners
  - children
    - under 21
    - over 21 if they are dependent
  - ascendant relatives who are dependent on the EEA National, eg grandparents and/or parents of the EEA National or their spouse

continued

### Annex A

- (5) • relatives in the descending line, eg grandchildren of the EEA National or their spouse (self-employed people only)

EEA students are only allowed to bring their spouse and children.

- 6 Family members do not have to be EEA Nationals to be allowed to come to the UK but they have to apply for an EEA Family Permit before travelling to the UK.

#### *Extended family members*

- 7 Unmarried partners, ie common law partners of EEA Nationals are only covered by EC law whilst they live as part of the family. If they separate from their partner they are no longer treated as extended family members and are no longer covered by the relevant EC law unlike married couples who separate.

#### *Accession Eight (A8) Countries*

- 8 Nationals from the following are referred to as A8 Nationals

- Czech Republic
- Estonia
- Hungary
- Latvia
- Lithuania
- Poland
- Slovak Republic
- Slovenia

#### *Accession Two (A2) Countries*

- 9 Nationals from Cyprus and Malta will accede on 1 May 2004 but will be treated differently to nationals from the other Accession Countries.

#### *European Economic Area (EEA)*

- 10 EEA nationals may travel on a valid passport or National Identity card issued by a EEA State. It should be noted that passports are not strictly required to obtain entry to Great Britain. See *Table 1* for member states of EEA.

### *European Economic Area 16 (EEA16) Countries*

11 Nationals from the following are referred to as EEA 16 Nationals in this guidance

- Austria
- Belgium
- Denmark
- Finland
- France
- Germany
- Greece
- Iceland
- Italy
- Liechtenstein
- Luxembourg
- Netherlands
- Norway
- Portugal
- Spain
- Sweden

Switzerland is not a member of the EEA but has signed an agreement which allows its' citizens the same freedom of movement rights as EEA Nationals.

### *European Convention on Social and Medical Assistance*

12 European Convention on Social and Medical Assistance (ECSMA), Article 1 of the European Convention on Social and Medical Assistance states *Each of the Contracting Parties undertakes to ensure that nationals of the other Contracting Parties who are lawfully present in any part of its territory to which this Convention applies, and who are without sufficient resources, shall be entitled with its own nationals and on the same conditions to social and medical assistance provided by the legislation in force from time to time in that part of its territory.*

13 Consequently, providing they are **lawfully present**, nationals from ECSMA **ratified** states are able to receive HB/CTB on the same terms as UK nationals. See *Table 1* for member states of ECSMA.

**Note:** Before 3 April 2000 HB/CTB were available to nationals of states that were **signatories** of ECSMA.

## *Council of Europe Social Charter*

- 14 Council of Europe Social Charter (CESC),  
Article 13 of the Council of Europe Social Charter ensures that countries that have **ratified** the agreement undertake to apply the provisions of ECSMA to nationals from another signatory state in the same way as to their own nationals. See also *Article 13 of the European Social Charter (Revised)*. See *Table 1* for member states of CESC.

**Note:** Before 3 April 2000 HB/CTB were available to nationals of states that were **signatories** of CESC.

## *The meaning of*

### *Lawfully present*

If a national of a country that has ratified ECSMA or CESC has a valid visa (eg for limited leave), they are **lawfully present** in the UK and are eligible for social security benefits until such time as their presence becomes unlawful. This applies even if they have applied for asylum unless their visa terms are altered.

An ECSMA/CESC national may be given limited leave with restrictions, ie no recourse to public funds or a restriction on employment. However, working or claiming public funds (eg social security benefits) does not affect the person's leave to enter or remain and does not make their presence unlawful.

If an ECSMA/CESC national has leave to enter or remain in the UK and they apply to the Home Office to have their leave varied (this includes applying for asylum) before their current period of leave expires, they will be covered by a Variation of Leave Order (VOLO). Until a decision is reached on the application to vary the leave, their original leave (eg limited leave, exceptional leave) will be extended until 28 days after a decision is taken on their application. Therefore, in these circumstances, these people will still be lawfully present in the UK and therefore entitled to social security benefits.

Examples of persons **not** lawfully present include a person who

- has limited leave which has expired and who has not applied in time for a variation of leave so has no valid leave to be in the UK but subsequently apply for asylum
- arrives in the UK without a form of leave and is therefore an illegal entrant

An ECSMA/CESC national is **not lawfully present** if their only status in the UK is 'temporary admission'. A person whose only status is temporary admission is not lawfully present in the UK and therefore the UK is not under obligation to pay them benefits.

continued

***Genuine and effective work***

When considering what is genuine and effective work, Decision Makers take into account

- the period of employment
- the number of hours worked
- the level of earnings
- whether the work is regular or erratic
- whether the person has become voluntarily unemployed

The fact that the person has claimed benefit should not be considered relevant when deciding whether work is genuine and effective.

***Table 1: Membership of EU/EEA, dates of signing and ratifying ECSMA/CESC***

**Key**

**Y/N:** Yes/No to membership of EU/EEA.

**EU:** European Union.

**EEA:** European Economic Area.

**ECSMA:** European Convention on Social and Medical Assistance.

**CESC:** Council of Europe Social Charter (now known as the European Social Charter) and/or relevant amendments and protocols. **Note:** An asterisk (\*) denotes the European Social Charter (Revised).

***Notes***

From 1st May 2004 the following countries joined the EU/EEA: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia.

**Czech Republic and Slovakia**

CESC signature date is the date of signing by the former Czech and Slovak Federal Republic (Czechoslovakia).

**Cyprus**

Greek Cypriots are not nationals of Greece; however some Turkish Cypriots may hold Turkish passports.

**Macedonia**

FYR signifies that this is the former Yugoslav Republic of Macedonia. This does **not** refer to the region of the same name in Greece.

**European Social Charter (Revised)**

Some countries have **signed and ratified** the revised agreement, but have only **signed** the original Charter (CESC).

## C4 - People from abroad

Annex A: Table 1

COUNTRY	EU	EEA	ECSMA		CESC	
			Signed	Ratified	Signed	Ratified
Albania	N	N			21/09/98*	
Austria	Y	Y			22/07/63	29/10/69
Belgium	Y	Y	11/12/53	24/07/56	18/10/61	16/10/90
Bulgaria	N	N			21/09/98*	07/06/00*
Croatia	N	N			08/03/99	
Cyprus	Y	Y			22/05/67	07/03/68
Czech Republic	Y	Y			27/05/92	03/11/99
Denmark	Y	Y	11/12/53	30/06/54	18/10/61	03/03/65
Estonia	Y	Y	01/12/99		04/05/98*	
Finland	Y	Y			09/02/90	29/04/91
France	Y	Y	11/12/53	30/10/57	18/10/61	09/03/73
Georgia	N	N			30/06/00*	
Germany	Y	Y	11/12/53	24/08/56	18/10/61	27/02/65
Greece	Y	Y	11/12/53	23/06/60	18/10/61	06/06/84
Hungary	Y	Y			13/12/91	08/07/99
Iceland	N	Y	11/12/53	04/12/64	18/10/61	15/01/76
Ireland	Y	Y	11/12/53	31/03/54	18/10/61	07/10/64
Italy	Y	Y	11/12/53	01/07/58	18/10/61	22/10/65
Latvia	Y	Y			29/05/97	
Liechtenstein	N	Y			09/10/91	
Lithuania	Y	Y			08/09/97*	

COUNTRY	EU	EEA	ECSMA		CESC	
			Signed	Ratified	Signed	Ratified
Luxembourg	Y	Y	11/12/53	18/11/58	18/10/61	10/10/91
Macedonia FYR	N	N			05/05/98	
Malta	Y	Y	07/05/68	06/05/69	26/05/88	04/10/88
Moldova	N	N			03/11/98*	
Netherlands	Y	Y	11/12/53	20/07/55	18/10/61	22/04/80
Norway	N	Y	11/12/53	09/09/54	18/10/61	26/10/62
Poland	Y	Y			26/11/91	25/06/97
Portugal	Y	Y	27/04/77	04/07/78	01/06/82	30/09/91
Romania	N	N			04/10/94 14/05/97*	07/05/99*
Slovakia	Y	Y			27/05/92	22/06/98
Slovenia	Y	Y			11/10/97 11/10/97*	07/05/99*
Spain	Y	Y	09/02/81	21/11/83	27/04/98	06/05/80
Sweden	Y	Y	11/12/53	02/09/55	18/10/61	17/12/62
Switzerland	N	N			06/05/76	
Turkey	N	N	11/12/53	02/12/76	18/10/61	24/11/89
Ukraine	N	N			02/05/96	
United Kingdom	Y	Y	11/12/53	07/09/54	18/06/61	11/07/62

## *EEA workers*

### *Background*

- 1 European Economic Area (EEA) workers are exempt from the Habitual Residence Test (HRT) second stage in the Income Support (IS), income-based Jobseeker's Allowance (JSA(IB)), Housing Benefit (HB) and Council Tax Benefit (CTB) schemes.
- 2 The term EEA worker has a definition that is derived from EU legislation. This Annex looks at the circumstances in which a person qualifies for treatment as an EEA worker and thus escapes the HRT second stage applied to all other claimants, see *Table 1*. It considers the following circumstances
  - the meaning of worker
  - treating a former worker as a worker
  - work seekers
- 3 Any reference in the following paragraphs to legislation or caselaw is European. There should not normally be any need for you to refer to the original text, details are supplied mainly for completeness.

### *Meaning of Worker*

- 4 For the purpose of the habitual residence legislation, a worker is most easily recognised as a person of EEA nationality who is engaged in remunerative work which is both effective **and** genuine, see *Annex A*. It excludes work which is on such a small scale as to be purely marginal and ancillary. See *paragraph 10 of Case C-357/89 Raulin (1992) ECR 1027*.
- 5 There is little guidance on what might constitute effective and genuine, see *Annex A* or marginal and ancillary. However, work is not to be regarded as not effective and genuine on the mere ground that it is part-time or yields an income lower than subsistence level which is made up by state assistance. See *paragraph 10 of Case C-357/89 Raulin (1992) ECR 1027*, also *Case 139185 Kempf (1986) ECR 1741*.

### Annex B

6 In considering the effectiveness of the work done by the claimant you should consider a number of factors such as

- the period of employment
- the number of hours worked
- the level of earnings
- whether the work was regular or erratic, and
- whether the person has become voluntarily unemployed

#### **1 Example of effective and genuine work**

An EEA national shows that they have been working for three hours a day, five days a week for the last four months.

#### **2 Example of marginal and ancillary work**

An EEA national arrives in the UK and stays with a relative who has a shop. She does not have an offer of a job but helps out in the shop for an hour or two when she can, for which she receives £20.00 per week. Three months later the EEA national claims that her relative has sacked her.

### ***Treating a former worker as a worker***

7 Caselaw has established that the term worker extends further than the person currently engaged in work as described in *Meaning of worker* earlier in this chapter. Certain former workers are also protected by the provisions *Article 17* of EC Directive 2004/38 and by *Regulation 1251/70* and are exempt from the HRT, second stage. Briefly, the extended definition of workers covers

- persons remaining in the UK after employment, see *paragraph 8*
- actual holders of a current residence permit for a migrant worker, see *paragraphs 8 and 9*
- migrant workers seeking reinstatement or re-employment with the same employer, usually following temporary layoffs
- persons who have become voluntarily unemployed in order to take up vocational training linked to the previous job, or are undergoing retraining after becoming involuntarily unemployed

### *Persons who remain in the UK after employment or self-employment*

- 8 *Article 17 of EC Directive 2004/38 and Regulation 1251/70* allow employed persons who have ceased employment as a result of retirement or disability to retain their rights as workers. These are a person who has
- resided in the UK for more than three years, or whose spouse is (or was prior to marriage) a British national; **and** who, for at least 12 months prior to retiring late or over pensionable age, was employed in the UK
  - ceased employment in the UK as a result of permanent incapacity for work **and** either previously resided in the UK for two years, or whose spouse is (or was prior to marriage) a British national, or is entitled to UK Incapacity benefit because the incapacity is due to an industrial injury or disease

### *Actual and notional holders of a current registration certificate or residence permit*

- 9 The UK has procedures for issuing registration certificates or residence permits but there is no obligation to obtain one and few EC workers do so. The important issue is whether the worker could obtain a registration certificate or residence permit on application, see *Case C-357/89 Raulin (1992) ECR 1027 at paragraph 10*. If the worker could obtain a certificate or permit they would become a worker for as long as the certificate or permit would be valid and for that period is **exempt from the HRT second stage**.

### *Employed persons*

- 10 You should decide on the basis of the following information whether a person could obtain a registration certificate or residence permit and how long it would last
- a certificate or permit may be issued on production of a valid passport or valid identity card and confirmation of employment in the UK. The employment in question must be current: a promise of future employment would not be sufficient
  - when the employment is expected to last for less than three months, the worker has a temporary right of residence but would not be able to obtain a certificate or permit
  - when the employment is expected to last for more than three months but less than one year, the certificate or permit would be issued for the expected duration of the employment
  - when the employment is expected to last for longer than one year, the certificate or permit would be for a period of five years and would be renewable
  - a certificate or permit can be withdrawn if the worker leaves the country for more than six months, except when the departure is due to military service in the home country, **or** they become voluntarily unemployed

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11 If a person was to apply for a residence permit, the Home Office would seek evidence of employment and approach the employer for confirmation. In the case of a self-employed person, evidence of trading would be required.

12 When a claim is made after the employment has ceased, it may be difficult to establish how long it was expected to last at the outset, and therefore whether a certificate or permit would have been issued. Accept that a certificate or permit would have been issued for the appropriate period according to *paragraph 7* when the person can show that they have had employment in the UK and that residence has been continuous. Absence from the UK due to military service in the home country, or for periods of less than six months, should be ignored.

### ***Self-employed workers***

13 The situation of EEA workers who are/were self-employed in the UK is less clear-cut than for employed workers. While in self-employment they are workers and exempt from the HRT second stage. However, current understanding is that a former self-employed person may not have rights to claim social security benefits, nor have the right to gain permanent residence. Therefore, they should not be treated as workers and should be subject to the HRT both stages in the normal way.

### ***Work seekers***

14 Work seekers

- are entitled to reside in any Member State whilst seeking work for six months or longer as long as they provide evidence that they are seeking work and have a genuine chance of being engaged
- must be registered with Jobcentre Plus and in receipt of income-based Jobseeker's Allowance
- must satisfy the HRT both stages in the usual way

### ***UK or Irish Nationals and CTA residents***

15 Except in certain circumstances, see *Returning from an EEA member state* later in this annex, CTA residents and returning UK or Irish Nationals or passport holders coming to the UK for the first time have to satisfy both steps of the HRT. They need to provide one of the following to confirm they have a right to reside, a

- current passport
- birth certificate
- certificate from the Home Office confirming the grant of citizenship or the Irish equivalent

16 The second step of the HRT, to show they are habitually resident is applied as now, see *Habitual Residence Test* earlier in this chapter, unless they are returning from an EEA member state, see *Returning from an EEA member state* later in this annex.

### *Returning from an EEA member state*

- 17 A UK or Irish National who has exercised EC Treaty rights to live and work in another member state can be treated as an EEA National with worker status on their return to the UK if they have returned to work. In these circumstances the person is exempt from the second step of the HRT.

### *Family members*

- 18 Family members of UK or Irish Nationals who have exercised EC Treaty rights have a right to reside and are exempt from the second step of the HRT.
- 19 If the UK or Irish National's family member is their spouse/civil partner, the marriage/formation of civil partnership must have taken place and the parties lived together in the EEA state where the UK or Irish National had been employed (not on a transient or casual basis) before their return to the UK. A spouse/civil partner retains that status if separated or divorced but an unmarried partner does not retain this right if the couple separate. Family members need to provide all the following to confirm their status

- an ID card or passport
- an EEA family permit (if they are a non-EEA national), and
- proof of their relationship to the UK or Irish National, eg marriage/civil partnership/birth certificate

#### **Case Study 1: Spouse of a UK national exercising EC Treaty rights**

Mrs C separated from her husband in October 2005 and claimed IS as a lone parent. Her husband is a UK National who had lived and worked in Germany in 2001 where they met and married. They continued to live there until 2004 when they moved to the UK so her husband could start a new job here. As he had exercised his treaty rights he is treated as an EEA National on his return to the UK and has worker status. As his spouse is able to derive family member rights as the family member of a worker, she is exempt from the HRT.

### *Nationals of EEA 16 and A2 Countries*

- 20 EEA 16 and A2 Nationals can derive their right to reside from EC law. They need to provide an ID card, passport, or an EEA registration certificate/residence permit, if they have one, to confirm that they are EEA 16 and A2 Nationals. Registration certificates/residence permits are issued to EEA Nationals on application and are not a requirement of law. They will also need to provide evidence to confirm their status, see below.

#### *Workers*

- 21 EEA 16 and A2 Nationals who are working in the UK have the right to reside under an EC directive as a worker. The work they are doing must be genuine and effective, see *Annex A*. They retain their status as a worker if they are
- in continuous employment in the UK for at least one year before becoming involuntarily unemployed and are registered as a jobseeker with Jobcentre Plus
  - involuntarily unemployed after completing a fixed-term employment contract of less than a year, or after having become involuntarily unemployed during the first twelve months and are registered as a jobseeker with Jobcentre Plus. In these cases worker status is retained for no less than six months
  - involuntarily unemployed and have started vocational training
  - voluntarily unemployed but have started vocational training linked to their previous employment
  - temporarily unable to work as the result of sickness or an accident
- 22 People who have reached retirement age or retired obtain a right of permanent residence if they
- were working in the UK in the 12 months before retirement, and
  - have lived in the UK for the last three years
- 23 People who leave work because they are permanently incapacitated obtain a right of permanent residence if for more than two years, they
- were working in the UK
  - have lived in the UK
- 24 If the incapacity is the result of an accident at work or occupational illness and a disability pension is payable to them, they obtain a right of permanent residence even if they have not been resident for two years.
- 25 EEA 16 and A2 Nationals with worker status or right of permanent residence are exempt from the HRT.

- 26 They need to provide an ID card, passport, or an EEA registration certificate/residence permit, if they have one, to confirm that they are EEA 16 and A2 Nationals. In order to establish they are exempt from the HRT, they also need to provide additional evidence as follows to confirm their status
- people still in the labour market need to provide confirmation they have been or are working in the UK
    - payslips
    - a contract of employment
    - a letter of employment to confirm they have been or are working in the UK
  - retired people need to provide evidence of working in the UK in the 12 months before retirement and living in the UK for the last three years
    - proof of employment, ie
      - ~ payslips
      - ~ P60s, and
      - ~ a letter from their last employer
    - proof of residence, ie
      - ~ utility bills, or
      - ~ Council Tax bills
  - people who are unable to work due to a permanent incapacity
    - need to provide evidence showing they have lived and worked in the UK for more than two years
      - ~ utility bills
      - ~ rent agreements
      - ~ payslips
      - ~ employment contract
    - as a result of an industrial accident or injury need to provide evidence showing they
      - ~ have worked in the UK for more than two years, eg payslips, employment contract
      - ~ are receiving a disability pension

**Case study 2: Right of permanent residence permanent incapacity**

An Italian National who has lived and worked in the UK since February 2004 leaves their employment in March 2006 due to incapacity and applies for IS as they are no longer able to work. As they have lived and worked in the UK for over two years and had recently become permanently incapacitated, they have a permanent right of residence by virtue of Article 17 of the Directive. They are exempt from the HRT.

#### *Family members*

- 27 EEA 16 and A2 Nationals who have worker status are allowed to bring their families, and in some circumstances extended family, with them to live in the UK. As a member of an EEA 16 and A2 worker's
- family they have the right to reside in the UK and are exempt from the HRT
  - extended family they have the right to reside in the UK if they satisfy the conditions in the *Home Office 2006 EEA Regulations*, but have to satisfy the second stage of the HRT
- 28 EEA family members/extended family members need to provide the following to confirm their status
- an ID card
  - passport
  - EEA Registration certificate
  - EEA Family Permit if they are non-EEA Nationals
- 29 They will also have to provide proof of their family relationship, eg marriage/civil partnership certificate in the case of a spouse/civil partner or birth certificate for a dependant.

#### **Case study 3: EEA family member**

Mrs S a retired Spanish National arrived in the UK with her daughter who came to the UK to work, and applied for State Pension Credit. In Spain Mrs S lived with her daughter who supported her and she has continued to live as part of her daughter's household in the UK. As an ascendant relative, dependent on her daughter who is a worker, Mrs S has a right to reside and is exempt from the HRT.

#### *Work seekers*

- 30 Work seekers have a right to reside under *Article 39 of the EC Treaty*, under the new Directive and the *Home Office 2006 EEA Regulations*. Work seekers are able to claim JSA(IB). They cannot claim IS or State Pension Credit on the basis of a right to reside under *Article 39 of the EC Treaty*, Article 6 of the new Directive or the equivalent provisions in the *Home Office 2006 EEA Regulations*. In claiming JSA(IB) they must also satisfy the second part of the HRT, ie actual habitual residence. Their right to reside is for an initial period of six months unless they can show that they are genuinely seeking work and have a reasonable chance of being engaged.
- 31 Work seekers on JSA(IB) will be passported through the HRT for HB and CTB. Work seekers who are not on JSA(IB) will not be passported through the HRT for HB and CTB. Their right to reside as a work seeker is a non-qualifying right to reside when claiming HB or CTB only.

***Family members***

- 32 EEA16 and A2 nationals who have work seeker status are allowed to bring their families and, in some circumstances, extended family members with them to live in the UK. For the purposes of JSA(IB), members of an EEA16 or A2 work seeker's family have a right to reside in the UK but must satisfy the second part of the HRT. Such a family member on JSA(IB) will be passported through the HRT for HB or CTB. Family members of work seekers who are not on JSA(IB) will not be eligible for HB/CTB or any income-related benefit, on the basis of that right to reside alone. EEA family members/extended family members need to provide all the following to confirm their status
- an ID card or passport
  - EEA Registration certificate, or EEA Family Permit, if they are a non-EEA National, and
  - proof of their family relationship, eg marriage/civil partnership certificate in the case of a spouse or civil partner or birth certificate for a dependant

***Self-employed people***

- 33 EEA 16 and A2 Nationals who are self-employed are allowed to come to the UK to establish themselves in employment and have a right to reside under EC law. Self-employed people and their family members have the same rights as workers and their family members. They need to provide one of the following as evidence of their right to reside
- an ID card
  - passport
  - EEA Registration certificate if they have one
  - evidence of their self-employment should include the following
    - audited accounts
    - bank statements
    - business lease
    - invoices

- 34 This group is exempt from the second stage of the HRT.

***Family members***

- 35 Self-employed people are allowed to bring their families and extended family members to live with them in the UK. As a member of a self-employed person's
- family they have the right to reside in the UK and are exempt from the second stage of the HRT
  - extended family they have the right to reside in the UK if they satisfy the conditions in the *Home Office 2006 EEA Regulations*, but have to satisfy the second stage of the HRT.

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- 36 They need to provide
- one the following to confirm their status
    - an ID card
    - passport
    - EEA Registration certificate, if they have one
    - EEA Family Permit if they are non-EEA Nationals
  - proof of their family relationship, eg marriage/civil partnership certificate in the case of a spouse or civil partner or birth certificate for a dependant

### *Economically inactive people*

#### *Pensioners and lone parents*

37 EEA 16 and A2 Nationals who come to the UK neither to work nor to look for work, eg as a retired person or in some other economically inactive capacity, have a right to reside as long as they are self-sufficient. They must show that they have sufficient resources and medical insurance to avoid becoming a burden on the UK social assistance system during their period of residence.

38 From 30 April 2006, EEA16 and A2 Nationals have a right to reside during the first three months of residence without the requirement to be self-sufficient under *Article 6 of EC Directive 2004/38*. However, this right is a non-qualifying right to reside for the purposes of income-related benefit legislation. This means that EEA16 and A2 Nationals who only have a right to reside under *Article 6* will not be eligible for IS, JSA (IB), State Pension Credit, HB or CTB. This is because the UK is not required to provide social assistance during this initial three month period.

#### *Family members*

39 Inactive EEA16 and A2 Nationals may bring their family members and, in some circumstances, extended family members with them to live in the UK but must have sufficient funds to support them during their period of residence.

40 They are subject to the second stage of the HRT.

#### *Students*

41 EEA 16, A2 and A8 Nationals have a right to come to the UK to study under an EC directive which gives them a right to reside as long as they do not become an unreasonable burden on the social security system. They are allowed to bring their spouse/civil partner and any dependent children with them as long as they can support them. In some circumstances they can also bring their extended family members.

- 42 Under normal benefit rules students are unlikely to be eligible for an income-related benefit. However, there are some exceptions, students may be eligible for benefits if they are
- lone parents
  - single people who are looking after foster children
  - people who are temporarily looking after another person
  - people with caring responsibilities whilst they are students
- 43 They need to provide
- an ID card or passport as evidence of their nationality
  - a letter from the college confirming
    - they are registered
    - enrolled on a course
    - the type of course they are following
- 44 They are subject to the second stage of the HRT.

## *A8 Nationals*

### *Workers*

- 45 A8 Nationals who are working legally, ie registered with the Home Office Worker Registration Scheme have the right to reside in the UK. The people required to register as a worker from 1 May 2004 are
- anyone who doesn't fall into one of the exempt categories
  - anyone who takes up employment on or after 1 May 2004
  - anyone who has been working illegally prior to 1 May 2004 who wants to regularise their position
  - anyone who has been working legally in their current job for less than 12 months on 1 May 2004 and who changes their job before they complete 12 months in that job
  - A8 worker's dependents who find work
  - students who wish to have worker status
  - people who are working part-time
  - people who are registered with employment agencies or labour providers for temporary or short-term employment. **Note:** They are required to register each time they start a new job. The person who pays the worker will be the employer which may not be the employment agency or labour provider

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- 46 They need to provide the following evidence to confirm their status
- Worker Registration Card
  - Worker Registration Certificate, only valid whilst the holder is employed by the employer named on it and only has the start date. Check with the employer to confirm the holder is still employed
  - a passport or ID card

- 47 They are exempt from the second part of the HRT. They will only be able to claim income-related benefits whilst they are working because they lose their right to reside once they stop working.

### *Worker: post 12 months*

- 48 Once a worker, who is registered with the Worker Registration Scheme, has worked for a period of 12 months' uninterrupted they will have the same rights and access to income-related benefits as EEA 16 Nationals. A worker must not be out of work for more than a total of 30 days in the 12 month period. Once the 12 months' uninterrupted work have been completed they
- will no longer be required to register as a worker
  - only retain their worker status if they claim JSA, unless they are temporarily sick or have had an accident which temporarily prevents them working
- 49 You will need to calculate the number of months someone has been employed to confirm they have had 12 months continuous employment from the first date they started work. Anyone who has been out of work for more than 30 days during this 12 months will not have completed 12 months uninterrupted employment.

**Note:** The 30 day period at the start of the first period of registration is not included ie whilst they are awaiting the processing of their Worker Registration Card.

- 50 They need to provide the following documents to confirm their status
- Worker Registration Card
  - Worker Registration Certificate(s). Someone who has been employed for 12 months or more may have had more than one employer and therefore more than one Worker Registration Certificate. Contact all the employers to confirm the dates of employment as only the start date is on the certificate
  - passport or ID card

### ***Exempt workers***

- 51 Workers exempt from registering, see *Annex F* for a complete list of exemptions, with the Home Office scheme include
- any A8 National who was legally working on 30 April 2004 and
    - had done so without interruption for 12 months
    - is still working for the same employer
  - anyone who
    - was already working in the UK on a work permit or other scheme or
    - who had no restrictions on working in the UK, ie Code 1 immigration entry code on their passport
  - self-employed people, see *Self-employed people* later in this annex
- 52 They need to provide the following evidence to confirm their status
- passport or ID card
  - one or more of the following documents
    - letter from employer confirming dates of employment, if employed
    - work permit, if they have one
    - audited accounts, if self-employed

### ***Family members***

- 53 Family members and extended family members of A8 registered workers will have the same rights as the family member of an EEA 16 and A2 worker whilst the A8 worker is in work. They need to provide
- an ID card or passport
  - evidence
    - to support their relationship to the worker, eg birth certificate or marriage certificate for a spouse
    - that the A8 National working

### ***Part-time workers***

- 54 People who are working are required to register with the Worker Registration Scheme. Part-time workers have the right to reside as they are 'registered workers', and are therefore able to claim JSA(IB), HB and CTB provided they meet the conditions of entitlement to these benefits. They cannot claim IS.

### Annex B

55 The rules are the same as those for full-time workers, see *Workers*. The same exceptions apply. They need to provide the following to confirm their status

- passport or ID card
- if started work after 1 May 2004
  - Worker Registration Card
  - Worker Registration Certificate

56 You also need to check the part-time work is genuine and effective, see *Annex A*.

### ***Self-employed people***

57 A8 Nationals who are self-employed have the same rights as EEA 16 and A2 Nationals who are self-employed. However, they lose their right to reside as a self-employed person if they stop being self-employed. If they become

- a worker, see *Workers*
- a work seeker, see *Work seekers*
- an inactive person, see *Economically inactive people*

### ***Family members***

58 Family members and extended family members of self-employed people have the same rights as family members and extended family members of self-employed EEA16 and A2 Nationals. They need to provide

- an ID card or passport
- proof of their relationship to the self-employed person, eg birth certificate, marriage certificate for a spouse, and
- evidence to show that the self-employed person is working

### ***Work seekers***

59 A8 Nationals have the right to reside if they are self-sufficient whilst looking for work, see *Self-sufficiency Test* earlier in this chapter.

60 A8 Nationals do not need permission to seek work in the UK but must register with the Worker Registration Scheme as soon as they find work.

### ***Inactive people (such as pensioners and lone parents)***

61 A8 Nationals who are economically inactive are treated in the same way as EEA 16 and A2 Nationals, see *Nationals of EEA 16 and A2 Countries, Economically inactive people* earlier in this annex.

***Family members***

- 62 For information about family members of inactive people, see *Nationals of EEA 16 and A2 Countries, Families* earlier in this annex.

***Students***

- 63 For information about students, see *Nationals of EEA 16 and A2 Countries, Students* earlier in this annex.

*HRT table*

	Right to reside	Habitually resident
UK or Irish Nationals	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• birth certificate</li> <li>• certificate from the Home Office confirming the grant of citizenship or the Irish equivalent</li> </ul>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter
EEA 16 & A2 Nationals	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> </ul>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter and groups listed below
Workers	Have right to reside under EU directive as a worker, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• wage slips</li> <li>• letter from employer</li> </ul>	Exempt
Workers family member	Right to reside, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• proof of family relationship, eg <ul style="list-style-type: none"> <li>- marriage certificate</li> <li>- birth certificate</li> </ul> </li> </ul>	Exempt
Workers extended family members	Right to reside, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• proof of family relationship, eg birth certificate</li> <li>• EEA Family Permit if they are non-EEA Nationals</li> </ul>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter
Work seekers	Right to reside for six months or longer if genuinely seeking work, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> </ul> see <i>paragraph 30</i>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter

continued

Annex B

	Right to reside	Habitually resident
<b>EEA 16 &amp; A2 Nationals</b>		
(continued)		
Workseekers extended family member	Right to reside, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• proof of family relationship, eg                             <ul style="list-style-type: none"> <li>- marriage certificate</li> <li>- birth certificate</li> </ul> </li> </ul> see <i>paragraph 32</i>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter
Self-employed	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• CIS card, issued to subcontractors in the building trade</li> <li>• SEE certificate, issued to people exempt from paying class 2 National Insurance Contributions (NICs) because their earnings are below the current threshold for paying NICs</li> <li>• self-assessment statement of account</li> </ul> Plus proof of self-employment <ul style="list-style-type: none"> <li>• audited accounts</li> <li>• bank statements</li> <li>• business lease</li> <li>• invoices</li> </ul>	Exempt
Self-employed family member	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• EEA Family Permit if they are non-EEA Nationals</li> </ul> Also proof of family relationship, eg <ul style="list-style-type: none"> <li>• marriage certificate</li> <li>• birth certificate</li> </ul>	Exempt

	Right to reside	Habitually resident
<b>EEA 16 &amp; A2 Nationals</b>		
(continued)		
Self-employed extended family member	Right to reside, acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• registration certificate/residence permit</li> <li>• EEA Family Permit if they are non-EEA Nationals</li> <li>• proof of family relationship, eg birth certificate</li> </ul> see <i>paragraph 34</i>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter
Economically inactive Pensioners/lone parents	As long as they are self sufficient, From 30/4/06, for the first three months they do not have to be self sufficient no access to benefit	N/A
Pensioners/lone parents family	As long as they are self sufficient, no access to benefit	N/A
Pensioners/lone parents extended family	As long as they are self sufficient, no access to benefit	N/A
Students	As long as they are self sufficient, no access to benefit, see <i>paragraph 40</i>	N/A
Students family member/extended family member	As long as they are self sufficient, no access to benefit	N/A
<b>A8 Nationals</b>		
Workers	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• CIS card, issued to subcontractors in the building trade</li> <li>• SEE certificate, issued to people exempt from paying class 2 NICs because their earnings are below the current threshold for paying NICs</li> <li>• Worker Registration Card</li> <li>• Worker Registration Certificate</li> </ul> see <i>paragraph 44</i>	Exempt

continued

Annex B

	Right to reside	Habitually resident
<b>A8 Nationals</b>		
(continued)		
Worker: post 12 months	<p>After working for 12 months they have the same rights as workers</p> <p>Acceptable proof</p> <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• Worker Registration Card</li> <li>• Worker Registration Certificate</li> </ul> <p>see <i>paragraph 47</i></p>	
Exempt workers	<p>Acceptable proof</p> <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• letter from employer confirming dates of employment and wage slips</li> <li>• work permit</li> <li>• audited accounts if self-employed</li> <li>• CIS card</li> <li>• SEE certificate</li> </ul> <p>see <i>paragraph 50</i></p>	
Workers family member	<p>Right to reside, acceptable proof</p> <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• EEA Family Permit if they are non-EEA Nationals</li> </ul> <p>Also proof of family relationship, eg</p> <ul style="list-style-type: none"> <li>• marriage certificate</li> <li>• birth certificate</li> </ul> <p>Also proof the worker is working</p>	Exempt
Workers extended family member	<p>Right to reside, acceptable proof</p> <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• EEA Family Permit if they are non-EEA Nationals</li> </ul> <p>Also proof of family relationship, eg birth certificate</p> <p>Also proof the worker is working</p>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter

continued

	Right to reside	Habitually resident
<b>A8 Nationals</b>		
(continued)		
Worker part-time	As for Workers, also check part-time work is genuine and effective, see <i>Annex A</i>	Exempt
Work seekers	Only if they are self sufficient, no access to benefit, see <i>paragraph 58</i>	N/A
Self-employed	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> <li>• CIS card, issued to subcontractors in the building trade</li> <li>• SEE certificate, issued to people exempt from paying class 2 NICs because their earnings are below the current threshold for paying NICs</li> </ul> Plus proof of self-employment <ul style="list-style-type: none"> <li>• audited accounts</li> <li>• bank statements</li> <li>• business lease</li> <li>• invoices</li> </ul> see <i>paragraph 56</i>	Exempt
Self-employed family member	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> </ul> Also proof of family relationship, eg <ul style="list-style-type: none"> <li>• marriage certificate</li> <li>• birth certificate</li> </ul> Also proof the worker is working see <i>paragraph 57</i>	Exempt
Self-employed extended family member	Acceptable proof <ul style="list-style-type: none"> <li>• current passport</li> <li>• ID card</li> </ul> Also proof of family relationship, eg birth certificate Also proof the worker is working see <i>paragraph 57</i>	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter

continued

## C4 - People from abroad

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### Annex B

	Right to reside	Habitually resident
<b>A8 Nationals</b>		
(continued)		
Inactive pensioners/ lone parents	As long as they are self sufficient, no access to benefit	N/A
Inactive pensioners/ lone parents family	As long as they are self sufficient, no access to benefit	N/A
Inactive, ie students	As long as they are self sufficient, no access to benefit, see <i>paragraph 62</i>	N/A
<hr/>		
<b>ECSMA Nationals</b>	Right to reside if given limited leave to remain, <b>not</b> temporary admission	Proof needed, see <i>Habitual Residence Test</i> earlier in this chapter

## *Information about evidence of identity and Home Office forms*

### *Acceptable evidence of identity*

- 1 LAs may accept the following documents as evidence of identity
  - valid Passport
  - valid EU identity card
  - Application Registration Card (ARC) - issued to all new asylum seekers from 31 January 2002, this replaces the SAL
  - Standard Acknowledgement Letter (SAL1 and SAL2) - from 1 November 1991 to 30 January 2002 issued to asylum seekers by the Home Office
  - NASS 35 termination letter – issued by National Asylum Seeker Service (NASS)
  
- 2 There are also other documents that provide some evidence of identity. These should **not** be accepted on their own. These include
  - original marriage/birth certificate
  - full driving licence
  - mortgage repayment documents
  - cheque guarantee cards and associated cheque book
  - paid fuel and telephone bills
  - life insurance policies
  - divorce/annulment papers
  - affidavits

This list includes the most common documents that might help in proving identity. You should consider other evidence of identity where appropriate.
  
- 3 If the person is an asylum seeker they may also be able to provide letters from
  - one of the Refugee Agencies
  - a solicitor who is acting on their behalf

### Annex C

- 4 Such letters should include the following
- name
  - address
  - Home Office reference number
  - date of entry
  - port of entry
  - conditions of entry
  - date of asylum application
  - date of birth
  - whether passport held by Home Office
- 5 With claims made by asylum seekers, you should not approach a claimant's embassy or any organisation linked with the country from which they have fled to check identity or status.
- 6 Photocopies of any documents should never be accepted unless provided by Jobcentre Plus as copies of documents examined by them. Documents not in English may need to be translated.
- 7 Careful consideration of evidence of identity provided by people entering the UK will ensure that you are able to determine accurately a claimant's immigration status and whether they are properly entitled to benefits.

8-19

### *Home Office documentation*

- 20 Although there is a wide range of Home Office documentation relating to UK entry conditions, prefixes used on Home Office forms do however provide some general indication as to their subject matter. For instance
- **RON** - limited leave issues
  - **APP** - appeal matters
  - **GEN** - asylum seekers/refugees
  - **ICD** - refugees/leave to remain issues
  - **ACD** - refugees/leave to remain issues
- 21 Copies of the more widely used forms are provided as Appendices at the end of this Annex. Brief details about these forms are given on the following pages.

### *Appendix 1: NASS 35 - Termination of NASS support*

- 22 NASS 35 is issued by NASS when the Home Office has made a final decision on an asylum application. It will include details of all support given by NASS. One NASS 35 will be issued to each family unit, including adult dependants, that has been supported by NASS. The NASS 35 contains the following information
- a photograph and details of the main applicant, usually the head of the household. It will not contain photographs of any dependants
  - details of all adult and child dependants, including any change of circumstances, for example a dependant leaving or entering the household
  - the period and value of the support that has been provided
  - details of the accommodation provided
  - details of emergency vouchers
  - the date of the decision and the type of asylum that has been granted
- 23 NASS will issue to adult dependants a shorter letter that will provide details of the support they have received. However, this letter will **not** include a photograph of the dependant.

### *Appendix 2: SAL 1/SAL 2 - Standard Acknowledgement Letters*

- 24 The SAL confirms that the holder is an asylum seeker. **Note:** Although these letters are no longer issued, there may be people who still have a valid letter.
- 24 SALs were issued by the Home Office from 1 November 1991- 30 January 2002. They were only issued when acceptable evidence of identity was provided to the Home Office or, in the absence of suitable documentary evidence, the Home Office interviewed the applicant and were satisfied with their identity.
- 25 Each form is watermarked, multi-coloured, numbered and bears a photograph of the asylum applicant. Photographs are over stamped by Home Office officials. The names and photographs of all dependants in this country are recorded on SALs and separate SALs are normally issued to applicant's partners.
- 26 Unofficial amendments to SALs are not permitted. If there is any doubt about validity, you should contact the Asylum Screening Unit (ASU). The ASU record a change of address on the back of the SAL. If there is a change of name a new SAL is issued. SALs issued by Immigration Officers following port of entry applications for asylum will not provide address details, as they will simply be cross-referenced with form 15 96 which shows an address.

### Annex C

- 27 From 12 October 1995 the SAL was revised to differentiate between port and in-country applicants. Earlier versions made no such distinction. The forms are colour-coded and show the number at the top right corner so that port and in-country applicants can be easily identified
- SAL1: these are blue/orange and are used for port applicants. They are issued by the Immigration Officer at port of entry
  - SAL2: these are red/grey and are used for in-country applicants. They are issued by the ASU and by Immigration Officers at enforcement units around the UK
- 28 The SAL becomes invalid when a Home Office decision is made on the asylum application. The Home Office will seek to withdraw the SAL at the initial decision stage, that is when the applicant will be advised whether the application has been accepted or rejected, but may not be able to do so if the applicant cannot be traced. If there are any doubts about the validity of a SAL, contact the Home Office.
- 29 When the Home Office cannot issue a SAL immediately because the identity of the applicant cannot be satisfactorily established, either a GEN 32 or IS 96 will be issued. Neither can be regarded as secure.
- 30 From 31 January 2002 all new asylum seekers have been issued with Application Registration Cards (ARC). It contains personal details including a photograph and fingerprints. It is used as a means of identity for obtaining NASS support. Eventually all asylum seekers who currently have SALs will be issued with ARCs.

#### *Appendix 3: ICD.0716*

- 31 Notifies that asylum has been refused but leave to remain for a limited period has been granted exceptionally. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

#### *Appendix 4: ICD.2155*

- 32 Notifies that asylum has been refused but discretionary leave to remain has been granted for a limited period. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

#### *Appendix 5: ICD.2158*

- 33 Notifies that asylum has been refused but Humanitarian Protection, which is a discretionary grant of leave, has been given for a limited period. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 6: ICD.0725*

- 34 Notifies that refugee status with indefinite leave to remain has been granted. The holder has no time on their stay in the UK. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 7: GEN 29 (Revised)*

- 35 Issued in response to a letter from the applicant and asks for additional information and supporting documentation. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 8: GEN 30*

- 36 A reminder letter to applicants. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 9: GEN 124*

- 37 Issued to the spouse of someone who is already settled in the UK. It advises them they can remain in the UK for an initial period of 12 months, provided the requirements of the Immigration Rules are met. The spouse may take up employment or set up a business without a work permit. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 10a/10b/10c: Interview forms*

- 38 Invites the applicant, spouse, children and any other dependants already in the UK for a screening interview. The purpose of the interview is to either to establish the
- basis of the asylum application, or
  - the applicant's identity

These forms supersede GEN 32 and GEN 33.

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

*Appendix 11a/11b/11c: IS 96(Old)/IS 96 (New)*

- 39 Issued when temporary admission into the UK is granted. In the case of asylum seekers it is most often used for port applicants, but can be issued to people who have applied for asylum following detection by immigration enforcement officers. IS 96 may also be used for non-asylum port and enforcement cases. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

### Annex C

- 40 The Home Office should be contacted to check whether the holder is an asylum seeker and, if so
- whether they are a port or in-country applicant
  - their nationality, and
  - the date of the application

#### *Appendix 12: IS 164*

- 41 Issued to persons subject to deportation proceedings. Any person holding IS 164 will have conditions attached to their stay in the UK. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

#### *Appendix 13a/13b/13c/13d: RON 105/105A/114/115*

- 42 These forms acknowledge receipt of letters or documents by the Home Office. They do not give any information about conditions or limitations attached to a person's stay in the UK. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

#### *Appendix 14: RON 112*

- 43 An agreement that the person named will be wholly maintained by a sponsor. It will be signed by the sponsor. It includes an agreement that any Income Support (IS) or Income-based Jobseeker's Allowance (JSA(IB)) paid to or in respect of the sponsored immigrant may be recovered from the sponsor. There are no similar powers of recovery in respect of HB or CTB. **Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

#### *Appendix 15: Contacting the Home Office - DLHB/727, DLHB/728 and DLHB/729*

##### *DLHB/727*

- 44 Form DLHB/727 is used to confirm that the person is an asylum seeker and to ask the Home Office to notify the authority when a decision has been made.
- 45 The Home Office will complete and return the relevant section when a decision has been made on the asylum application. If a decision
- has already been made when DLHB/727 has been issued, the Home Office response should be issued within 10 days
  - is made after DLHB/727 has been issued both the authority and the applicant will be told as soon as possible
- 46 The Home Office will also advise the authority if there is no trace of the applicant.

***DLHB/728***

- 47 Form DLHB/728 is for authorities to contact the Home Office for information about other PFAs (not asylum seekers).
- 48 It should be used when an HB/CTB claim is received from a person who is not an asylum seeker but whose status is not known. The Home Office will complete and return the relevant section.

***DLHB/729***

- 49 Form DLHB/729 should only be used when a benefit claim is received from someone who claims to have been awarded refugee status. The Home Office will respond within 10 days.

50-99

***Completion of DLHB/727, DLHB/728 and DLHB/729***

- 100 The content and structure of these forms has been agreed with the Home Office. They should be used when considering a claim for standard HB/CTB – if IS or JSA(IB) are in payment the Benefits Agency will make the necessary inquiries and notify the LA.
- always use a photocopy of the sample forms given in this Annex. This helps the Home Office to process requests for information more quickly
  - the first page must be fully completed by the originating LA before issue, and should be authenticated with the nominated officer's signature and LA stamp
  - the first page of DLHB/729 should be sent to the Home Office in duplicate for fraud prevention purposes
  - complete the claimant identifying details on the second page. The Home Office will use this page to reply
  - DLHB/727 has a third page for the Home Office to acknowledge the enquiry – a pre-paid, addressed envelope will need to be provided
  - the forms should be posted to the address at the bottom of the form. Faxed inquiries will not be accepted for security reasons (not applicable to DLHB/728)

101-119

***Appendix 16: Passport endorsements used by IND***

- 120 Explains the different passport endorsements used by IND. Some examples of IND stamps are available on the Home Office website:  
<http://www.ind.homeoffice.gov.uk/lawandpolicy/preventingillegalworking/ukpassportstamps>

121-139

***Home Office reference numbers and immigration officer's stamps***

***Home Office reference number***

- 140 A Home Office reference number is made up of
- one letter, followed by
  - five, six or seven digits
- 141 The letter should generally correspond to the first letter of the person's surname. The exception being when the person's surname begins with I the reference number will begin with J.
- 142 If a woman has a different surname to her husband, her reference number may start with the first letter of her husband's surname.

***Port reference number***

- 143 A port reference number will be recorded on form 1596, eg TN1/IS81/51 63/890.

***Unique arrival number***

- 144 A unique arrival number is found on a passport underneath the Immigration Officer's endorsement that permits leave to remain in the country.
- 145 The number is made up of
- two letters, followed by
  - two sets of three digits, eg AB 123 456

145-149

***Appendix 17: Immigration Status Document (ISD) (ASL. 2150)***

- 150 This is the Immigration Status document for grant of leave outside the rules that was issued as part of the Case Resolution exercise.
- 151 If form (ISD) (ASL. 2150) is annotated with 'This leave has been granted exceptionally, outside the Immigration Rules' the claimant is exempt from satisfying the HRT.
- 152 The claimant needs this document to confirm their status when claiming HB/CTB.

153-159

***Appendix 18: Grant letter: Indefinite Leave to Enter/Remain granted exceptionally outside the immigration rules***

160 This letter confirms that the claimant has been granted ILE/R outside the immigration rules and was issued as part of the Case Resolution exercise.

161 The claimant needs this document to confirm their status when claiming HB/CTB.

162-169

***Appendix 19: Original grant letter: Indefinite Leave to Enter/Remain granted***

170 This is the initial letter that was issued to claimants identified in the Case Resolution exercise that were given ILE/R.

171 The claimant needs this document to confirm their status when claiming HB/CTB.

170-179

***Appendix 20: Explanatory letter for ILE/R outside the immigration rules***

180 This letter was issued to claimants identified in the Case Resolution exercise that were not initially provided with the correct information about the ILE/R being outside the immigration rules.

181 The claimant needs this document to confirm their status when claiming HB/CTB.

182-189

***Appendix 21: Indefinite Leave to enter/remain***

190 This is the original ISD that only refers to ILE/R. It was sent to asylum seekers that were given ILE/R exceptionally outside the immigration rules via the Case Resolution exercise.

191 The claimant needs this document to confirm their status when claiming HB/CTB.

191-199

*Appendix 22: Supplementary note to the original ISD*

- 200 Some asylum seekers were given ILE/R through the Case Resolution exercise but were issued with an ISD that did not make it clear that the ILE/R was issued exceptionally outside the immigration rules. This supplementary note makes it clear that the ILE/R was issued exceptionally outside the immigration rules.
- 201 The claimant needs this document to confirm their status when claiming HB/CTB.
- 201-209

## *NASS35: Termination of NASS support*

PASSPORT  
PHOTO

Name: Sherlock Holmes  
 NASS Ref: 04/01/00110/001  
 IFB Ref: IFB04/350011/A  
 National Insurance No. XY110295C  
 Home Office Ref: N29830  
 Port Ref: EMA/04/428  
 Date of Birth: 17 Dec 1969 Nationality, citizen of: Ireland , Language: English  
 Address: 33, FERRIBY TOWERS, LEEDS, WEST YORKSHIRE, L1 4SD

### **Dependants if any**

Name: John Watson  
 Date of Birth: 8 April 1999  
 National Insurance Number: AB128238D  
 Nationality, citizen of: United Kingdom  
 Relationship: Related  
 Support Start Date                      Support End Date  
 17 Jan 2003                                  16 Jan 2003

**Asylum application lodged on:**            17 Jan 2003

**Support application received on:**            20 Jan 2004

### **Support start date:**

Accommodation            17 Jan 2003  
 Subsistence                      17 Jan 2003

### **Change History**

#### **Accommodation:**

Start Date	End Date	Type	Duration	Number	Postcode	Section
24 Jan 2004	16 Jan 2004	self-catering	51	33	L1 4SD	(95)
17 Jan 2003	23 Jan 2003	Emergency	1	16	B17 2PQ	(98)

The provision of this document to the above named asylum-seeker is not evidence that the Secretary of State has made a decision on the asylum claim. This document was issued on the basis of information regarding this asylum-seeker that was available to the National Asylum Support Service at the date that support was terminated. It does not confer, nor infer any right to remain in the United Kingdom for the above named asylum-seeker.

## C4 - People from abroad

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### Annex C: Appendix 1

#### Vouchers:

Type	Start Date	End Date	Duration weeks/days	Value	Postcode	Comment
EV	17 Jan 2003	21 Jan 2003		£73.21	n/a	
RV	22 Jan 2003	17 Jul 2003	21 / 0	£805.75	S99 1XY	
IST	29 Mar 2003	17 Apr 2003		£90.00	n/a	
EST	18 Jul 2003	29 Jul 2003		£98.71	S99 6AG	
ARC	30 Jul 2003	19 Aug 2003	3 / 0	£107.10	S99 1XY	
ARC	20 Aug 2003	26 Aug 2003	1 / 0	£0.00	S99 1XY	Uncollected £35.70
ARC	27 Aug 2003	06 Dec 2003	19 / 0	£678.30	S99 1XY	
ARC	07 Dec 2003	13 Dec 2003	1 / 0	£35.70	S99 1XY	Assumed Paid
ARC	14 Dec 2003	16 Dec 2003	0 / 3	£15.30	S99 1XY	Assumed Paid
			Total Value	£1,904.07		

**Date Refused Asylum - granted ELR:** 13 Jan 2004

Termination Team

The provision of this document to the above named asylum-seeker is not evidence that the Secretary of State has made a decision on the asylum claim. This document was issued on the basis of information regarding this asylum-seeker that was available to the National Asylum Support Service at the date that support was terminated. It does not confer, nor infer any right to remain in the United Kingdom for the above named asylum-seeker.

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *SAL - pre October 1995*



Completed by:


Note: Although this letter is no longer issued, there may be people who still have a valid letter.

## *SAL 1: Standard Acknowledgement Letter*



Accompanied by:

	PHOTO	PHOTO	PHOTO	PHOTO
Name:				
Address:				
Other:				
DOB:				

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ***SAL 2: Standard Acknowledgement Letter***



Accompanied by:


**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ICD.0716



**Home Office**

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<b>FORENAMES SURNAME</b>	Our Ref	Our Ref
Date of Birth: <b>DATE</b>	Your Ref	Your Ref
Nationality: <b>NATIONALITY</b>	Date	Date

**Dependants**

Dear **Salutation**

**GRANT OF LEAVE TO ENTER/REMAIN ON AN EXCEPTIONAL BASIS**

Your claim for asylum in the United Kingdom has been carefully considered within the Immigration and Nationality Directorate of the Home Office, but I have to tell you that it has been refused for the reasons given in the enclosed **reasons for refusal** letter, and your claim is recorded as having been determined on **date**. However, a decision has been taken that it would be appropriate, because of the particular circumstances of your case, to grant you leave to **enter/remain in** the United Kingdom until **date** on an exceptional basis outside the Immigration Rules.

**ENTITLEMENTS**

You are free to take a job and do not need the permission of any Government Department before doing so. You are free to use the National Health Service and the social services, and other services provided by local authorities as you need them.

**POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

**TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless

- you have been absent from the United Kingdom for a continuous period of more than two years, or

ICD.0716  
07/2003

1 of 3

BUILDING A SAFE, JUST AND TOLERANT SOCIETY

- you are seeking admission for a different purpose from the one for which this leave has been granted.

Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be varied or cancelled.

If you travel abroad during the period of leave you have been granted, this leave will lapse. Any subsequent application you make to return to this country will be considered as an application for fresh leave. For the purposes of this paragraph, 'abroad' means outside the Common Travel Area, which comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland.

Using your national passport to travel outside the United Kingdom could affect your immigration status in the United Kingdom. If you want to travel abroad you should apply for a Home Office Certificate of Identity (CID) from the Travel Document Section, Immigration and Nationality Directorate, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY (telephone 0870 241 0645). If you leave the United Kingdom with a Home Office Certificate of Identity, you will be allowed back into the country at any time while it is still valid, subject to the above.

#### **DEPENDANTS**

If you are married and/or have children under the age of 18, the leave to enter or remain you have been granted does not entitle your spouse or children to join you in the United Kingdom. An application for them to join you will not normally be considered until you have applied for, and been granted, indefinite leave to remain. In addition, the normal requirements of the Immigration Rules regarding support and accommodation of dependants would have to be satisfied. However, an application for family reunion may be granted at an earlier point if there are compelling compassionate circumstances. You should submit any application using the correct form, which is available from this office or by calling 0870 241 0645.

#### **APPLYING FOR AN EXTENSION**

Before the period of leave that you have been granted expires, you should either leave the United Kingdom or apply for an extension of stay, explaining the reasons on which you are seeking further leave. Any application will be considered in the light of the circumstances prevailing at that time. If your application to extend your stay is refused, you will be advised of the reasons for this and of any right of appeal against that decision.

Applications to extend your stay must be made on the correct form, which is available from this office or by calling 0870 241 0645.

**CAUTION**

The period of leave you have been granted may be subject to review before it expires if, for example, the conditions in your country change significantly such that your return there becomes possible. You should understand that if, during your stay in the United Kingdom, you take part in any criminal activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order, you may not be allowed to remain in the United Kingdom.

Yours sincerely

M.Glanville  
Asylum Processes and Procedures Unit  
Asylum Casework Directorate  
*acting on behalf of the Secretary of State*

Sample

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ICD.2155



**Home Office**

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<b>FORENAMES SURNAME</b>	Our Ref	<b>Our Ref</b>
Date of Birth: <b>DATE</b>	Your Ref	<b>Your Ref</b>
Nationality: <b>NATIONALITY</b>	Date	<b>Date</b>

**Dependants**

Dear **Salutation**

**DISCRETIONARY GRANT OF LEAVE TO ENTER/REMAIN**

**It/Your claim has been reviewed and it** has been decided that the Secretary of State's discretion should be exercised in your favour and you have been granted limited leave to enter or remain in the United Kingdom for a reason not covered by the Immigration Rules. You have been granted **leave/further leave** to **enter/remain** until **date**.

You have been granted this leave in accordance with the published Home Office Asylum Policy Instruction on Discretionary Leave.

**ENTITLEMENTS**

You are free to take a job and do not need the permission of any Government Department before doing so. You are free to use the National Health Service and the social services, and other services provided by local authorities as you need them.

**POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

**TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless

- you have been absent from the United Kingdom for a continuous period of more than two years, or

ICD.2155  
07/2003

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BUILDING A SAFE, JUST AND TOLERANT SOCIETY

- you are seeking admission for a different purpose from the one for which this leave has been granted.

Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be varied or cancelled.

If you travel abroad during the period of leave you have been granted, this leave will lapse. Any subsequent application you make to return to this country will be considered as an application for fresh leave. For the purposes of this paragraph, 'abroad' means outside the Common Travel Area, which comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland.

#### **DEPENDANTS**

If you are married and/or have children under the age of 18, the leave to enter or remain you have been granted does not entitle your spouse or children to join you in the United Kingdom. An application for them to join you will not normally be considered until you have applied for, and been granted, indefinite leave to remain. In addition, the normal requirements of the Immigration Rules regarding support and accommodation of dependants would have to be satisfied. However, an application for family reunion may be granted at an earlier point if there are compelling compassionate circumstances. You should submit any application using the correct form, which is available from this office or by calling 0870 241 0645.

#### **APPLYING FOR AN EXTENSION**

Before the period of leave that you have been granted expires, you should either leave the United Kingdom or apply for an extension of stay, explaining the reasons on which you are seeking further leave. Any application will be considered in the light of the circumstances prevailing at that time. If your application to extend your stay is refused, you will be advised of the reasons for this and of any right of appeal against that decision. Applications to extend your stay must be made on the correct form, which is available from this office or by calling 0870 241 0645.

#### **CAUTION**

The leave you have been granted may be subject to review before it expires if, for example, the conditions in your country change significantly such that your return becomes possible. You should understand that if, during your stay in the United Kingdom, you take part in any criminal activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order, you may not be allowed to remain in the United Kingdom.

Yours sincerely

M.Glanville  
Asylum Processes and Procedures Unit  
Asylum Casework Directorate  
*acting on behalf of the Secretary of State*

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ICD.2158



**Home Office**

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<b>FORENAMES SURNAME</b>	Our Ref	<b>Our Ref</b>
Date of Birth: <b>DATE</b>	Your Ref	<b>Your Ref</b>
Nationality: <b>NATIONALITY</b>	Date	<b>Date</b>

**Dependants**

Dear **Salutation**

**GRANT OF HUMANITARIAN PROTECTION**

You have/Your claim has been reviewed and you have been granted Humanitarian Protection in the United Kingdom, which is a discretionary grant of leave to enter or remain in the United Kingdom not covered by the Immigration Rules. You have been granted leave/further leave to enter/remain until date.

**ENTITLEMENTS**

You are free to take a job and do not need the permission of any Government Department before doing so. You are free to use the National Health Service and the social services, and other services provided by local authorities as you need them.

**POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

**TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless

- you have been absent from the United Kingdom for a continuous period of more than two years, or
- you are seeking admission for a different purpose from the one for which this leave has been granted.

ICD.2158  
07/2003

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BUILDING A SAFE, JUST AND TOLERANT SOCIETY

Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be varied or cancelled.

If you travel abroad during the period of leave you have been granted, this leave will lapse. Any subsequent application you make to return to this country will be considered as an application for fresh leave. For the purposes of this paragraph, 'abroad' means outside the Common Travel Area, which comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland.

Using your national passport to travel outside the United Kingdom could affect your immigration status in the United Kingdom. If you want to travel abroad you should apply for a Home Office Certificate of Identity (CID) from the Travel Document Section, Immigration and Nationality Directorate, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY (telephone 0870 241 0645). If you leave the United Kingdom with a Home Office Certificate of Identity, you will be allowed back into the country at any time while it is still valid, subject to the above.

#### **DEPENDANTS**

If you are married and/or have children under the age of 18, the leave to enter or remain you have been granted does not entitle your spouse or children to join you in the United Kingdom. An application for them to join you will not normally be considered until you have applied for, and been granted, indefinite leave to remain. In addition, the normal requirements of the Immigration Rules regarding support and accommodation of dependants would have to be satisfied. However, an application for family reunion may be granted at an earlier point if there are compelling compassionate circumstances. You should submit any application using the correct form, which is available from this office or by calling 0870 241 0645.

#### **APPLYING FOR AN EXTENSION**

Before the period of leave that you have been granted expires, you should either leave the United Kingdom or apply for an extension of stay, explaining the reasons on which you are seeking further leave. Any application will be considered in the light of the circumstances prevailing at that time. If your application to extend your stay is refused, you will be advised of the reasons for this and of any right of appeal against that decision. Applications to extend your stay must be made on the correct form, which is available from this office or by calling 0870 241 0645.

**CAUTION**

The leave you have been granted may be subject to review before it expires if, for example, you show through your own actions that you no longer fear treatment that originally qualified you for Humanitarian Protection in the United Kingdom, or another country becomes better placed than the United Kingdom to provide such protection, or the conditions in your country change significantly such that your return there becomes possible. You should understand that if, during your stay in the United Kingdom, you take part in any criminal activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order, you may not be allowed to remain in the United Kingdom.

Yours sincerely

M.Glanville  
Asylum Processes and Procedures Unit  
Asylum Casework Directorate  
*acting on behalf of the Secretary of State*

Sample

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ICD.0725



**Home Office**

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Telephone Error! AutoText entry not defined. Fax Error! AutoText entry not defined.

<b>FORENAMES SURNAME</b>	Our Ref	<b>Our Ref</b>
Date of Birth: <b>DATE</b>	Your Ref	<b>Your Ref</b>
Nationality: <b>NATIONALITY</b>	Date	<b>Date</b>
<b>Dependants</b>		

Dear **Salutation**

**GRANT OF ASYLUM**

You have been recognised as a refugee as defined by the 1951 Geneva Convention relating to the Status of Refugees and its Protocol and have been granted asylum in accordance with the Immigration Rules. You have been granted indefinite leave to **enter/remain in** the United Kingdom and this means that you are free to stay in this country permanently.

**ENTITLEMENTS**

You are free to take a job and do not need the permission of any Government Department before doing so. You are free to use the National Health Service and the social services, and other services provided by local authorities as you need them.

**POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

**TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless

- you have been absent from the United Kingdom for a continuous period of more than two years, or
- you are seeking admission in a different capacity from the one in which this leave has been granted.

ICD.0725  
07/2003

1 of 2

BUILDING A SAFE, JUST AND TOLERANT SOCIETY

Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be revoked.

Using your national passport to travel outside the United Kingdom or returning to your country of origin may result in the loss of your refugee status and could lead to the revocation of your indefinite leave to **enter/remain in** the United Kingdom. If you want to travel abroad you should apply for a Refugee Convention Travel Document from the Travel Document Section, Immigration and Nationality Directorate, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY (telephone 0870 241 0645). If you leave the United Kingdom with a Refugee Convention Travel Document, you will be allowed back into the country at any time while it is still valid, subject to the above.

**CAUTION**

You should understand, however, that you may not be allowed to remain in the United Kingdom if, during your stay, you take part in any criminal activities or activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order. You may also not be allowed to remain in the United Kingdom if it is decided for some other reason that your presence here is not conducive to the public good.

Yours sincerely

M.Glanville  
Asylum Processes and Procedures Unit  
Asylum Casework Directorate  
*acting on behalf of the Secretary of State*

Sample

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ***GEN 29 (Revised)***

<p><b>Immigration and Nationality Directorate</b> Lunar House 40 Wellesley Road Croydon CR9 2BY Telephone: 081 -760 (GTN 3822)</p>	<p>GEN29 (Revised)</p> 
	<p>Your reference</p> <p>Our reference</p> <p>Date</p>
<p>Dear Sir/Madam</p> <p>Further to your letter of _____, please complete the questions overleaf and return this together with the documents requested below to the above address (preferably by recorded delivery).</p>	
Documents required	- photocopies are not acceptable).
Passport(s) and/or any other identity documents	- of you and your spouse and any dependants.
Photograph(s)	- 3 recent, colour, passport-sized photographs, with your name and date of birth on the reverse of each photograph. Please also provide 3 photographs of your spouse and one photograph of each of your children. Only full-face photographs will be accepted.
Documentary evidence of accommodation	- 1. Rent book. 2. Bank statement; any other evidence eg gas/electric bill, original tenancy agreement, letter from hotel, guest house or landlord.
<p>You may wish to bring a legal or other representative with you, but the interview should be short and its purpose is to establish your identity and method of entry into the United Kingdom. The merits of your asylum application will not be discussed. If you are unable to speak English, you should arrange for someone who does, to accompany you. If you have any queries about the contents of this letter, please do not hesitate to ring the above telephone number.</p>	
<p>Yours faithfully</p>	

Please complete in BLOCK CAPITALS

1. Surname: .....
2. Other Names: .....
3. Any Other Names By Which You are Known: .....
4. Date of Birth: .....
5. Place of Birth: .....
6. Nationality: .....
7. Present Address: .....

Particulars of Spouse:

1. Surname: .....
2. Other Names: .....
3. Any Other Names By Which You are Known: .....
4. Date of Birth: .....
5. Place of Birth: Nationality: .....
6. Present Address: .....

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *GEN 30*

	GEN 30
<b>Immigration and Nationality Directorate</b> Lunar House 40 Wellesley Road Croydon CR9 2BY Telephone: 081 -760 (GTN 3822)	
	Your reference
	Our reference
	Date
<p>Dear Sir/Madam</p> <p>We are writing further to our letter, which was sent to you on [ ] We have not received any further information to date.</p> <p>We need this information to deal with your application and it is in your interest to provide it. Failure to do so may result in your application being refused.</p> <p>Please return your form, completed as requested to this-office, within two weeks of the date of this letter.</p> <p style="text-align: right;">Yours faithfully</p>	

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## GEN 124

**Immigration and  
Nationality Directorate**  
Lunar House 40 Wellesley Road  
Croydon CR9 2BY  
Telephone: 081 -760  
(GTN 3822)



Your reference

Our reference

Date

Dear

I am writing about your application to remain in the United Kingdom following your marriage.

A person who marries someone settled in this country may be allowed to stay here for an initial period of up to 12 months, provided that the requirements of the Immigration Rules are met. You may now stay in the United Kingdom until 20 December 1997 and may set up a business or take employment without a work permit.

During this period you will be expected not to rely on public funds to support yourself, although there is no objection to your spouse receiving any assistance to which he or she is entitled in his or her own right. Public funds means housing under Part III of the Housing Act 1985 and income support, family credit, council tax benefit and housing benefit under Part VII of the Social Security Contributions and Benefits Act 1992 (and, where relevant, equivalent provisions applying in Scotland and Northern Ireland).

You may apply for the time limit attached to your stay to be removed shortly before your stay expires. You should note that this section will not be able to deal with any such application to remove the time limit. Any enquiries about future applications should be made through our Telephone Enquiry Bureau on 0181-686-0688 or by letter to the address above. If you wish to call at the Public Enquiry Office to make an application in person we suggest that you do so during the month before your stay is due to expire as applications made too far in advance of the completion of the 12 month period may need to be taken in for consideration nearer the completion of the 12 month period. You should enclose with any such application your passport and the birth certificate or passport of your spouse for identification purposes.

For the application to be granted, we will need to be satisfied that your marriage has not ended and that you and your spouse both still intend living permanently with each other as husband and wife. If you provide a statement to this effect, signed by you both, this will assist us in considering your application. At the end of the initial 12 month period we shall also need to ask you if you have received any public funds described above since the date of this letter, and any information you can

provide about this could again save further enquiry on our part. Short term assistance from public funds in an emergency will not lead to a refusal of your application but if you have received substantial help from public funds, and in particular it is clear that you are unable to maintain and accommodate yourself without further help your application may be refused under the general considerations in Paragraph 322 of the Immigration Rules.

If, when you make your further application, you are no longer living with your spouse, your continued stay in this country (including the question of continuing in employment or in business) will normally be subject to your qualifying for further leave in some other capacity under the Immigration Rules. If your marriage is no longer subsisting you may therefore wish to write to the Directorate to seek advice on whether you qualify to remain here in some other capacity.

You are no longer required to register with the police, and your police registration certificate has been endorsed to this effect.

Your application for permanent residence cannot be granted at the moment as the Immigration Rules do not allow the time limit on your stay in the United Kingdom to be removed until you have been living with your spouse for a period of 12 months from the date you were granted leave to remain on the basis of your marriage.

A formal notice refusing your application is attached, but I would stress that you have been granted leave to remain for 12 months subject to the conditions mentioned and you are at liberty to apply for the time limit on your stay to be removed towards the end of the 12 month period as explained above.

The requirements of the Immigration Rules covering those who wish to stay in this country on the basis of their marriage to someone permanently resident here are set out in full in the 'Statement of Changes in Immigration Rules', House of Commons Paper 395 which came into effect on 1 October 1994. This also sets out the requirements for those who wish to stay here in other categories. Copies are available from Her Majesty's Stationery Office or through booksellers.

If you have any questions about this letter, please write to use at the above address, quoting our reference number.

As from 25th November 1996 application forms will be compulsory for all applications for leave to remain and settlement (except applications for asylum, Work Permit holders, certain right of abode categories, and applications under EC law). Should you wish to apply for further leave to remain or settlement you may be required to do so on an application form. If you wish to check whether an application form is required you may wish to call the Telephone Enquiry Bureau on 0181 686 0688. Application forms are available from the Application Forms Unit on 0181 760 2233.

Yours sincerely

Mrs S Driver  
PMU Training  
After Entry and Appeals Directorate

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *Interview form 1*

**Immigration and  
Nationality Directorate**  
Lunar House 40 Wellesley Road  
Croydon CR9 2BY  
Telephone: 081 -760  
(GTN 3822)



Your reference

Our reference

Date

Dear

Further to your application of, you are required to attend the Asylum Screening Unit, Second Floor, Lunar House (map enclosed) for a screening interview on . You should attend with your spouse, children and any other dependents who are in the United Kingdom.

Please bring this letter with you; it will help us to find your papers more quickly.

This letter is to advise you that, under normal circumstances, you should expect to be interviewed separately about your asylum application on the day you attend the Asylum Screening Unit. The purpose of the asylum interview would be to establish the basis of your asylum claim. You should therefore be prepared to talk in detail about your asylum application when you attend the Asylum Screening Unit. If there are any documents you wish to submit in support of your application, you should bring them with you.

If you are unable to attend the interview you should contact the above telephone number as a matter of urgency. However, the interview will only be rearranged in the most serious circumstances (for example, certified sickness or serious transport disruption). The interview will not usually be postponed solely on the grounds that a representative is unable to attend on the given date.

If you had existing leave to enter or remain in the United Kingdom when your application was submitted and your claim is subsequently refused, your leave and any existing leave held by your dependents may be curtailed. You may also be liable to deportation. If there are any reasons why you or your dependents should not be deported if your asylum application is refused, you should give the reasons at your asylum interview.

I MUST ADVISE YOU THAT IF YOU FAIL TO ATTEND THIS INTERVIEW WITHOUT PRIOR AGREEMENT OR REASONABLE EXPLANATION YOUR APPLICATION FOR ASYLUM IN THE UNITED KINGDOM WILL BE CONSIDERED ON THE INFORMATION AVAILABLE AND MAY BE REFUSED IN ACCORDANCE WITH THE IMMIGRATION RULES.

If you are not interviewed about your asylum application on the day you attend the Asylum Screening Unit, you may be invited to attend an interview about your application on the following day or shortly thereafter.

For your screening interview you will also need to bring the following original documents.

**PLEASE NOTE THAT PHOTOCOPIES ARE NOT ACCEPTABLE**

**1. PASSPORT(S)**

For you, your spouse, and any other dependents in the United Kingdom.

If you have any Police Registration Certificates you should bring these as well.

Please note that you are required to produce the passport or travel document upon which you were given leave to enter the United Kingdom. If you are unable to produce this document, you are required to otherwise demonstrate that you obtained a valid leave to enter from an immigration officer when you arrived. If you are unable to produce evidence that leave to enter was lawfully obtained, your case may be referred to an immigration officer who may serve you notice that you are an illegal entrant as defined in Section 33(1) of the Immigration Act 1971.

**2. OTHER IDENTIFICATION DOCUMENTS**

These are needed to help us establish your identity and nationality and can include ID cards, birth/marriage/school certificates, membership cards etc.

**3. COLOUR PHOTOGRAPHS**

You should bring 2 of yourself, 2 of your spouse and 2 for each child/dependent. The photographs must meet the following requirements.

- a. Passport size (approximately 4 cm x 5cm).
- b. Recently taken (within the last few months).
- c. Full face.
- d. Light background.
- e. Have the name, nationality and date of birth on the back of each.

**4. EVIDENCE OF YOUR ACCOMMODATION**

Please provide documentary evidence of your accommodation such as recent bank statements, building society book, community charge demand, medical card, housing benefit book, tenancy agreement, telephone/electricity/gas bill etc., showing your full name and address in the United Kingdom.

If you are living in someone else's house then you will need to bring a letter from the householder permitting you to stay, along with documentary evidence that shows his/her full name and address.

The purpose of the interview is to establish your identity and method of entry into the United Kingdom. The merits of your asylum application will not be discussed at the screening interview. If you do not speak English very well (or not at all) you should arrange for someone who can interpret to come with you.

In accordance with Section 3 of the Asylum and Immigration Appeals Act 1993 we will need to take fingerprints of you, your spouse, and any other dependents who are in the United Kingdom. A person who fails to comply with the requirements of Section 3 of the Act is liable to arrest.

Please complete the enclosed form giving details of your family members. You should bring the completed form with you when you attend the Asylum Screening Unit.

Yours faithfully,

Asylum Screening Unit  
Asylum Directorate

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *Interview form 2*

**Immigration and  
Nationality Directorate**  
Lunar House 40 Wellesley Road  
Croydon CR9 2BY  
Telephone: 081-760  
(GTN 3822)



Your reference

Our reference

Date

Dear

Further to your application of you are required to attend the Asylum Screening Unit, Second Floor, Lunar House (map enclosed) for a screening interview on between 9.00 am and 4.00 pm. You should attend with your spouse, children and any other dependents who are in the United Kingdom. To reduce the length of your wait we suggest that you avoid the period between 12.30 pm and 2.00 pm.

Please bring this letter with you; it will help us to find your papers more quickly. For your screening interview you should also bring the following original documents.

**PLEASE NOTE THAT PHOTOCOPIES ARE NOT ACCEPTABLE**

**1 PASSPORT(S)**

For you and, your spouse, children and any other dependents in the United Kingdom.

If you have any Police Registration Certificates you should bring these as well.

Please note that you are required to produce the passport or travel document upon which you were given leave to enter the United Kingdom. If you are unable to produce this document, you are required to otherwise demonstrate that you obtained a valid leave to enter from an immigration officer when you arrived. If you are unable to produce evidence that leave to enter was lawfully obtained, your case may be referred to an immigration officer who may serve you notice that you are an illegal entrant as defined in Section 33(1) of the Immigration Act 1971.

**2 OTHER IDENTIFICATION DOCUMENTS**

These are needed to help us establish your identity and nationality and can include identity cards, birth/marriage/school certificates, membership cards etc.

**3 COLOUR PHOTOGRAPHS**

You should bring 2 for you, 2 for your spouse and 2 for each child/dependent. The photographs must meet the following requirements.

- 
- a Passport size (approximately 4 cm x 5cm).
  - b Recently taken.
  - c Full face.
  - d Light background.
  - e Have the name, nationality and date of birth on the back of each.

4 EVIDENCE OF YOUR ACCOMMODATION

Please provide documentary evidence of your accommodation such as recent bank statement, building society book, community charge demand, medical card, housing benefit book, tenancy agreement, telephone/electricity/gas bill etc. showing your full name and address in the United Kingdom.

If you are living in someone else's house then you will need to bring a letter from the householder permitting you to stay, along with documentary evidence that shows his/her full name and address.

The purpose of the screening interview is to establish your identity and method of entry into the United Kingdom. The merits of your asylum application will not be discussed at the screening interview. If you do not speak English very well (or not at all) you should arrange for someone who will interpret to come with you.

In accordance with Section 3 of the Asylum and Immigration Appeals act 1993 we will need to take fingerprints of you, your spouse, and any other dependents who are in the United Kingdom. We may also take those of your children. A person who fails to comply with the requirements of Section 3 of the Act is liable to arrest.

If you have any queries about the contents of this letter please telephone the above number, before the date of the interview. You should also contact the above number immediately if you are unable to attend. However, the interview will only be rearranged in the most serious circumstances (for example, certified sickness or serious transport disruption). The interview will not usually be postponed just because a representative is unable to attend on the given date.

I MUST ADVISE YOU THAT IF YOU FAIL TO ATTEND THIS INTERVIEW WITHOUT PRIOR AGREEMENT OR REASONABLE EXPLANATION YOUR APPLICATION FOR ASYLUM IN THE UNITED KINGDOM WILL BE CONSIDERED ON THE INFORMATION AVAILABLE AND MAY BE REFUSED IN ACCORDANCE WITH THE IMMIGRATION RULES.

Please complete the enclosed form giving details of your family members and bring it with you when you attend the Asylum Screening Unit.

Yours faithfully,

Asylum Screening Unit  
Asylum Directorate

Note: Although this letter is no longer issued, there may be people who still have a valid letter.

## Interview form 3

**Immigration and  
Nationality Directorate**  
Lunar House 40 Wellesley Road  
Croydon CR9 2BY  
Telephone: 081 -760  
(GTN 3822)

**HOME OFFICE**  
**ind**

Your reference  
Our reference  
Date

Dear

I need to interview you about your application for asylum. You should therefore attend for interview:

at  
on  
at Lunar House, Wellesley Road, Croydon

If you are unable to attend the interview you should contact me as a matter of urgency. The interview will only be re-arranged in the most serious of circumstances (for example certified sickness or serious transport disruption). You should also be aware that the attendance at your interview of your representative is at the discretion of the Asylum Directorate. Your interview will not normally be delayed or re-arranged if your representative or you interpreter are unable to attend at the arranged time.

**I MUST ADVISE YOU THAT IF YOU FAIL TO ATTEND THIS INTERVIEW WITHOUT PRIOR AGREEMENT YOUR APPLICATION FOR ASYLUM IN THE UNITED KINGDOM WILL BE CONSIDERED IN ACCORDANCE WITH PARAGRAPH 340 OF THE IMMIGRATION RULES (HC395 as amended), WHICH STATES THAT FAILURE TO COMPLY WITH A REQUEST TO ATTEND AN INTERVIEW MAY LEAD TO REFUSAL OF AN ASYLUM APPLICATION.**

You are required to produce the passport or travel document upon which you were given leave to enter the United Kingdom. If you are unable to produce this document, you are required to otherwise demonstrate that you obtained a valid leave to enter from an immigration officer when you arrived. If you are unable to produce evidence that leave to enter was lawfully obtained, your case may be referred to an immigration officer who may serve you notice that you are an illegal entrant as defined in Section 33(1) of the Immigration Act 1971.

If you had existing leave to enter or remain in the United Kingdom when your application was submitted and your claim is subsequently refused, your leave and any existing leave held by your dependents may be curtailed. You may also be liable to deportation. If there are any reasons why you or your dependents should not be deported if your asylum application is refused, you should give the reasons at your asylum interview.

You should bring this letter to the interview. You should also bring any documents which you would like to submit in support of your application.

Interviews will normally end by 17:00, and must finish by 17:30. Any interviews not completed on the day will be re-booked for the next day or, where this is not possible, as soon after as practicable.

On arrival at Lunar House you should show this letter to the Officer on duty at the Public Enquiry Office entrance. I enclose a map showing the location of Lunar House.

Should you suffer from any disability which would prevent you from evacuating the building by the stairway in the event of an emergency, or have any other queries regarding this letter, please contact me on the telephone number shown above.

If you have children, you should, if possible, make alternative arrangements for their care while you are interviewed. The presence of children in interviews can be distracting and may affect your ability to present your asylum claim. Childcare facilities are not provided but children may wait in the waiting area if they are accompanied by a responsible adult who can take care of them. Otherwise you will be responsible for your children during the interview.

Yours faithfully,

Asylum Screening Unit  
Asylum Directorate

Note: Although this letter is no longer issued, there may be people who still have a valid letter.

**IS 96 (Old)**

	Port Reference: Home Office Reference: <hr/> <b>HM IMMIGRATION OFFICE</b> Telephone:	<b>IS 96 (old)</b>					
<b>IMMIGRATION ACT 1971 — NOTIFICATION OF TEMPORARY ADMISSION TO A PERSON WHO IS LIABLE TO BE DETAINED</b>							
To ..... ..... .....							
<b>LIABILITY TO DETENTION</b>	A. You are a person who is liable to be detained *						
<b>TEMPORARY ADMISSION/ RESTRICTIONS</b>	B. I hereby authorise your (further) temporary admission to the United Kingdom subject to the following restrictions **						
	• You must reside at: ..... ..... Telephone: .....						
	• You may not enter employment, paid or unpaid, or engage in any business or profession.						
	• You must report to: <table style="margin-left: 20px; border: none;"> <tr> <td><input type="checkbox"/> an Immigration Officer</td> <td rowspan="2" style="font-size: 2em; vertical-align: middle;">}</td> <td>at: .....</td> </tr> <tr> <td><input type="checkbox"/> the Police</td> <td>.....</td> </tr> </table>		<input type="checkbox"/> an Immigration Officer	}	at: .....	<input type="checkbox"/> the Police	.....
<input type="checkbox"/> an Immigration Officer	}	at: .....					
<input type="checkbox"/> the Police		.....					
Tick <input type="checkbox"/> as appropriate	on ..... 19 ..... at ..... hrs. <input type="checkbox"/> each ..... day at ..... hrs. until further notice <input type="checkbox"/> on each date and at a time to be notified to you in writing						
<b>ANY CHANGE</b> If these restrictions are to be changed, an Immigration Officer will write to you OF							
<b>RESTRICTION</b> <ul style="list-style-type: none"> <li>• Although you have been temporarily admitted, you remain liable to be detained</li> <li>• You have NOT been given leave to enter the United Kingdom within the meaning of the Immigration Act 1971</li> </ul>							

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *IS 96 (New)*

	Port Reference:	IS 96
	Home Office Reference:	(new)
<b>HM IMMIGRATION OFFICE NORTH TERMINAL GATWICK AIRPORT - LONDON GATWICK WEST SUSSEX RH6 0PJ</b>		
To:	Tel:	01293 892500
X:	Fax:	01293 892560
Tel: _____		
<hr/> <b>IMMIGRATION ACT 1971                      NOTIFICATION OF TEMPORARY ADMISSION TO A PERSON WHO IS LIABLE TO BE DETAINED</b> <hr/>		
<b>LIABILITY TO DETENTION</b>		
A    You are a person who is liable to be detained *		
<b>TEMPORARY ADMISSION RESTRICTIONS</b>		
B    I hereby authorise your (further) temporary admission to the United Kingdom subject to the following restrictions**:		
You must reside at the address shown at X above.		
You may not enter employment, paid or unpaid, or engage in any business or profession.		
You must report to an Immigration Officer (for further examination for the purpose of deciding whether you may be granted leave to enter) at:		
<b>GATWICK NORTH HM IMMIGRATION OFFICE NORTH TERMINAL GATWICK AIRPORT - LONDON GATWICK WEST SUSSEX</b>		
at 17:00 on 06-AUG-98. Please telephone this office before setting out.		
<b>IF YOU DO NOT REPORT IN ACCORDANCE WITH THE RESTRICTIONS OF THIS NOTICE, ANY UNRESOLVED APPLICATION WHICH YOU HAVE MADE FOR LEAVE TO ENTER MAY BE REFUSED.</b>		
<b>ANY CHANGE OF RESTRICTION</b>		
If these restrictions are to be changed, an Immigration Officer will write to you.		
<ul style="list-style-type: none"><li>• Although you have been temporarily admitted, you remain liable to be detained</li><li>• You have NOT been given leave to enter the United Kingdom within the meaning of the Immigration Act 1971</li></ul>		
Date 16-JUL-98	Immigration Officer	_____
	*	Paragraph 16 of Schedule 2 of the Act
	**	Paragraph 21 of Schedule 2 of the Act



**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## IS 164

<div style="border: 1px solid black; width: 100%; height: 100%;"></div>	Port Reference: Home Office Reference: <hr/> <b>HM IMMIGRATION OFFICE</b> <hr/> Telephone:	<b>IS 164</b>
<hr/> <b>IMMIGRATION ACT 1971 — NOTICE TO A PERSON SUBJECT TO RESTRICTIONS</b> <hr/>		
To ..... You are a person who has been made the subject of a Restriction Order in accordance with paragraph 2(5) of Schedule 3 to the Immigration Act 1971. Under the terms of that Restriction Order you are required to report in person to the officer in charge of the police station at ..... within 24 hours of receiving this notice. Thereafter you are required to report in person to the officer in charge of that police station on .....		
Tick <input type="checkbox"/> as appropriate		
<input type="checkbox"/> A.	Every day before noon	
<input type="checkbox"/> B.	Every seventh day thereafter between the hours of 6am and 6pm	
<input type="checkbox"/> C.	Such day in each week as the officer to whom you made your last weekly report may allow	
You are also required to live at .....		
The Restriction Order will be given to you at the police station.		
Date	Immigration Officer for and on behalf of the Secretary of State	

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## *RON 105*

**RON 105**

**Immigration and  
Nationality Directorate**  
Lunar House 40 Wellesley Road  
Croydon CR9 2BY  
Telephone: 081 -760

**HOME OFFICE**  
**ind**

---

Your reference  
Our reference  
Date

---

Dear

---

Thank you for your letter of

The matter is receiving our attention and we will send you a reply  
as soon as possible.

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ***RON 105A***

		<b>RON 105A</b>
<b>Immigration and Nationality Directorate</b>		
Lunar House 40 Wellesley Road Croydon CR9 2BY Telephone: 081 -760		
<hr/>		
	Your reference	
	Our reference	
	Date	
<hr/>		
Dear		
Thank you for your letter of		
The contents of which have been noted.		

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## RON 114

<b>Immigration and Nationality Directorate</b>		<b>RON114</b>
Lunar House 40 Wellesley Road Croydon CR9 2BY Telephone: 081 -760 (GTN 3822)		
<div style="border: 1px solid black; height: 140px; width: 100%;"></div>	Immigration enquiries 0181 686 0688 <i>(Calls answered in rotation please obtain ringing tone and wait for reply)</i>	
Your reference Our reference Date		
Thank you for sending these documents about .....		
The matter is receiving attention and the documents will be returned as soon as possible.		
Passport(s)	Tenancy Agreement(s)	Letter(s) in support of
Travel document(s)	Police Registration	application
Residence permit(s)	Certificate (PRC)	College letter(s)
National Identity Card(s)	Building Society	Pay Slip(s)
Birth Certificate(s)	passbook(s)	Driving Licence(s)
Rent Book(s)	Bank statement(s)	Marriage Certificate(s)
NHS Card	NI Card	P60
<p>If you have applied for an extension of stay or permanent residence, you may expect to receive a further letter in the next few weeks confirming your file reference and giving the room and telephone number of the staff dealing with your case. This information will enable you to speak to the officer direct, if you wish or have need to do so. Alternatively the central Telephone Enquiry Bureau is available to you on the number at the head of this letter.</p>		
<i>(continued overleaf)</i>		

## IMMIGRATION CASES ONLY

The Directorate has a Public Enquiry Office at Lunar House in Croydon. This is open between 9am and 4pm, Monday to Friday, if you wish to discuss your cases or collect your passport for urgent travel.

Applications can also be made in person at Lunar House and we try to complete as many as possible on the day. You should be aware, however, that the office is extremely busy most days and the large number of callers means that we sometimes have to limit the number of cases we can deal with. You should also note that there are some enquiries we are not able to deal with and these are as follows:-

- a. Applications for Certificate of Entitlement to the Right of Abode.
- b. Letters confirming a person's immigration status.

For information on either a. or b. please ring 0181 696 0688.

Should you require any further information, or advice about your application, you may wish to contact the Immigration Telephone Enquiry Bureau on 0181 686 0688 (9am - 4.45pm Monday to Thursday: 9am - 4.30pm Friday). Calls are answered in turn - please wait for a reply. Should you receive a letter from us giving a different telephone number, you should ring that number instead as it will put you through to the officer dealing with your application.

To help us deal with all applications as quickly as possible, please keep any enquiries about your case to a minimum. Requests for return of passport should also be made on these telephone numbers. If a passport is returned for travel this will (in accordance with the Immigration Rules) be regarded as a withdrawal of the application.

A 24 hour recorded information service is also available, dealing with the following types of application and giving advice on the documentation we require. Please ring the appropriate number.

0181 760 1600 - Visitors  
1081 760 1622 - Students  
0181 760 1644 - Work permit holders  
0181 760 1666 - Au pairs

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ***RON 115***

<p><b>Immigration and Nationality Directorate</b> Lunar House 40 Wellesley Road Croydon CR9 2BY Telephone: Immigration 081 -686 0688</p>		<p><b>RON115</b></p>
<p>Calls answered in turn. Please wait for a reply.</p>		
<hr/> <p>Please reply to the Under Secretary of State</p> <p>Your reference</p> <p>Our reference</p> <p>Date</p> <hr/>		
<p>RE:</p>		
<p>Receipt is acknowledged of your letter of which is receiving attention.</p>		

**Note:** Although this letter is no longer issued, there may be people who still have a valid letter.

## ***RON 112***

### **IMMIGRATION ACT 1971**

#### Undertaking given in pursuance of Immigration Rules

Please complete this form in BLOCK CAPITALS

- 1 I, ..... (name), of  
 ..... (address),  
 Home Office reference number .....  
 hereby declare that my date of birth is .....
- \* and that I am employed as ..... (occupation)  
 \* at ..... (address).  
 \* My National Insurance Number is.....
- 2 I hereby undertake that if ..... (name of sponsored person) who was born in ..... on ..... (place and date of birth of sponsored person) is granted leave to enter or remain in the United Kingdom I shall be responsible for his/her maintenance and accommodation in the United Kingdom, throughout the period of that leave and any variation of it.
- 3 I understand that this undertaking shall be made available to the Department of Health and Social Security in the United Kingdom who may take appropriate steps to recover from me the cost of any Income Support paid to or in respect of the person who is the subject of this undertaking.
- Signed .....
- Date .....
- \* To be completed only if sponsor is resident in the United Kingdom.

#### **FOR OFFICIAL USE ONLY**

#### **Certificate**

I certify that this document, apart from this certificate, is an undertaking given in pursuance of immigration rules within the meaning of the Immigration Act 1971.

Signed by ..... being a person authorised to make this certificate on behalf of the Secretary of State.

Signed: .....

Personalised date stamp:

## *Completion of DLHB/727, DLHB/728 and DLHB/729*

- 1 The content and structure of these forms has been agreed with the Home Office. They should be used when considering a claim for standard HB/CTB. If IS or JSA(IB) are in payment Jobcentre Plus will make the necessary inquiries and notify the authority. **Remember**
  - always use a photocopy of the sample forms given in this Appendix. This helps the Home Office to process requests for information more quickly
  - the first page must be fully completed by the originating authority **before** issue, and should be authenticated with the nominated officer's signature and the authority stamp
  - form DLHB/727 has a third page for the Home Office to acknowledge the enquiry. A pre-paid, addressed envelope should be provided
  - the first page of DLHB/729 should be sent to the Home Office **in duplicate** for fraud prevention purposes
  - complete the claimant identifying details on the second page. The Home Office will use this page to reply
  - the forms should be **posted** to the address at the bottom of the form. Faxed inquiries will not be accepted for security reasons. **Note:** This does not apply to for DLHB/728
- 2 For ease of use, there are no headers/footers on the following pages. Make sure you always use the latest available version of these forms.

3-99

**DLHB/727a**

**Housing Benefit/Council Tax Benefit: Request for Immigration and Nationality Directorate information about asylum application**

Please confirm the asylum status of the applicant detailed below.

Signed ..... (printed) ..... Date .....

REGISTERED LOCAL AUTHORITY BENEFIT OFFICER

**Personal details**

Re: Family name and title .....

First name(s) .....

Address .....

.....

.....

Postcode .....

Date of Birth ..... / ..... / ..... or age .....

SAL or ARC No .....

Home Office No .....

Passport No .....

Nationality .....

LA Reference No .....

Date of Entry to UK ..... / ..... / .....

Asylum application made on ..... / ..... / ..... at .....

Application for HB/CTB\* made ..... / ..... / .....

**Dependants (if any; continue on a separate sheet if necessary)**

Family name ..... Family name .....

First name(s) ..... First name(s) .....

Date of Birth ..... / ..... / ..... (or age) ..... Date of Birth ..... / ..... / ..... (or age) .....

Family name ..... Family name .....

First name(s) ..... First name(s) .....

Date of Birth ..... / ..... / ..... (or age) ..... Date of Birth ..... / ..... / ..... (or age) .....

**Benefit Office**

**Local Authority Authorisation stamp**

Contact name (print) .....

Tel no .....

Address .....

.....

.....

Send this form to:

Asylum Screening Unit, 40 Wellesley Road, Croydon, CR9 2BY

\* delete as appropriate

# DLHB/727b

## Asylum Directorate, Home Office: advice about asylum application

(Address and claimant details to be completed by LA before issue)

To ..... (contact name) Home Office stamp

Address .....

.....

.....

.....

.....

### Personal details

Re: Family name and title .....

First name(s) .....

Address .....

.....

.....

Postcode .....

Date of Birth ..... / ..... / ..... or age .....

SAL or ARC No .....

IND or port ref no .....

Passport No .....

Nationality .....

LA Reference No .....

Date of Entry to UK ..... / ..... / .....

The above named person claimed asylum on ..... / ..... / ..... as a port/in country applicant\*.

You will wish to note that the application for asylum was

withdrawn on ..... / ..... / .....

granted on ..... / ..... / .....

refused on ..... / ..... / .....

refused, but exceptional leave  
to remain was granted on ..... / ..... / .....,  
which will expire on ..... / .....

### Home Office

Contact name (print) .....

Tel no and extension .....

Address .....

.....

.....

Date ..... / ..... / .....

\* delete as appropriate

# DLHB/727c

## Housing Benefit/Council Tax Benefit: Home Office acknowledgement of request for information about asylum application

(Address and claimant details to be completed by LA before issue)

To ..... (contact name)      Home Office stamp  
Address .....  
.....  
.....  
.....  
.....

### Personal details

Re: Family name and title .....  
First name(s) .....  
Address .....  
.....  
.....  
Postcode .....  
Date of Birth ..... / ..... / ..... or age .....  
SAL or ARC No .....  
IND or port ref no .....  
Passport No .....  
Nationality .....  
LA Reference No .....

### Home Office reply

The above named person claimed asylum on ..... / ..... / ..... as a

- port applicant
- in country applicant

This application is under consideration. Your enquiry will be held until the first decision has been made. **This may take several months.** Meanwhile you should not make further enquiries on this case.

### Home Office

Contact name (print) .....  
Tel no and extension .....  
Address .....  
.....  
.....  
Date ..... / ..... / .....

# DLHB/728a

## Housing Benefit/Council Tax Benefit: Request for Immigration Department information about immigration

Please confirm the immigration status of the Local Authority Authorisation stamp  
applicant detailed below

Signed ..... (printed) ..... Date .....  
REGISTERED LOCAL AUTHORITY BENEFIT OFFICER

### Personal details

Re: Family name and title ..... Sex M/F\*

First name(s) .....

Address .....

.....

.....

Postcode .....

Date of Birth ..... / ..... / ..... or age .....

Home Office no .....

Passport No .....

Nationality .....

LA Reference No .....

Date of Entry to UK ..... / ..... / .....

Applied for HB/CTB\* on ..... / ..... / .....

### Dependants (if any; continue on a separate sheet if necessary)

Family name .....

First name(s) .....

Date of Birth ..... / ..... / ..... (or age) .....

Family name .....

First name(s) .....

Date of Birth ..... / ..... / ..... (or age) .....

### Documents enclosed (tick as applicable)

The above named person claimed asylum on ..... / ..... / ..... as a

Complete photocopy of passport (excluding blank pages) for applicant *and* any person on whose presence in the country the applicant is dependent.

Passports lodged with IND: copy of letter acknowledgment enclosed

Applicant claims to have no passport

### Benefit Office

Contact name (print) .....

Tel no and extension .....

Address .....

.....

.....

Send this form to: Immigration Status Enquiry Unit, 3rd Floor, Apollo House, 40 Wellesley Road, Croydon, CR9 2BY

\* delete as appropriate

# DLHB/728b

## Immigration Department advice about immigration status

(Address and claimant details to be completed by LA before issue)

To ..... (contact name) Home Office stamp  
Address .....  
.....  
.....  
.....  
.....

### Personal details

Re: Family name and title ..... Sex M/F\*  
First name(s) .....  
Address .....  
.....  
.....  
Postcode .....  
Date of Birth ..... / ..... / ..... or age .....  
Home Office no .....  
Passport No .....  
Nationality .....  
LA Reference No .....

\* delete as appropriate

### Confirmation of immigration status (please tick appropriate box)

- The applicant appears to have entered the UK illegally.
- The applicant appears to be an overstayer.
- The applicant has leave to enter/remain in the UK as a .....  
until ..... / ..... / .....
- We are unable to comment on the applicant's immigration status because  
.....  
.....  
.....  
.....

### Home Office

Contact name ..... signature  
..... block capital  
Tel no and extension .....  
Address .....  
.....  
.....  
Date ..... / ..... / .....

# *DLHB/729a*

To

LA stamp

**CENTRAL POINT OF CONTACT  
Room 1425, LUNAR HOUSE  
40, WELLESLEY ROAD  
CROYDON  
CR9 2BY**

	<b>Claimant</b>	<b>Partner</b>
Title and last name	.....	.....
First name	.....	.....
Address	..... ..... ..... .....	..... ..... ..... .....
Postcode	.....	.....
NINO	.....	.....
Date of Birth	.....	.....
Home Office ref no	.....	.....

The above named person has told us that he/she has been granted refugee status. A claim for retrospective Housing Benefit/Council Tax Benefit has been made.

Would you please confirm the Home Office decision on the asylum application within 14 days.

Thank you

..... (Signature and position in LA)

Date .....

LA ref no .....

Address .....

.....

.....

.....

Tel no .....

*Send this form to:* Central Point of Contact, Room 1425, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

# DLHB/729b

## Notification of HO decision on asylum application

FOR HOME OFFICE USE

*(Address and claimant details to be completed by LA before issue)*

To ..... (contact name)      Home Office stamp  
Address .....  
.....  
.....  
.....  
..... (LA to complete before issue)

Re: Housing Benefit/Council Tax Benefit claimant

Title and last name .....  
First name .....  
Address .....  
.....  
.....  
Postcode .....  
NINO .....  
Date of Birth ..... / ..... / .....  
Home Office no .....

- The above named was granted refugee status on ..... (date).  
This decision was issued on ..... (date).
- The above named person has been refused refugee status.  
This decision was issued on ..... (date).
- The above named was granted ..... status on ..... (date).  
This decision was issued on ..... (date).
- Form DLHB/729 has already been received from ..... Local Authority.  
A copy is attached.

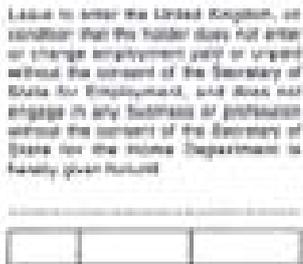
..... (Signature)      ..... (Date)  
..... (Print name)  
..... (Contact number)

## *Passport endorsements used by IND*

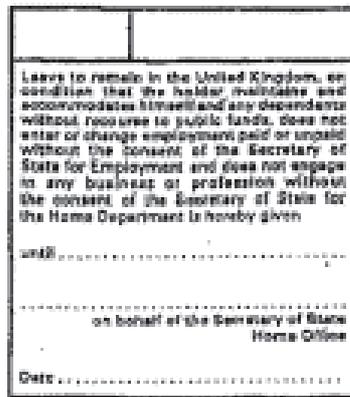
- 1 The IND, which is part of the Home Office, covers the work of immigration control
  - at ports of entry, and
  - after PFAs have entered the UK
- 2 People who are in the UK illegally are dealt with by the Enforcement Directorate of the Immigration Service, which is part of IND.
- 3 The following pages consist of
  - a catalogue of all the passport endorsements, and
  - some examples of other IND stamps you may come across
- 4 It is useful to be able to recognise the endorsements and to be aware of the immigration conditions which they impose. For this reason, all of the endorsements and their uses are explained.
- 5 The stamps endorsed by an Immigration Office or the Home Office show
  - how long the passport holder is allowed to stay
  - the period of leave, and
  - whether or not they are allowed to take up employment
- 6 The period of permitted stay can be expressed in days, months and years, or may be to a specified date.
- 7 Employment may be
  - completely prohibited
  - permitted only by a specific employer, or
  - subject to approval by the Department for Education and employment
- 8 You will need to get confirmation of the person's current status if their passport shows
  - they are working
    - when prohibited to do so
    - for an employer other than the one specified
    - without the consent of the DfEE, when this is required, or
  - no stamp by an immigration Officer or the Home Office

### *On entry and after entry endorsements*

- 9 Endorsements can be placed in a travel document by the
  - immigration Officer at the port of entry, and
  - caseworking officer at the Home Office
  
- 10 Endorsements by caseworking officers may extend or vary that original leave granted by the Immigration Officer. These later endorsements differ in appearance from those granted by the Immigration Officer, in that they are always enclosed in a box as the example below shows. When leave to remain is given at the Home Office, a reference number relating to the applicant's Home Office file should be written on the last page of the travel document.



**Code Two - Port of Entry**



**Code Two - Home Office**

### *IND endorsements*

- 11 Leave to enter the UK is granted in the form of wet ink stamps which are placed in the passport or travel document. These stamps are known as **codes**. There are seven codes. With effect from 8 November 1996, these endorsements include a reference that the holder maintains and accommodates themselves and any dependants without recourse to public funds. The stamps used are shown on the following pages. The old stamps are on the left, the stamps used on or after 8 November on the right.

**Code one**

12 This endorsement restricts the amount of time the holder may remain in the UK, but it does not place any restriction on employment. The holder of this endorsement is free to take employment in the UK. It is generally granted to dependants of persons with limited leave to enter. The spouse of a UK resident will also attract this endorsement, as will a person with UK ancestry.

Leave to enter the United Kingdom is hereby given for (and)

--	--	--

**Old**

Leave to enter the United Kingdom on condition that the holder maintains and accommodates himself and any dependants without recourse to public funds is hereby given for (and)

--	--

**New**

**Code two**

13 Code two again restricts time. Employment is allowed but only with the permission of the Secretary of State for Employment. This endorsement is therefore given to work permit holders - the work permit is the required permission. This endorsement is also given to students. If a student wants to take employment during their temporary residence in the UK, the need to seek permission from the Home Office.

Leave to enter the United Kingdom, on condition that the holder does not enter or change employment paid or unpaid without the consent of the Secretary of State for Employment, and does not engage in any business or profession without the consent of the Secretary of State for the Home Department is hereby given for (and)

--	--	--

**Old**

Leave to enter the United Kingdom on condition that the holder maintains and accommodates himself and any dependants without recourse to public funds and does not enter or change employment paid or unpaid without the consent of the Secretary of State for Employment and does not engage in business or profession without the consent of the Secretary of State for the Home Department is hereby given for (and)

--	--

**New**

**Code three**

14 Code three again restricts time. The permit holder is prohibited from taking employment. It may be given to

- visitors
- visitors in transit
- retired persons of independent means, or
- fiance/es of UK residents

**(Code three continued)**

Leave to enter the United Kingdom, on condition that the holder does not enter employment paid or unpaid and does not engage in any business or profession, is hereby given for until

--	--	--

**Old**

Leave to enter the United Kingdom on condition that the holder maintains and accedes to the terms of any conditions which may be attached to public funds. They do not enter employment paid or unpaid and does not engage in any business or profession, is hereby given for until

--	--

**New**

**Code four**

- 15 Code four again restricts time. The holder is allowed to take employment but only that which is specified in the endorsement. It may be given to au pairs, agricultural workers, etc.

Leave to enter the United Kingdom, on condition that the holder does not enter employment paid or unpaid other than with

and does not engage in any business or profession without the consent of the Secretary of State for the Home Department is hereby given for until

--	--	--

**Old**

Leave to enter the United Kingdom on condition that the holder maintains and accedes to the terms of any conditions which may be attached to public funds. They do not enter employment paid or unpaid other than with

and does not engage in any business or profession without the consent of the Secretary of State for the Home Department is hereby given for until

--	--

**New**

**Code 5N**

- 16 This endorsement is very common. It restricts the amount of time the holder may remain in the UK to six months and prohibits employment. It may be given to visitors, business visitors and people here for medical treatment.



**Old**



**New**

**Code 6**

17 This code is used for granting temporary shore leave to ships' crews.

Leave to enter the United Kingdom is hereby given for the period during which the ship in which the holder arrived remains in the United Kingdom

Leave to enter the United Kingdom on condition that the holder maintains and accommodates himself and any dependants without recourse to public funds is hereby given for the period during which the ship in which the holder arrived remains in the United Kingdom

**Old**

**New**

**Code 7**

18 This endorsement is used to allow contract seamen to join their ship in the UK. The holder is required to leave with the ship.

Given leave to enter the United Kingdom as a seaman under contract to join the ship at and accordingly required to leave the United Kingdom in that ship.

Given leave to enter the United Kingdom as a seaman under contract to join the ship at and accordingly required to leave the United Kingdom in that ship. The holder is required to maintain and accommodate himself and any dependants without recourse to public funds.

**Old**

**New**

**Seaman repatriation**

Given leave to enter the United Kingdom but required to leave within days in accordance with arrangements for repatriation made by the owner/agents of the vessel for which the holder is being discharged. The holder is required to maintain and accommodate himself and any dependants without recourse to public funds.

**Seaman hospital**

Given leave to enter the United Kingdom in order to receive hospital treatment and required on his discharge therefrom or within days thereafter to leave the United Kingdom in accordance with arrangements for his repatriation made by the owner/agents of the vessel from which he was discharged. The holder is required to maintain and accommodate himself and any dependants without recourse to public funds.

**Seaman variation**

The holder's leave to enter the United Kingdom is hereby varied so as to expire on ..... The holder is required to maintain and accommodate himself and any dependants without recourse to public funds and to leave the United Kingdom in accordance with the arrangements for his repatriation made by the owner/agents of the vessel from which he was discharged ..... on behalf of the Secretary of State, Home Office

### Annex C: Appendix 16

19 In addition, to these seven codes, there are further endorsements which you may come across.

20 This is the Immigration Officer's date stamp. It shows the

- Immigration Officer's identifying number
- date, and
- port of entry



21 The date stamp is an authenticating stamp used in conjunction with all code endorsements, with the exception of code 5N. It forms an integral part of the code 5N endorsement. If used alone, it signifies that the holder is resident in the UK or is exempt from control.

22 This is the Immigration Officer's embarkation stamp. It shows the

- Immigration Officer's identifying number
- date, and
- port of embarkation

23 The embarkation stamp is used to show the date of departure of all persons except those granted code 5N when the embarkation stamp is discretionary.



24 With effect from 14 April 1998, Immigration Officers will not, as a matter of course, endorse the passports of departing passengers.

25 This is known as the 3(3)(b) stamp. When someone has been granted permission to enter the UK on codes one to four for more than six months, the Immigration Officer can grant re-entry with this stamp and the authenticating date stamp. It allows the person to resume that previous stay with the Immigration Officer having to re-endorse the passport with the original conditions.

**Given leave to enter to complete previous leave Section 3(3)(b)**

26 The 3(3)(b) stamp can only be used when there is more than two months leave to enter or remain outstanding.

***Endorsements which grant indefinite leave to enter/remain***

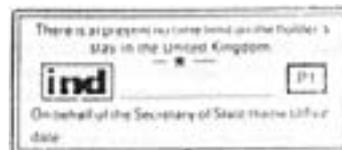
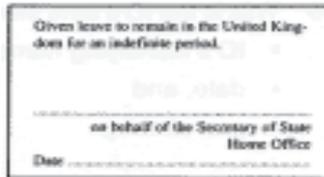
27 There are various endorsements which grant the holder permission to enter or remain in the UK indefinitely. Such an endorsement is granted to persons who are settled in the UK.

28 This is the Immigration Officer's endorsement granting indefinite leave to enter the UK. It will be accompanied by the authenticating date stamp. Once this has been endorsed by a passport or travel documents, subsequent arrivals may be recorded only with an Immigration Officer's arrival stamp.

Given leave to enter the United Kingdom for an indefinite period

29 A person granted indefinite leave to remain in the UK should have one of the following endorsements in their passport at the time the leave was granted. The endorsement may be found in a previous passport or travel document.

30 This Home Office endorsement was used in the past to grant indefinite leave to remain. It has been succeeded by the vignette shown below.



Annex C: Appendix 16

- 31 The Police Registration requirement is imposed on non-Commonwealth citizens who are over age 16 and who will be remaining in the UK for more than six months. Those who intend to work in the UK must register if they will remain for more than three months.
- This holder is also required to register at once with the police

***Leave to remain stamps***

- 32 The codes used by IND caseworkers are used in the same circumstances as the Immigration Officer stamps at ports of entry. However, the following stamps grant leave to remain extensions of stay.
- 33 All codes are authenticated by a date stamp showing the caseworker's identification number.

***Code 1***



Leave to remain in the United Kingdom is hereby given.		
Name: _____		
on behalf of the Secretary of State Home Office		
Date: _____		

Leave to remain in the United Kingdom, on condition that the holder does not enter or change employment paid or unpaid without the consent of the Secretary of State for Employment and does not engage in any business or profession without the consent of the Secretary of State for the Home Department is hereby given.		
Name: _____		
on behalf of the Secretary of State Home Office		
Date: _____		

(33) Code 1A continued

There is no old version

New

Code 2

Old

New

Code 3

Old

New

C4 - People from abroad

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Annex C: Appendix 16

(33)

Leave to enter the United Kingdom, on condition that the holder does not enter employment paid or unpaid and does not engage in any business or profession, is hereby given for

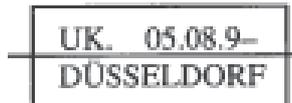
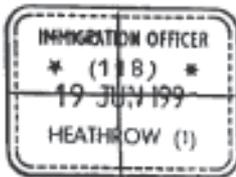
SIX (6) MONTHS

VW	198	384
----	-----	-----

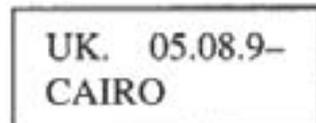
“(Served with form APP104 at Becket House on 19 June 199-”



“(Served with form IS151A at Becket House on 19 June 199-”



A473521



## *Identifying evacuees from Montserrat*

34 The Government introduced a voluntary evacuation programme because of the volcanic eruptions on the island of Montserrat. Some of the evacuees came to the UK. Citizens of Montserrat who travelled to this country because of volcanic activity in Montserrat were given limited leave exceptionally, outside the immigration rules, for two years. Their passport should show

**Leave to enter the United Kingdom  
is hereby given for/until**

---

Date

35 This stamp is commonly referred to as ELTR. These people are not classed as PFAs.

36 All evacuees were subject to the normal conditions of entitlement for benefit, but evacuees who left Montserrat after 1 November 1995 because of the volcanic eruption will always satisfy the Habitual Residence Test, and will not be a PFA because of their immigration status. Their passports should be stamped **Leave to enter the United Kingdom** and dated.

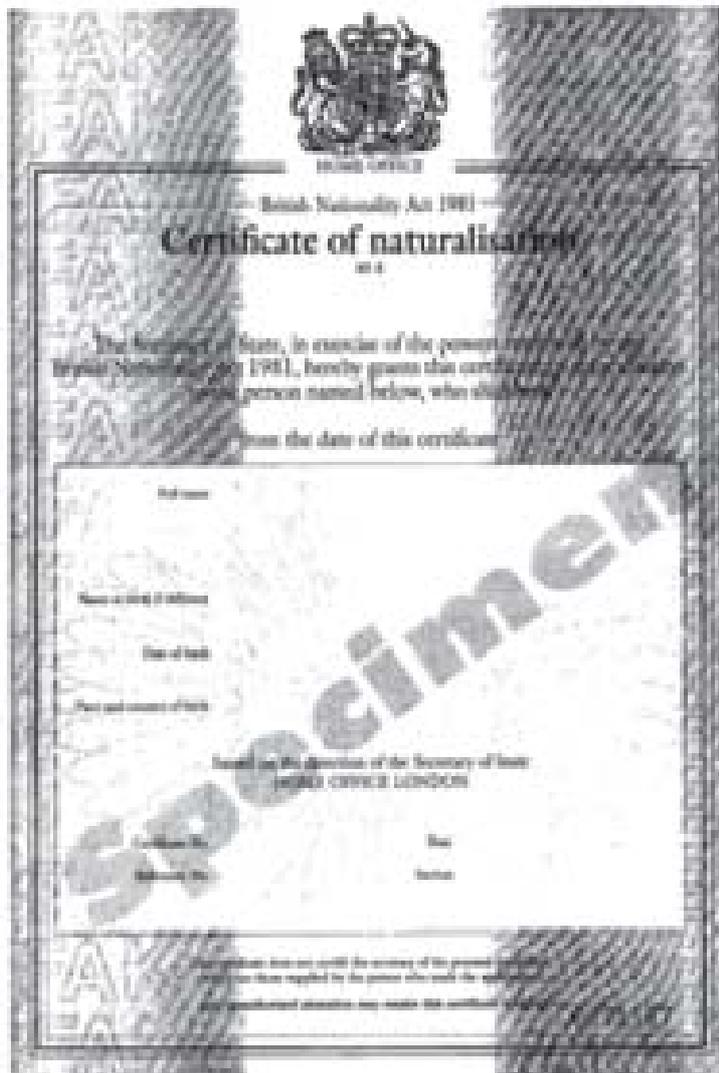
37 From 28 August 1996, the claimant and any member of the family were not to be treated as PFAs if the evidence shows that they left

- Montserrat after 1 November 1995, and
- because of the volcanic eruption on the island

38 On 21 May 1998 the Home Office announced that Montserratian evacuees in the UK will be allowed to remain here indefinitely if they want to.

### *Certificate of naturalisation*

- 39 The Certificate of naturalisation is A4 size. Check the certificate describes the person as a British citizen.
- 40 Certain security features are included in certificates issued more recently to prevent unauthorised copies being made. If you have seen the original certificate, ignore any wording on the photocopy of the certificate.



## *Certificate of registration*

The Certificate of registration is A4 size. Check the certificate describes the person as a British citizen.

- 41 Certain security features are included in certificates issued more recently to prevent unauthorised copies being made. If you have seen the original certificate, ignore any wording on the photocopy of the certificate.

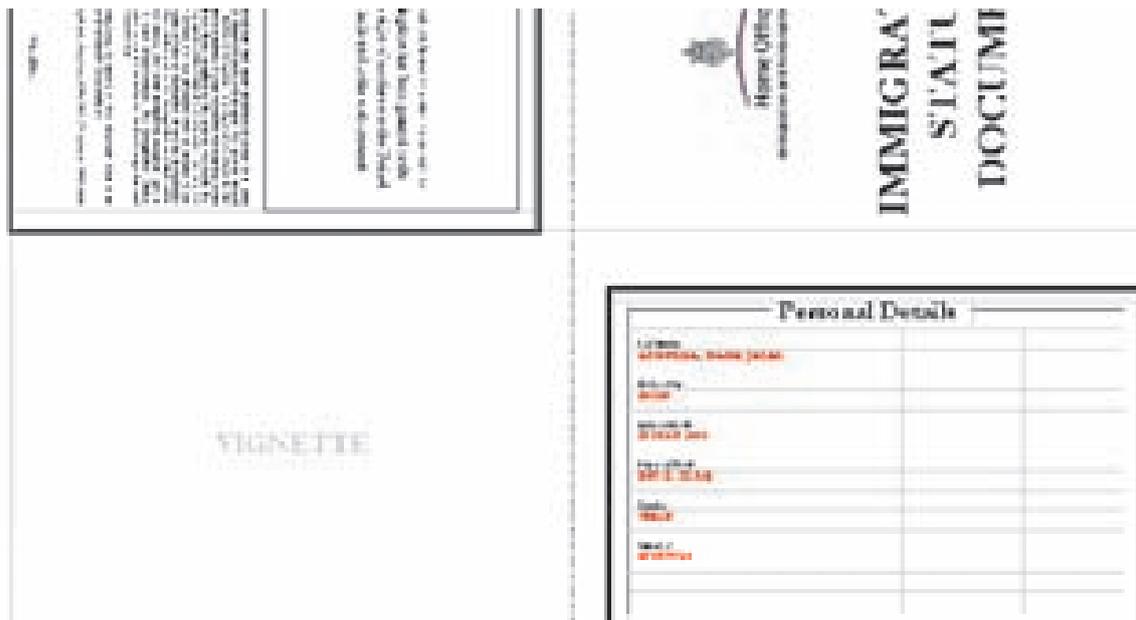


42-99

# ***Immigration Status Document (ISD) (ASL. 2150)***

## ***Immigration Status Document for Grant of Leave Outside the Rules***

- 1 If, during the Case Resolution exercise, leave is granted outside the rules (IJC/paragraph 395C/ Long residency), the ISD (ASL.2150) is manually amended.
- 2 *'This leave has been granted exceptionally, outside the Immigration Rules'* will be typed under 'Case ID' - see below.



***Grant letter:  
Indefinite Leave to Enter/Remain granted  
exceptionally outside the immigration rules***



Case Resolution Directorate (CRD)

Block C, Whitgift Centre

Croydon

CR9 2AT

Web: [www.bia.homeoffice.gov.uk](http://www.bia.homeoffice.gov.uk)

Our Ref

Your Ref

Date

Dear Title Surname

**GRANT OF INDEFINITE LEAVE TO ENTER/REMAIN**

Your/ Your client's case has been reviewed. Having fully considered the information you have/ your client has provided, and because of the individual circumstances of your/ your client's case, it has been decided to grant you/your client indefinite leave to remain in the United Kingdom. This leave has been granted exceptionally, outside the Immigration Rules. This is due to your/your client's *include and explain all the factors that relate to the specific circumstances of the case, taken from the consideration section of the proforma e.g.* strength of connections in the United Kingdom, length of residence in the United Kingdom and/or compassionate circumstances.

**Where there are dependants**

Your/ Your client's dependant/s listed below have been granted leave in line.

Detail all dependants here

Full Name	Date of Birth	Nationality
-----------	---------------	-------------

This means that you are /you and your dependant/s are/your client is/your client and their dependant/s are free to stay in this country permanently.

This letter in itself confers no leave to remain in the United Kingdom and does not constitute proof of your status

### Annex C: Appendix 18

Please find enclosed the Immigration Status Document/ Passport for you/ you and your dependant/s/ your client/ your client and their dependant/s. This has been endorsed with indefinite leave to enter/remain in the United Kingdom. It is this endorsement that constitutes proof of your /your client's immigration status in the United Kingdom.

#### **Option 1**

On reviewing your/your client's case it is noted that you/ they have an outstanding asylum/other insert details claim. Unless you contact us within the next 14 calendar days we will assume you wish/ your client wishes to withdraw the outstanding claim.

#### **ENTITLEMENTS**

You are/Your client is permitted to work and do/does not need the permission of any Government Department before doing so. If you/your client does not already have a National Insurance number, you/ he/she must contact the Department for Work and Pensions in order to apply for one.

#### **Option for family cases only**

A National Insurance number (NINO) application form (Form CA5407 / BIA (1)) has been included with this pack. You /Your client needs to complete this (as does any partner and any dependant children aged 16 or over) and return the form(s) in the Business Reply envelope(s) supplied, as quickly as possible. You/Your client should receive a NINO within 7 days of receipt. If required, you/your client should then make any claim to benefits without delay. The enclosed leaflet on Jobcentre Plus Services offers more advice.

#### **Option for all other cases**

Information may be obtained by telephoning 0845 600 0643 between 8.00am and 6.00pm, Monday to Friday. You/Your client will be required to attend an interview in order to verify your/their identity and that you/they have permission to work. You/They will need to bring this letter and Immigration Status Document/ Passport with you/ them to the interview.

#### **Use in all cases**

You are/ Your client is free to use the National Health Service and the social services, and other services provided by local authorities as you need/your client needs them.

Delete POLICE REGISTRATION paragraph if not applicable

#### **POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

**TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless you have been absent from the United Kingdom for a continuous period of more than two years. Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be revoked.

**DEPENDANTS**

If you are the principal sponsor and you are married and/or have children under the age of 18 who are outside the UK the normal requirements of the Immigration Rules regarding support and accommodation would have to be satisfied to entitle them to join you in the United Kingdom. If your spouse and minor children wish to apply to join you, they will need to approach a British Embassy, High Commission or Consulate abroad to make an application for entry clearance to the United Kingdom. Dependants are required to make their application before travelling to the United Kingdom.

**CAUTION**

You should understand, however, that you may not be allowed to remain in the United Kingdom if, during your stay, you take part in any criminal activities or activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order. You may also not be allowed to remain in the United Kingdom if it is decided for some other reason that your presence here is not conducive to the public good.

Yours sincerely

Name of caseworker

Case Resolution Directorate

acting on behalf of the Secretary of State

Encl:

## *Original Grant Letter: Indefinite Leave to enter/remain*



Case Resolution Directorate  
Block C, Whitgift Centre  
Croydon  
CR9 2AT  
Web: [www.bia.homeoffice.gov](http://www.bia.homeoffice.gov).

Our Ref  
Your Ref  
Date

Dear Title Surname

### GRANT OF INDEFINITE LEAVE TO ENTER/REMAIN

Your/Your client's case has been reviewed. Having fully considered the information you have/your client has provided, and because of the individual circumstances of your/your client's case, it has been decided to grant you/your client indefinite leave to remain in the United Kingdom outside of the Immigration Rules. This is due to your/your client's *include and explain all the factors that relate to the specific circumstances of the case, taken from the consideration section of the proforma e.g.* strength of connections in the United Kingdom, length of residence in the United Kingdom and/or compassionate circumstances.

### Where there are dependants

Your/Your client's dependant/s listed below have been granted leave in line.

### Detail all dependants here

Full Name	Date of Birth	Nationality
-----------	---------------	-------------

This means that you are/you and your dependant/s are/your client is/your client and their dependant/s are free to stay in this country permanently.

This letter in itself confers no leave to remain in the United Kingdom and does not constitute proof of your status

Please find enclosed the Immigration Status Document/ Passport for you/you and your dependant/s/your client/your client and their dependant/s. This has been endorsed with indefinite leave to enter/remain in the United Kingdom. It is this endorsement that constitutes proof of your /your client's immigration status in the United Kingdom.

#### **Option 1**

On reviewing your/your client's case it is noted that you/they have an outstanding asylum/other insert details claim. Unless you contact us within the next 14 calendar days we will assume you/your client wish to withdraw the outstanding claim.

#### **ENTITLEMENTS**

You are/Your client is permitted to work and do/does not need the permission of any Government Department before doing so. If you/your client does not already have a National Insurance number, you/he/she must contact the Department for Work and Pensions in order to apply for one.

You are free to use the National Health Service and the social services, and other services provided by local authorities as you need them.

#### **Option for family cases only**

A National Insurance number (NINO) application form (Form CA5407 / BIA (1)) has been included with this pack. You/Your client needs to complete this (as does any partner and any dependant children aged 16 or over) and return the form(s) in the Business Reply envelope(s) supplied, as quickly as possible. You/Your client should receive a NINO within 7 days of receipt. If required, you/your client should then make any claim to benefits without delay. The enclosed leaflet on Jobcentre Plus Services offers more advice.

Delete POLICE REGISTRATION paragraph if not applicable

#### **POLICE REGISTRATION**

You no longer need to report changes of address or other details to the police. Please find enclosed your police registration certificate endorsed to show that you no longer need to register.

#### **TRAVEL ABROAD**

You may travel out of the Common Travel Area any number of times during the validity of the leave you have been granted. The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland. On your return, you will be re-admitted to the United Kingdom without having to obtain fresh leave to enter unless you have been absent from the United Kingdom for a continuous period of more than two years. Nevertheless, an investigation into your circumstances may be carried out upon your return to the United Kingdom, in order to determine whether or not the leave you have been granted should be revoked.

#### **DEPENDANTS**

If you are the principal sponsor and you are married and/or have children under the age of 18 who are outside the UK the normal requirements of the Immigration Rules regarding support and accommodation would have to be satisfied to entitle them to join you in the United Kingdom. If your spouse and minor children wish to apply to join you, they will need to approach a British Embassy, High Commission or Consulate abroad to make an application for entry clearance to the United Kingdom. Dependants are required to make their application before travelling to the United Kingdom.

**CAUTION**

You should understand, however, that you may not be allowed to remain in the United Kingdom if, during your stay, you take part in any criminal activities or activities such as support for or encouragement of terrorist organisations, or you otherwise endanger national security or public order. You may also not be allowed to remain in the United Kingdom if it is decided for some other reason that your presence here is not conducive to the public good.

Yours sincerely

Name of caseworker

Case Resolution Directorate  
acting on behalf of the Secretary of State

Encl:

## *Explanatory letter for asylum seekers given ILE/R in the case resolution exercise*



Border & Immigration Agency

Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY

Telephone Fax On Request

Mrs. XXXXXX

Our Ref XXXXXXXX

Your Ref

Case ID

Date 08 October 2007

Dear Mrs XXXX

Re: Mrs XXXXXX      Nationality      DOB      UKRP.....

Dependants:

Dep 1      Nationality      DOB      UKRP.....

Dep 2      Nationality      DOB      UKRP.....

Dep 3      Nationality      DOB      UKRP.....

### **Important Information - Addendum**

If you intend to access mainstream benefits, you will need to take this document with you when you attend your Jobcentre Plus interview. It confirms that the indefinite leave to remain you have been granted has been done so exceptionally, outside the Immigration Rules.

Yours sincerely,

Encs: n/a

# *Original ISD: Indefinite Leave to enter/ remain*

## *Immigration Status Document*



## *Supplementary note to the original ISD*



Casework Resolution Directorate (CRD)

Lunar House

40 Wellesley Road

Croydon

CR9 2BY

**Web:** [www.bia.homeoffice.gov.uk](http://www.bia.homeoffice.gov.uk)

[Name and address of main applicant]

[List of name and vignette number of main applicant and all dependents]

### **Important Information - Addendum**

**This confirms that the indefinite leave to remain that has been granted has been done so exceptionally, outside the Immigration Rules.**

# *Kosovan Evacuees*

## *Introduction*

- 1 In 1999 the military situation in Kosovo resulted in the displacement of a large number of mainly ethnic Albanians (Yugoslav citizens) from their homes in the region. The Government of the United Kingdom (UK) responded to requests from the United Nations High Commissioner for Refugees to admit temporarily vulnerable displaced persons in need of protection.
- 2 The contingency plans for these evacuees involved arrival at selected UK airports, followed by temporary placement for orientation in reception centres. The centres were organised on behalf of the Home Office and staffed by the Refugee Council, who provided immediate support for a short time. This was followed by dispersal to vacant accommodation around the United Kingdom. The Refugee Council liaised closely with Local Authorities (LAs), through the Local Government Association.

## *Immigration status*

- 3 The arrivals were classed as **evacuees** and were distinguished from those Kosovans who were already here and seeking asylum in the United Kingdom. On entry to the United Kingdom the Kosovan evacuees were granted exceptional leave by the Home Office to enter the country for an initial period of one year.
- 4 Kosovans who sought asylum prior to the recent crisis and who were awaiting a decision from the Home Office were in some cases also granted exceptional leave to remain.
- 5 Exceptional leave to enter or remain is granted to people when it is considered that they should be allowed to enter or remain in the United Kingdom on humanitarian grounds.

## *Eligibility and claims for HB and CTB*

- 6 Kosovan evacuees given exceptional leave to enter or remain are not considered PFAs until the period of leave expires. This status exempts them from the Habitual Residence Test. They are therefore eligible for Housing Benefit (HB), Council Tax Benefit, (CTB), Income Support (IS) and income-based Jobseeker's Allowance (JSA(IB)).
- 7 Most evacuees will apply for one or more of these benefits. They are still required to satisfy all the other usual eligibility conditions before benefits can be paid. National Insurance Numbers (NINOs) are issued following interview in the normal way by the Department for Work and Pensions (DWP), although the interview may take place at a reception centre rather than a local DWP office.

### Annex D

- 8 Many Kosovans will have had their normal identity documents taken from them before leaving Kosovo. Like any other benefit claimants, Kosovan evacuees are required to confirm or establish their identity before a payment of benefit can be made. They will also require Home Office documentation of their immigration status.
- 9 The Immigration and Nationality Directorate (IND) issued a standard letter to Kosovan evacuees admitted via the arrangements described above. The letter was issued in respect of all members of a family group and will include photographs and personal details. This letter, printed on security paper and with the form number **IS KOS EX** in the top right hand corner, is acceptable on its own as proof of identity within the Verification Framework. A specimen is shown as an Appendix to this Annex.
- 10 The IND normally issues form SAL1 to those who apply for asylum at the port of entry, and form SAL2 to in-country applicants. Kosovans who sought asylum prior to the conflict in Kosovo may be expected to possess either SAL1 or SAL2, until their asylum applications are decided by the Home Office. They should be treated under the normal asylum seeker rules.

11-19

### *Recording HB and CTB claims*

- 20 There was no requirement to notify the Home Office of any claims for benefit made by Kosovan evacuees.

### *Extension of Exceptional Leave to Remain*

- 21 Kosovans who apply to have their Exceptional Leave to Remain extended before their current leave expires, will continue to be treated by the Home Office as having Exceptional Leave to Remain under the Variation of Leave Order (VOLO).
- 22 The Home Office advises that in the case of a Kosovan who applies to have that leave extended but receives a negative decision, there is a period of 28 days from the date of the negative decision in which they will still be treated as being covered by the VOLO. This means they will still have Exceptional Leave to Remain. After the 28-day period, regardless of whether the Kosovan appeals against the negative decision, they will not have a valid period of leave and is therefore in the UK without leave to remain.
- 23 Under Section 115 (9) (a) of the Immigration and Asylum Act 1999, after the 28-day period following a negative decision, a Kosovan evacuee will not be entitled to any social security benefits, including HB and CTB. This is because they are a person subject to immigration control who required leave to enter or remain in the UK but no longer has it.

## Immigration and Nationality Directorate



**Reference**

**Date of Arrival:**

**IMG Reference**

At the request of the United Nations High Commissioner for Refugees you have been granted Temporary Refuge in the United Kingdom.

You are hereby granted exceptional leave to enter until \_\_\_\_\_.

You have not been considered for refugee status in the United Kingdom under the terms of the 1951 United Nations Convention relating to the Status of Refugees, and your current leave to enter does not entitle you to permanent settlement in the United Kingdom. You will eventually be expected to return to the Federal Republic of Yugoslavia when the Government of the United Kingdom, in consultation with the United Nations High Commissioner for Refugees, decides that it is safe for you to return.

### EMPLOYMENT

You do not need the permission of the Department for Education & Employment or the Home Office before taking a job. The Employment Service can help you find a job or train for work – any job centre will be able to help you and you can apply for a place on a Government sponsored training scheme if you meet the normal conditions for these schemes. You are free to set up in business or any professional activity within the general regulations that apply to that business or profession.

If you want to live or work in the Isle of Man or one of the Channel Islands you must first ask the Island's immigration authorities.

### HEALTH AND SOCIAL SERVICES

You are free to use the National Health Service, the social services and other help provided by the local authorities as you need them. You will be able to get social security benefits (including income support) if you meet the conditions of entitlement. If you need any of these services, take this letter with you and show it if there is any question about your entitlement to the service. Your local Social Security Office will give you advice on social security benefits. The British Refugee Council, Bondway House, 3-9 Bond Way, London SW8 1 SJ, telephone:- 0171 582 6922 can advise you on other welfare services, and your local Citizens Advice Bureau will help you with general questions.

### TRAVEL ABROAD

You should be aware that, if you travel abroad, the leave you are now being granted will lapse. Any application to return will be considered as an application for fresh leave to enter.

You should keep your present passport valid. If, however, your national authorities will not renew or replace your passport, or you can show it would be unreasonable to expect you to approach your Embassy or Consulate here, you can apply for a Home Office travel document from the Travel Document Section (telephone 0870 241 0645) at the Integrated Casework Directorate, Block C, Whitgift Centre, Croydon, CR9 1AT.

Annex D

**CONDITIONS OF LEAVE TO ENTER**

You should fully understand that if, during your stay in the United Kingdom, you take part in activities involving, for example, the support or encouragement of violence, or conspiracy to cause violence, whether in the United Kingdom or abroad, the Secretary of State may curtail your stay or deport you.

<b>Name:</b> <b>D.O.B.:</b> <b>P.O.B.:</b>

**On behalf of the Secretary of State**

## *Obtaining information from another Local Authority*

- 1 A refugee who has made a claim for a retrospective award of benefit may have lived in one or more local authority (LA) areas during the course of their asylum application.
- 2 In these cases, the present LA may wish to gather information from the other authorities in order to determine the HB/CTB entitlement for the whole of the relevant period.
- 3 The following form has been designed by an LA that deals with a large number of refugee claims. Other LAs may wish to adopt it for their own use.

4-99

Annex E

***REFUGEES - RETROSPECTIVE HB/CTB CLAIM***

FOR DETERMINING LOCAL AUTHORITY USE

Our LA re no .....

Your LA re no .....

Tel no .....

To .....

Address .....

.....

.....

..... (insert name and address of receiving LA)

**Claimant**

**Partner**

Title and last name .....

First name .....

NINO .....

Date of birth .....

Addresses *(current area)* *(previous area)*

.....

.....

.....

.....

The above named has been granted refugee status. He/she has made a claim for a retrospective award of Housing Benefit\*/Council Tax Benefit\* (Circ A33/96 refers).

The claimant has said that he/she lived in your area at the above address during the relevant period. The relevant period runs from .... / ..... / ..... to ... / ..... / .. The claimant has said that he/she occupied ..... property, paying rent of £ ..... per ..... *(Determining LA to complete details of property occupied in receiving LA's area)*

**I need information about this period in order to determine the claim for a retrospective award. Would you please let me have the information listed overleaf within 14 days.**

Thank you for your help.

..... (Signature and position in LA) Date ..... / ..... / .....

Address .....

.....

.....

\* delete as appropriate

***REFUGEES - RETROSPECTIVE HB/CTB CLAIM***

FOR RECEIVING LOCAL AUTHORITY USE

Your LA re no .....

Our LA re no .....

To .....

Address .....

.....

.....

.....

..... (insert name and address of receiving LA)

	<b>Claimant</b>	<b>Partner</b>
Title and last name	.....	.....
First name	.....	.....
NINO	.....	.....
Date of birth	.....	.....

IF A CLAIM FOR HB/CTB HAS BEEN MADE:

Address (if different from that quoted by determining LA)

.....

.....

.....

.....

The above named made a claim for Housing Benefit\*/Council Tax Benefit\* in respect of the period  
 ..... / ..... / ..... to ..... / ..... / ..... Details of the claim are as follows:

	<b>HB</b>	<b>CTB</b>
<b>Eligible rent</b>	.....	.....
<b>Non dep deductions</b>	.....	.....
<b>Income after disregards</b>	.....	.....
<b>Applicable amount</b>	.....	.....
<b>Entitlement</b>	.....	.....
<b>Period paid</b>	.....	.....

IF NO CLAIM FOR HB/CTB HAS BEEN MADE:

- The rent quoted for the property in this area is reasonable/unreasonable\*. A reasonable rent figure at the date in question would have been £ ..... \*
- The claimant was/was not\* billed for Council Tax in this period. The CT Account No is.....
- HB/CTB was/was not\* paid in respect of this address during the alleged period of residence. The claimant's name was ..... \*

..... (Signature and position in LA) Date ..... / ..... / .....

Address .....

.....

.....

\* delete as appropriate

---

## *Worker Registration Scheme*

### *Who Has to Register?*

- 1 From 1 May 2004 the following groups of A8 Nationals will be required to register under the new scheme if they find work
- anyone who starts work on or after 1 May 2004
  - anyone who has been working illegally prior to 1 May 2004 who wants to regularise their position
  - anyone who has been working legally in their current jobs for less than 12 months on 1 May 2004 and who changes jobs before they complete 12 months
  - A8 worker's dependants who find work
  - students who wish to have worker status
  - people who are working part-time
  - people who are registered with employment agencies or labour providers for temporary or short-term employment

**Note:** They will be required to register **each time** they start a new job. The person who pays them will be the employer, which may not be the employment agency or labour provider.

### *Exemptions*

- 2 The following people will **not** be required to register under the scheme
- anyone who is working legally in the UK on 1 May 2004, including those who have been working less than 12 months who do **not** change their jobs after 1 May 2004
  - anyone who is already working here on a work permit or other scheme or who has no restrictions on working in the UK, ie Code 1 entry code on their passport
  - people on the Highly Skilled Migrant Programme
  - self-employed people
  - people whose employer is not based in the UK
  - people employed by farmers under the Seasonal Agricultural Workers Scheme (SAWS) are not required to register until 31 December 2004
  - unmarried A8 partners or spouses of UK citizens during their probationary period
  - dependants of A8 Nationals currently subject to Code 1 conditions
  - dependants of work permit holders
  - postgraduate doctors and dentists in the UK for training
  - spouses and dependants of students

### *How will it work?*

- 3 The scheme will be operated by The Worker Registration Team. Workers can obtain an application form via the internet by accessing the 'Working in the UK' website: [www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk) or by telephoning The Worker Registration Team.
- 4 Completed application forms are submitted by post together with the following
  - a copy of a letter confirming employment from the employer
  - two photographs
  - a valid passport or ID card
  - payment of £50, for the first application only
- 5 A case worker
  - performs an identity check to confirm the person applying is the person named on the documents provided and they are an A8 National
  - checks
    - the evidence of employment has been provided
    - they are a worker by taking into account the
      - ~ number of hours worked
      - ~ wage paid
- 6 In return The Worker Registration Team issue the worker with a secure Worker Registration Card and a Worker Registration Certificate, printed on secure paper, which confirms they are working legally. They also receive an advice leaflet with information about worker's rights under UK law. A copy of the Worker Registration Certificate will be sent to the employer.

### *Worker Registration Card*

- 7 This will be issued the first time the worker applies to register on the Worker Registration Scheme. It is valid for as long as they are required to be a registered worker. It contains the following information
  - name
  - date of birth
  - nationality
  - unique identification number
  - a photograph

## *Worker Registration Certificate*

8 This will be issued each time the worker changes employment and re-registers on the scheme. It is only valid for a specific employer and expires as soon as they stop working for that employer. The certificate will contain the following information

- name
- unique identification number as shown on the Worker Registration Card
- name and address (head or main office) of employer
- job title
- start date of employment
- date of issue

***Example of a Worker Registration Scheme Card***

Mr JOE BLOGGS 27 ANY STREET ANYTOWN ANY COUNTY	DATE : REFERENCE : (Unique ref no) WORK CARD No. : TELEPHONE :
---	---

**Worker Registration Scheme**

This document comprises your Worker Registration Card and the relevant information supporting its issue. If you have any queries about the Worker Registration Card or the content of this document, please contact Work Permits (UK) on the telephone number above.

Yours sincerely,

Work Permits (UK)

**Worker Registration Scheme Card**

SURNAME :		
FORENAME :		ISSUE DATE:
DATE OF BIRTH :		
NATIONALITY :		
REFERENCE No. :		PHOTO

This Worker Registration Card should be retained as evidence of your registration with the Worker Registration Scheme.

Annex F

## *Example of a Worker Registration Certificate*

Joe Bloggs  
27 Any Street  
Any Town  
Any County  
AT1 2AC

Telephone: 0114 259 xxxx

Facsimile: 0114 259 xxxx

Date of Issue: 02/05/04

Dear

### WORKER REGISTRATION SCHEME

This is your Worker Registration Certificate. It authorises you to work for the employer specified in this certificate and confers right to reside in the United Kingdom under the Immigration (European Economic Area) Regulations 2000.

This certificate expires on the date you cease working for the specified employer.

This certificate ceases to be valid if you are no longer working for the employer specified in this certificate on the date on which it is issued.

This certificate should be retained with your Worker Registration Card and is only valid on production with a Worker Registration Card containing the unique reference number specified below.

Name:

Date of Birth:

Nationality:

Unique Reference Number:

Employer's Name and address:

Address employed at:

Job title:

Job start date:

Yours sincerely

STAFF NAME

WRS Certificate