



Home Office

No time limit

No time limit

About this guidance

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This guidance tells you how to make decisions on no time limit applications.</p> <p>People who have indefinite leave in a passport that is valid, lost, stolen or expired, or have no proof of their indefinite leave status, can have their leave transferred to a biometric residence permit (BRP) by making a no time limit application.</p> <p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p> <p>Contact – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p>Information owner -This page tells you about this version of the guidance and who owns it.</p> <p>Safeguard and promote child welfare - This page explains your duty to safeguard and promote the welfare of children and tells you where to find out more information.</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Contact</p> <p>Information owner</p> <p>Related links</p>
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No time limit

No time limit: Changes to this guidance

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page lists the changes to the 'No time limit' guidance, with the most recent at the top.</p> <table border="1"><thead><tr><th data-bbox="490 352 826 392">Date of change</th><th data-bbox="826 352 1518 392">Details of change</th></tr></thead><tbody><tr><td data-bbox="490 392 826 544">01 July 2015</td><td data-bbox="826 392 1518 544">Change request:<ul style="list-style-type: none">• minor changes throughout</td></tr><tr><td data-bbox="490 544 826 1294">24 February 2014</td><td data-bbox="826 544 1518 1294">Six month review by the modernised guidance team:<ul style="list-style-type: none">• requirements for no time limit:<ul style="list-style-type: none">○ fifth paragraph, first bullet point, eighth sub-bullet changed• requests for a BRP when the applicant holds valid documents:<ul style="list-style-type: none">○ third paragraph, new first bullet point• British citizens and applicants with the right of abode:<ul style="list-style-type: none">○ fourth, fifth and sixth paragraphs changed• people who were settled in the UK on 1 January 1973:<ul style="list-style-type: none">○ sub-heading 'Applicants who apply for indefinite leave instead of no time limit', third paragraph changed• minor housekeeping changes.</td></tr><tr><td data-bbox="490 1294 826 1404"></td><td data-bbox="826 1294 1518 1404">For previous changes to this guidance you will find all earlier versions in the archive. See No time limit (NTL) - archive.</td></tr></tbody></table>	Date of change	Details of change	01 July 2015	Change request: <ul style="list-style-type: none">• minor changes throughout	24 February 2014	Six month review by the modernised guidance team: <ul style="list-style-type: none">• requirements for no time limit:<ul style="list-style-type: none">○ fifth paragraph, first bullet point, eighth sub-bullet changed• requests for a BRP when the applicant holds valid documents:<ul style="list-style-type: none">○ third paragraph, new first bullet point• British citizens and applicants with the right of abode:<ul style="list-style-type: none">○ fourth, fifth and sixth paragraphs changed• people who were settled in the UK on 1 January 1973:<ul style="list-style-type: none">○ sub-heading 'Applicants who apply for indefinite leave instead of no time limit', third paragraph changed• minor housekeeping changes.		For previous changes to this guidance you will find all earlier versions in the archive. See No time limit (NTL) - archive.	<p>Related links</p> <p>See also</p> <p>Contact</p> <p>Information owner</p>
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Key facts: No time limit

This page shows you the key facts for no time limit cases.

Category: No time limit	
Eligibility requirements	<ul style="list-style-type: none"> the applicant has indefinite leave the applicant has not been absent from the UK for a continuous period of more than two years since indefinite leave was granted - if they were they could lose their indefinite leave the applicant has not lost their indefinite leave status for any other reasons or is not otherwise ineligible applicants who have limited leave cannot make a no time limit application, they must make a transfer of conditions application if they wish to have their status confirmed on a biometric residence permit - the only circumstances in which a person with limited leave can make a no time limit application is if they were given 2 months leave to enter at port because the Border Force officer was not completely satisfied that they had indefinite leave
Application form	NTL
Cost of application	Fees for Home Office services
Entry clearance mandatory?	No
Is biometric information required for applications made in the UK?	Yes
Code of leave to remain granted	NTL
Entry clearance endorsements	Not applicable
Conditions of leave to remain	Not applicable
How long is leave to remain normally granted for?	Not applicable
Are dependants allowed?	Yes
Work and study allowed?	Yes
Is switching into this category allowed?	Not applicable
Does this category lead to settlement (indefinite leave to remain)?	Not applicable
Is knowledge of language and life required?	No
CID case type:	Settlement: NTL – Indefinite Leave To Remain.
Immigration Rules paragraphs	Not covered by the Immigration Rules

No time limit

Requirements for no time limit

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This section tells you how to consider a no time limit application.</p> <p>You must carry out the following checks for all no time limit applications.</p> <p>Before considering an application you must check the:</p> <ul style="list-style-type: none">• application is valid• applicant's document containing indefinite leave is genuine <p>For more information, see Specified application forms and procedures.</p> <p>You must check the following when considering a no time limit application:</p> <ul style="list-style-type: none">• the applicant has been granted indefinite leave, evidence of this could be:<ul style="list-style-type: none">○ an indefinite leave to enter (ILE) endorsement○ an indefinite leave to remain (ILR) endorsement○ previous no time limit endorsements○ returning resident visas○ open date stamps after ILE/ILR has been granted○ records on databases, such as CRS or CID, or paper files that show indefinite leave has been granted○ proof the applicant has been settled in the UK since on or before 1 January 1973○ a biometric residence permit (BRP) showing the applicant has ILR and the date of issue• the identity of the applicant has not changed, for more information see Applying under a different identity• the applicant has provided photographic documentary evidence confirming their identity, evidence of this could be:<ul style="list-style-type: none">• passport	<p>In this section</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Applicants given limited leave to enter for two months</p> <p>People who were settled</p>
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	<ul style="list-style-type: none">• convention travel document• Home Office Travel document• driving Licence• National Identity card <ul style="list-style-type: none">• the applicant has not lost their indefinite leave status due to absences from the UK, for more information, see Checking the applicant has not lost their indefinite leave• the applicant has not had their indefinite leave revoked, or there are no grounds for revoking their indefinite leave• the applicant has not previously renounced their indefinite leave status, of their own free will• the applicant is not a British citizen or does not otherwise have the right of abode• all documents and records relate to the applicant <p>Additional checks and considerations may need to be made see related links.</p> <p>The application can be granted if you are satisfied these requirements are met.</p>	<p>in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p> <p>Applying under a different identity</p>
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No time limit

Requests for a BRP when the applicant holds valid documents

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider cases where the applicant holds a valid passport containing confirmation of Indefinite leave to enter (ILE) , indefinite leave to remain (ILR), No time limit (NTL) or the applicant has been granted ILE or ILR on a Biometric residence permit (BRP).</p> <div style="border: 2px solid red; padding: 10px;"><p style="text-align: center;">Official – sensitive: Do not disclose: Start of section</p><p style="text-align: center;">The information on this page has been removed as it is restricted for internal Home Office use</p><p style="text-align: center;">Official – sensitive: Do not disclose: End of section</p></div> <p>If someone makes an NTL application whilst they hold a valid BRP already confirming their settled immigration status you must proceed as follows:</p> <ul style="list-style-type: none">• if the application is less than two years from the date of issue of the BRP and the applicant is not asking to change their identity details:<ul style="list-style-type: none">○ reject the application○ tell the applicant to make a new application using form BRP(RC)• check the applicant has not lost their ILE/ILR or NTL• cancel the BRP confirming ILR on identity card for foreign national (ICFN)• hole punch the chip	<p>In this section</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Applicants given limited leave to enter for two months</p> <p>People who were settled</p>
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	<ul style="list-style-type: none">• forward the cancelled card to biometric immigration document management unit (BIDMU)• order the new BRP confirming NTL <p>For contact details for BIDMU see Cancelling old biometric residence permits of successful applicants</p>	<p>in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p>
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No time limit

Previous passport, BRP or immigration status document is not submitted or does not show leave

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider cases where the previous passport is not included with the application or does not show the applicant has indefinite leave.</p> <p>If the applicant does not include their previous passport, biometric residence permit (BRP) or immigration status document, you must check all available systems and files for evidence to show they have been granted indefinite leave. This includes:</p> <ul style="list-style-type: none">• CID• CRS• Home Office files• VAFs <p>You must also do this if the passport, BRP, or immigration status document does not show they have indefinite leave to enter or remain.</p> <p>If the applicant claims their previous passport, BRP or immigration status document was lost or stolen you must apply extra scrutiny to their case and applicants must provide a crime reference number or police report. You must update CID notes to show they have lost their passport. You must check and be satisfied the applicant is the same person who was previously granted indefinite leave.</p> <p>You can grant the application provided you are satisfied the applicant:</p> <ul style="list-style-type: none">• has indefinite leave• has not lost this status• is not otherwise ineligible	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Applicants given limited leave to enter for two months</p> <p>People who were settled in the UK on 1 January 1973</p>
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No time limit

Indefinite leave to remain granted in the Channel Islands

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider no time limit applications where the applicant's indefinite leave was granted in one of the Channel Islands.</p> <p>Schedule 4 of the Immigration Act 1971 states that people who were given leave to enter or remain in the Channel Islands will also have valid leave in the UK.</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>People who were settled in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p>
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No time limit

British citizens and applicants with the right of abode

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider no time limit applications from British citizens and other people with the right of abode in the UK.</p> <p>Some Commonwealth citizens who are not British citizens have the right of abode in the UK. People with this status may have a certificate of entitlement to the right of abode in their passports. British citizens and other people with right of abode are not subject to immigration control. Entries on CID and documentation submitted with the application may show the applicant is a British citizen or has the right of abode.</p> <p>Examples of documents that may show an applicant is a British citizen or has the right of abode include a certificate of:</p> <ul style="list-style-type: none">• registration or naturalisation as a British citizen• entitlement of right of abode endorsed in a non-UK passport or travel document <p>You must not issue a no time limit endorsement to people who are:</p> <ul style="list-style-type: none">• British citizens• people who have the right of abode in the UK• European Economic Area (EEA) nationals, unless the EEA national has been granted Indefinite leave <p>If the person is a multi-national, where one of the nationalities is British or an EEA nationality, you must not issue a biometric residence permit showing no time limits.</p> <p>If the applicant was a British citizen, EEA national or had the right of abode in the UK at the time they submitted their no time limit application, you must select 'void – inappropriate application' in the outcome field in CID and send the applicant an ICD.2248 letter from the document generation tool. This tells them that because of their status the Home Office cannot issue a 'no time limit' (NTL) endorsement. You must ask the charging support team</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Applicants given limited leave to enter for two months</p>
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	<p>to return the application fee.</p> <p>If a person becomes a British citizen or an EEA national while their NTL application is pending, then you must refuse the application and the application fee must be kept.</p> <p>If a person has applied for naturalisation as a British citizen but their application has not yet been decided, you must grant their no time limit application if they meet the requirements.</p>	<p>People who were settled in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p>
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No time limit

Criminal convictions

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider no time limit (NTL) applications where the applicant has criminal convictions.</p> <p style="text-align: center;">Official – sensitive: Do not disclose: Start of section</p> <p style="text-align: center;">The information on this page has been removed as it is restricted for internal Home Office use</p> <p style="text-align: center;">Official – sensitive: Do not disclose: End of section</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>People who were settled in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p> <p>Foreign embassies in the UK</p>
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No time limit

People who were granted indefinite leave following exceptional leave

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider applications where the applicant was granted indefinite leave following four years exceptional leave to remain.</p> <p>If the applicant submits a convention identity document, you can return this to the applicant on concluding their application unless the biometric residence permit (BRP) is being issued in a different identity. If the BRP is being issued in a different identity you must send the convention identity document to the travel documents section:</p> <p style="padding-left: 40px;">Travel Document Section Support Team 15th Floor, Lunar House</p> <p>A convention identity document is a brown travel document.</p> <p>When sending a convention document to the travel documents section you must complete the transfer of conditions (TOC) granted proforma.</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>Criminal convictions</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Applicants given limited leave to enter for two months</p> <p>People who were settled in the UK on 1 January 1973</p> <p>Applications from</p>
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		recognised refugees
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No time limit

Checking the applicant has not lost their indefinite leave

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to check an applicant applying for no time limit has not lost their indefinite leave status following an absence abroad.</p> <p>If an applicant with indefinite leave travels outside the UK, they can be re-admitted as a returning resident. To be re-admitted, an applicant must:</p> <ul style="list-style-type: none">• have had indefinite leave to enter or remain in the UK when they last left• have not been away from the UK for more than two years• have not received assistance from public funds towards the cost of leaving the UK• be seeking admission for the purpose of settlement <p>See returning residents for more information on returning residents and exceptions to the 2 year rule.</p> <p>If the applicant meets the requirements for re-admission as a returning resident, the Border Force officer will endorse their passport with an open date stamp. This indicates the applicant still has indefinite leave.</p> <p>If the applicant has been outside of the UK for more than 2 years they are deemed to have lost their indefinite leave status, unless they:</p> <ul style="list-style-type: none">• have been granted returning resident status• are the dependant of a member of HM Armed Forces and they have been accompanying them overseas <p>See Accompanying a member of Armed Forces overseas</p> <p>As a Commonwealth citizen they were covered by section 1(5) of the Immigration Act 1971. This provided that Commonwealth citizens were protected from losing their indefinite leave status through absences abroad until 1 August 1988, when section 1(5) was repealed. This</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Applicants given limited leave to enter for two months</p>
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	<p>means Commonwealth citizens could not lose their indefinite leave if they spent more than two years outside the UK before 1 August 1988.</p> <p>If the applicant has submitted the passport in which indefinite leave was granted, and all passports they have held since then, you can establish their travel history by examining the passports for evidence of travel. You must look for visas and immigration stamps issued since indefinite leave was granted.</p> <p>If the applicant has travelled since they were granted indefinite leave, but it is clear they have not lost their indefinite leave status as they re-entered the UK within 2 years, then you do not need to see further evidence of residency in the UK unless you have particular doubts about the case.</p> <p>You must request further proof of residence in the UK since indefinite leave was granted if all relevant passports have been submitted, but:</p> <ul style="list-style-type: none">• indefinite leave was granted more than two years ago• there is no evidence of travel since indefinite leave was granted or the evidence is inconclusive <p>Proof of residence in the UK</p> <p>If the applicant does not have the passport in which indefinite leave was granted, or other relevant passports are missing, you must check visa applications. The visa applications must be valid for the period covering the absent passport. For more information, see Previous passport is not submitted or does not show leave.</p> <p>You must also request additional evidence of residence in the UK. Examples of other evidence of residency you can accept include:</p> <ul style="list-style-type: none">• council tax letters• letters confirming tenancy or mortgage payments• electricity, gas or water bills• letters from employers that confirm employment	<p>People who were settled in the UK on 1 January 1973</p> <p>Applications from recognised refugees</p> <p>External links</p> <p>Paragraph 18 of the Immigration Rules</p>
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| | <ul style="list-style-type: none">• school, college or university attendance records• letters that confirm registration with a doctor and/or dentist which also show dates of appointment attendance | |
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This list is not exhaustive. If the applicant is unable to provide this evidence, you must make a decision based on the evidence available.

No time limit

Applicants given limited leave to enter for 2 months

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider no time limit (NTL) applications from applicants previously granted a short period of leave to enter at port, because the Border Force officer was not satisfied they met the returning resident requirements.</p> <p>If a person wants re-admission as a returning resident but the Border Force officer at a UK port is not satisfied they meet the requirements, they may be given temporary admission. They will be asked to return to the port and produce evidence to show they qualify for entry as a returning resident. If they can provide satisfactory evidence they will be admitted as a returning resident. If not, entry will be refused and the person will need to seek entry clearance again.</p> <p>Previously, if a person wanted re-admission as a returning resident, but there were doubts they fully met the requirements, they may have been granted limited leave to enter for 2 months on code 1 conditions. They would also have been advised to apply to the Home Office. Although this is no longer the practice you may still find applications where the applicant was given limited leave to enter for 2 months. The grant of limited leave is not, in itself, a revocation of indefinite leave and the person may still be eligible for a no time limit endorsement.</p> <p>If you find this type of application, you must be satisfied the applicant:</p> <ul style="list-style-type: none">• had indefinite leave on the last occasion they left the UK• submitted an application before the expiry of the limited leave to enter granted at port <p>You may grant the application provided you are satisfied the requirements are met.</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p>
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No time limit

People who were settled in the UK on 1 January 1973

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider applications from applicants who were settled in the UK on or before 1 January 1973.</p> <p>The Immigration Act 1971 took effect on 1 January 1973. Applicants who were present and settled in the UK on this date are deemed to have settled status, unless they either:</p> <ul style="list-style-type: none">• were exempt from immigration control on this date• had the right of abode <p>As long as the applicant has continued to reside in the UK and not had their indefinite leave revoked, or are not otherwise ineligible, they will have retained their settled status. As these applicants already have indefinite leave they must make a no time application instead of applying for indefinite leave.</p> <p>The applicant must provide evidence they were present and settled in the UK on 1 January 1973 and have continued to reside here since. Evidence must include official correspondence. If the applicant cannot produce enough documents, you must look at circumstances that may prove they were in the UK. This could include if they got married or raised a family in the UK before 1 January 1973.</p> <p>The applicant is responsible for providing evidence they were settled in the UK on 1 January 1973. As these applicants are stating they have been in the UK for a long time it is important you treat these cases in a careful and sensitive manner. You must give applicants every opportunity to provide evidence. This is because there is a risk of adverse publicity if these cases are mishandled.</p> <p>Applicants who acquired indefinite leave through being settled in the UK on 1 January 1973 may have lost this status if, for example, they have since been outside the UK for a continuous period of more than 2 years. For more information on how an applicant may have lost their indefinite leave status due to absences from the UK, see:</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>Previous passport, BRP or immigration status document is not submitted or does not show leave</p> <p>Indefinite leave to remain granted in the Channel Islands</p> <p>British citizens and applicants with a right of abode</p> <p>Criminal convictions</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p>
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	<ul style="list-style-type: none">• returning residents• checking the applicant has not lost their indefinite leave <p>It is important when considering these cases for the applicant to provide a photographic identity document. This will enable you to ensure that the documentation supplied to demonstrate residence, belongs to the person making the application.</p>	<p>Applicants given limited leave to enter for two months</p> <p>Applications from recognised refugees</p> <p>Related links IDI - persons exempt from control</p> <p>External links Immigration Act 1971</p>
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No time limit

Applications from recognised refugees

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider no time limit (NTL) applications made by people who were granted indefinite leave as a refugee.</p> <p>You must refer an NTL application from a refugee:</p> <ul style="list-style-type: none">• who has now obtained a national passport and wants a BRP confirming a no time limit endorsement• whose passport or travel document clearly shows they have travelled back to the country from which they previously sought asylum <p>You must refer the case as follows:</p> <ol style="list-style-type: none">1. Complete an ASL.3848 letter.2. Check CID and/or the status letter for the date of the original grant. If the date is:<ul style="list-style-type: none">• On or after 5 March 2007 you must refer the case to the regional asylum team that made the original decision.• Before 5 March 2007 you must refer the case to the older live cases unit (OLCU) (formerly known as case audit and assurance unit (CAAU)). For non-urgent cases, see: Older live cases unit cases. For urgent allocations you must provide the applicant's Home Office (HO) reference and full name to the OLCU inbox in an email stating urgent allocation. Urgent allocations are accepted if the applicant is particularly high profile, a judicial review has been lodged or the individual is subject to an extradition request.3. Attach the ASL.3848 to the left-hand side of the HO file and send it to the relevant team. <p>Asylum applicants who were granted indefinite leave following exceptional leave to remain, humanitarian protection or discretionary leave must be considered as normal.</p>	<p>In this section</p> <p>Requests for a BRP when the applicant holds valid documents</p> <p>People who were granted indefinite leave following exceptional leave</p> <p>Checking the applicant has not lost their indefinite leave</p> <p>Related links</p> <p>Cancellation Cessation and Revocation of Refugee Status</p> <p>Revocation of Indefinite Leave</p> <p>External links</p> <p>Section 72 of the Nationality, Immigration and Asylum Act 2002</p>
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No time limit

Grant or refuse a no time limit application

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to grant or refuse a no time limit (NTL) application and the codes you must use on CID.</p> <p>Granting a no time limit application</p> <ul style="list-style-type: none">• CID outcome: 'GRANT N.T.L.'• condition code: Input NTL as the condition code• issue a biometric residence permit (BRP) <p>You must send the applicant an ICD.0010 letter to tell them you have granted their application. You can find this letter on the document generation tool on CID.</p> <p>If the applicant has an immigration status document confirming their indefinite leave, you must send this to the vignettes unit to be destroyed. If they have any other letters informing them of their grant of indefinite leave, you must keep these on the applicant's file.</p> <p>Refusing a no time limit application</p> <p>A no time limit application must be refused if:</p> <ul style="list-style-type: none">• you are not satisfied that there are genuine reasons why a person has changed their identity and/or the new identity will be used for all purposes, here must be sufficient documentation to support these claims• there is not enough evidence the applicant has indefinite leave• the applicant submitted false documentation or made false representations• the applicant has lost their indefinite leave status <p>You must record the outcome on CID in the following way:</p> <ul style="list-style-type: none">• CID outcome: 'Refusal NTL'• statistical code: There is no statistical code for no time limit applications - leave this	
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To inform the applicant that you have refused their application you must send them one of the following decision letters based on the reason you are refusing their application:

- ICD.1100 letter if you are refusing on the basis of a different identity
- ICD 2910 letter if they have supplied forged or counterfeit documents
- ICD 4914 letter if you are refusing due to a break in continuous residence
- ICD 4915 letter if you are refusing because you are not satisfied that the applicant holds indefinite leave status

These letters can be found on the document generation tool on CID. You must explain the reasons why you are refusing their application and tell them there is no right of appeal against your decision.

If you refuse a no time limit application, the applicant has no right of appeal against your decision. This is because a refusal of a no time limit application is not an immigration decision, according to [section 82\(2\) of the Nationality, Immigration and Asylum Act 2002](#).

No time limit

No time limit: **Dependants**

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you how to consider dependants of people applying for a no time limit endorsement.</p> <p>Applicants can include the following dependants on their application form:</p> <ul style="list-style-type: none">• spouse• civil partner• unmarried partner• same-sex partner• children who are under the age of 18 <p>An additional fee is payable for each dependant they include on the form.</p> <p>Children aged 18 or over cannot be included as dependants and must apply separately. Children aged over 18 who are included as dependants must have their applications rejected.</p> <p>For more information on rejecting applications, see specified application forms and procedures.</p> <p>You must consider each dependant in the same way as the main applicant and be satisfied each person has indefinite leave.</p>	
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No time limit

Applying under a different identity

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page tells you the procedure for dealing with no time limit (NTL) applications submitted under a different identity to that in which indefinite leave to remain (ILR) was granted.</p> <p>The Home Office (HO) will not normally issue a document in a new identity where a person has either directly, or indirectly, obtained the document using a fraudulent identity. NTL applications that have been submitted under an identity which differs to that under which the applicant was granted ILR will usually be refused, unless the change is in relation to an accepted legitimate and documented change. Legitimate changes may include change of name by deed poll, statutory declaration, or following marriage.</p> <p>Further guidance about changing names on official documents issued by the HO can be found on GOV.UK.</p> <p>If an applicant wishes to change their name this must be supported by documentary evidence which connects the claimed name and the previous name, such as a marriage certificate or a deed poll, except where the change is a requirement to protect a vulnerable victim of crime or a witness or where other legislation provides specific requirements.</p> <p>It is also essential that the applicant provides evidence to show that they have amended the details in any other passports and any national identity cards they hold, unless there are exceptional circumstances that would seriously adversely affect their life in the UK. The names used in these documents take precedence over names used in other supporting documents, such as marriage certificates and deed polls.</p> <p>Where a foreign national applies to change their identity and claims not to hold a foreign issued passport or EEA identity card, you must only change the identity on their immigration status document where the applicant is a recognised refugee or stateless person or has been granted Humanitarian Protection. Where the change includes a change to the applicant's date of birth (DOB) you should give close scrutiny to the reason for the change. You must consider the full circumstances of the case to establish why there is a</p>	<p>Related links</p> <p>Specified application forms and procedures</p>
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discrepancy. If the change is to the day or month of birth, this is less of a factor, but if the year of birth has changed you would need to look at what impact that has had and will have on the applicant.

For example does the applicant want to change their DOB so that they are closer to pension age, or do they want to make themselves younger so that they are able to access education? To grant a change of identity you would need to be satisfied that it is a legitimate change. If you are not satisfied that it is a legitimate change you must refuse.

All other foreign nationals must produce a passport or their EEA identity card in the new identity when applying to change their identity.

NTL applications where there does not appear to be a legitimate change tend to fall into one of the following categories:

- implied declaration of real identity prior to the grant of ILR
- explicit declaration of real identity prior to the grant of ILR
- never declared the real identity prior to the grant of ILR

Our policy to refuse an NTL application where there has not been a legitimate and documented change has been supported by the courts in a number of Judicial Review challenges. We will continue to refuse and defend cases in the same manner to make sure we maintain a robust immigration system that does not benefit those who seek to employ deception to gain leave in the UK.

If you receive an NTL application in an identity that differs from that in which ILR was granted, you must be satisfied that the change is legitimate and supported by the appropriate documentation ie marriage certificate, deed poll. If you suspect that the name change is not on a legitimate basis and the HO was never informed about the correct identity before ILR was granted you should normally deal with the application as outlined below:

1. Name and DOB changed – refuse application, unless we have previously been informed of the change.

2. DOB only changed – refuse application, unless we have previously been informed of the change or the change can reasonably be attributed to a genuine error, such as 11 October 1982 instead of 10 November 1982 and the applicant gives a reasonable explanation for this.
3. Name changed to different spelling or phonetically similar name, DOB unchanged – grant, providing the name is a different spelling of the same name and the name is the Anglicised version of a different script, for example Chinese, Arabic, Tigrinya. If the applicant holds a HO travel document in the old name you must cancel it. The applicant will be able to apply for a new travel document in the correct name after they have been issued with a new biometric residence permit.
4. One part of name changed due to marriage, DOB unchanged – grant, providing the applicant has submitted evidence to show their family name has changed due to marriage or divorce and the DOB is unchanged. A person who reverts to their birth name after a divorce must also provide their birth certificate.
5. Name changed by deed poll, DOB unchanged – grant, providing the applicant states and submits evidence that the name they were initially granted leave under was correct at the time they applied for that leave but they have since chosen to change their name for personal reasons. There would be no grounds to refuse as they are not stating this was their identity at the point of the original claim. If the applicant has also changed DOB, please refer to 2 above.

There may be compelling and/or compassionate reasons why it is not appropriate to refuse an application, even though they fall under scenario 1 or 2 above. In these cases you must seek the advice of a senior caseworker before you grant.

Before you grant any case, you must ensure that the holders of non-British passports and national identity cards, provide evidence that they have amended the details in other passport(s) and any national identity cards they hold, unless there are exceptional circumstances that would seriously adversely affect their life in the UK.

Before you refuse under scenarios 1 and 2 above, you must request the HO files. You should closely scrutinise of the files to find any evidence that the applicant or their representative informed the HO of their true identity before their current leave was granted.

In a proportion of cases we have received a letter from the applicant or representative to inform us of their true identities but we have failed to take corrective action – this is deemed an administrative error and the applicant should not be penalised. In these cases you must grant NTL.

An applicant or representative may have informed the HO of a true identity in either an:

- explicit declaration
- implicit declaration, such as a letter which has been headed regarding Mr B previously known as Mr A

Either of these are accepted as the applicant informing us of their true identity before their grant of leave. If no such evidence is found we should refuse to issue NTL on the basis that we will not endorse a Biometric Residence Permit in an identity that is different from that in which leave has previously been granted (see refusal wording below).

Reconsideration requests, Pre-action protocol (PAP) or Judicial review (JR)

If you receive a reconsideration request or JR, you must first check CID notes from the original refusal. If the CID notes clearly state that a full HO file search was conducted and no evidence of a declaration of the true identity found then the reconsideration can be refused.

If there is no note on CID you must request the HO files and, as above, conduct a thorough examination to make sure the HO have no record of being notified of the alternative identity before they were granted leave. If there is evidence that the HO was notified, you must overturn the decision to refuse and grant NTL. If there is no evidence on the HO file that the applicant informed us then you should maintain the refusal.

You must use template ICD 1100 with the following wording:

Refusal wording

On [date] you made an application to have a No Time Limit stamp transferred from your Immigration Status Document that your leave was issued on to a biometric

residence permit, but your application has been refused.

On [date] indefinite leave to remain was granted to [name], born [date, nationality] national.

You have requested that the indefinite leave/No Time Limit stamp be transferred from the Immigration Status Document of [name], born [date, nationality] national to a biometric residence permit in the identity of [name], born [date, nationality] national.

Your application has been refused as the Secretary of State is not able to provide a biometric residence permit in an identity which differs from the one in which you were granted leave, unless there are legitimate reasons why your details have changed. We are not satisfied you have provided any evidence of legitimate reasons as to why your identity has changed, for example marriage.

(Insert as much information about the deception as possible, such as:

- you continued to deceive the immigration system by using identity A when completing document's A, B, C and D on (date's)
- you have admitted to using a false identity for immigration purposes (how/when))

The passport you provided in support of this application has been retained by the Home Office pending further investigation.

There is no right of appeal against this decision.

Following refusal you must record the outcome on CID and set a special conditions marker 'Identity Dispute'. You must clearly complete the notes section and state that a full HO file search has been conducted, this will negate the need to perform a repeat search if a reconsideration or JR is received.

No time limit

No time limit: Contact

<p>Key facts</p> <p>Requirements for no time limit</p> <p>Granting or refusing a no time limit application</p> <p>Dependants</p> <p>Applying under a different identity</p>	<p>This page explains who to contact for more help with a specific case in the no time limit category.</p> <p>If you have read this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, you may email the operational policy and rules unit (family and settlement) for guidance on the policy.</p> <p>Changes to this guidance can only be made by the guidance, rules and forms team (GRaFT). If you think the policy content needs amending you must contact the operational policy and rules unit (family and settlement), who will ask the GRaFT to update the guidance, if appropriate.</p> <p>The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these by emailing: Guidance – making changes.</p>	<p>Related links</p> <p>Changes to this guidance</p> <p>Information owners</p>
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No time limit

No time limit: Information owner

[Key facts](#)

[Requirements for no time limit](#)

[Granting or refusing a no time limit application](#)

[Dependants](#)

[Applying under a different identity](#)

This page tells you about this version of the 'No time limit' guidance, and who owns it.

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Changes to this guidance can only be made by the guidance, rules and forms team (GRaFT). If you think the policy content needs amending you must contact the operational policy and rules unit (family and settlement) , who will ask the GRaFT to update the guidance, if appropriate.

The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these by emailing: Guidance – making changes.

Related links

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