



If you wish to apply for a transfer of conditions on form TOC, please read these guidance notes and the separate UK Visas and Immigration photograph guidance before making your application.

CONTACTING US

OUR WEBSITE

www.gov.uk/government/organisations/uk-visas-and-immigration

For information about immigration law and policy, the services offered by our Premium Service Centres, to see and download application forms and related guidance, and to book an appointment to apply in person.

OUR PREMIUM SERVICE CENTRES

Our Premium Service Centres are for premium service applications only. For details of the services and facilities provided by each of the Premium Service Centres, please go to www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre

GUIDANCE NOTES

1. For Which Applications Must You Use Form Toc?

Form TOC must be used if you already have Permission to remain in the UK for a limited period as confirmed in a passport or other document issued to you, and

- you now want that status confirmed on a Biometric Residence Permit (BRP).
- you have changed your name, nationality, appearance, date of birth or your gender.

Limited leave to enter or remain means that there is a time limit on your permitted stay in the UK.

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

If you have Indefinite leave to remain in the UK and want that confirmed on a BRP, you must use form NTL.

2. Who May Apply On This Form?

You and your partner, and/or children under 18 if they are applying as your dependants. "Partner" means a spouse, civil partner, unmarried or same-sex partner.

Children aged 18 or over may not be included; they must each apply individually and pay the specified fee, as must any children under 18 if there is some reason preventing them from applying with you.

3. The Fee

If you do not pay the specified fee, the application will be invalid and will be returned to you.

We will not refund the fee if we refuse the application or if you withdraw it.

Applications can be made in person at a Premium Service Centre for a same day consideration of your application. There is an additional fee for this service and all fees will be taken when you book an appointment. You can only make on-line or in person payments by using one of our accepted credit or debit cards. For more details and to book an appointment please visit www.gov.uk/ukvi-premium-service-centres

Please note the following:

Please note that when making large or multiple payments using your credit card, the anti-fraud measures that banks operate sometimes stop the full payment being taken. This can happen for a number of reasons. To prevent this you may inform your bank of your intention to make large or multiple payments in advance so that your bank allows the full payment to be taken when you submit your application.

Please be aware that not all banks offer this service.

For information about methods of payment, please see the payment details guidance on page 2 of the form.

For more information about the current fees, please go to our website.

4. When To Apply

You and any dependants applying with you should apply early enough, as we will not be able to confirm you/their permission to be in the UK in another document issued to you (ie a Biometric Residence Permit - see part 1 of these notes) if your/their permitted stay has already run out.

To allow for any processing delays, you should apply at least 8 weeks before the end of your permitted stay in the UK.

If you apply too late and your permitted stay has run out by the time your application is processed, you will not have any permission to transfer. In that situation, please note that we will not refund the fee and you will need to apply for an extension of stay if you want to stay in the UK, for which you will have to pay the specified fee.

If you are within 8 weeks of the end of your permitted stay and want to remain in the UK for a further period, you should apply in the appropriate category.

If you do not intend to extend your stay in the UK, you should carry your old passport (if you still have it) and/or any letter from the Home Office with your permission to be here as evidence of your status.

5. Making Sure Your Application Is Valid

Paragraphs 34-34I of the Immigration Rules specify certain requirements with which an application on a form specified for the purpose of the Rules must comply. To make a valid application, you must:

- apply on the current version of form TOC
- pay the specified fee by one of the methods specified in the payment guidance
- provide photographs of yourself and any dependants who are applying with you as specified in the application form and which meet the mandatory format standards specified in the photograph guidance

- complete sections 1, 3 and 4 as required - and section 2 if any dependants are applying with you
- sign the declaration in section 7 as specified
- send the application by prepaid post to UK Border Agency or make it in person at a Premium Service Centre.

If you fail to do any of these things, your application will be invalid and we will return it to you.

6. Ensuring Your Application Is Complete

You do this by completing every relevant section of the form as required and providing all the documents specified for your particular application, including your passport and those of any dependants applying with you. If you do not do this, we reserve the right to decide your application on the basis of the information and documents provided.

It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

7. Completing The Form

Please use a black pen to complete the form; write names, addresses and similar details in capital letters.

In the payment details and other sections where you give personal details and addresses, leave an empty box between each part of the name and of the address.

Please note that we always use the personal details in an applicant's passport or travel document for official purposes, including any Residence Permit if the application is successful.

Take care to complete all sections as required, including the Personal History section. Follow the guidance on page 2 of the form when completing the payment details. Read the notes in various sections of the form.

As already emphasised in part 6 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

8. Photographs

For your application to be valid, it is mandatory to provide the following photographs:

- Two identical passport-size photographs of yourself with your full name written on the back of each one.
- Two identical passport-size photographs of any dependants applying with you with their full name written on the back of each one.

The photographs you provide must also comply with the mandatory format requirements specified in the separate UK Visas and Immigration photograph guidance. The application will be invalid if they do not.

Please ensure that you place the photographs in a small sealed envelope and attach it to section 1 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

The photographs will be checked against the images taken when your biometric features and those of any dependants applying are enrolled (ie recorded).

9. Documents

Documents provided with the application must be originals.

Copies of any kind are not acceptable unless there are valid reasons for not being able to provide the original document. In such circumstances, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary.

The reasons for not being able to provide the original document must be explained in a covering letter. We are unlikely to grant your application without the original document.

Any documents which are not in English must be accompanied by a reliable English translation.

Make sure passports or travel documents are signed.

10. Applying By Post - The Address

If you are applying by post, the address to which you must send an application on form TOC is:

Home Office

Leave to Remain - TOC

PO Box 502

Durham

DH99 1WG

Posting it to any other address will delay it. This address is only to be used when sending your application. Please use the address given in part 13 for any other correspondence about your application.

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough.

You will receive a letter of acknowledgement within a few days of your application being received unless there is a problem concerning the payment of the fee, in which case you will be contacted as soon as possible.

11. Applying In Person

We offer a premium service to people who apply in person at our Premium Service Centres. The premium rate which is available only for applications which are straightforward and do not require further enquiries.

Appointments. To apply in person, you must book an appointment in advance with one of the Premium Service Centres. You can do so online at www.gov.uk/ukvi-premium-service-centres

Please note that Residence Permits will be posted to successful applicants within 7 working days of your appointment; they cannot be issued on the day itself.

For the latest information about our Premium Service Centre opening times and services, please go to our website: www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre.

12. Decision Times

For the latest information on our service standards for deciding charged applications in the business year, please go to our website.

Applications which are not straightforward or which need further enquiries take longer to decide.

As we cannot tell in advance how long it will take to decide particular cases, our general advice to applicants is not to make any non-urgent travel arrangements until your passport(s) or travel document(s) are returned, followed by your Residence Permit(s) if your application is successful.

13. Contacting Us After You Have Applied

If you need to contact us after you have applied, please do so as follows.

To send us more information about your application, please use the following address (not the one to which you posted your application):

Home Office

Initial Consideration Unit - TOC

Lunar House

40 Wellesley Road

Croydon

CR9 2BY

Give the following details in your letter:

- the applicant's full name, date of birth and nationality
- any Recorded or Special Delivery number
- the date on which the application was posted or made in person
- the Home Office reference number if you have one.

If you need your passport because you have to travel urgently and unexpectedly, use the return of documents request form at www.gov.uk/visa-documents-returned

Your application will be treated as withdrawn if your passport is returned for travel abroad before we are able to decide the application.

14. Obtaining Application Forms

You can obtain application forms, the accompanying guidance notes and the UK Visas and Immigration photograph guidance from our website at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

15. Other Enquiries

For enquiries other than obtaining an application form, consult our website at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

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

16. Choosing An Immigration Adviser

Immigration advisers are regulated by The Office of the Immigration Services Commissioner (OISC).

Their website at www.oisc.gov.uk contains a list of authorised advisers and has links to websites for solicitors, barristers and legal executives.

If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

Office of the Immigration Services Commissioner (OISC)

5th Floor

21 Bloomsbury Street

London

WC1B 3HF

Telephone: 0345 000 0046

17. Complaints About Our Service

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information on how to do so. Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on

0870 606 2555 or visit their website at www.sra.org.uk

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

Legal Ombudsman

PO Box 6806,

Wolverhampton,

WV1 9WJ

Telephone: 0300 555 0333

See part 19 of these guidance notes on pages 5 for information about the requirement to apply for a Biometric Residence Permit.

18. Data Protection Notice

We will treat all information provided by you in confidence but may disclose it to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

We may also use the information provided by you for training purposes.

The information in the payment details page will be known to the private contractor engaged by the Home Office to process application payments.

19. Biometric Residence Permits

A leaflet explaining the Biometric Residence Permit including the application process is available to download at the following location:

www.gov.uk/biometric-residence-permits