



If you wish to apply for indefinite leave to remain in the UK on form SET(AF), please read these guidance notes and the separate UK Visas and Immigration photograph guidance before making your application.

## CONTACTING US

Our main website address for contacting us is given below.

OUR WEBSITE [www.gov.uk/government/organisations/uk-visas-and-immigration](http://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](http://www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre)

### 1. FOR WHICH APPLICATIONS MUST YOU USE FORM SET(AF)?

Form SET (AF) must be used if you are applying for indefinite leave to remain in one of the following categories:

- A former member of HM Forces on discharge; or
- The partner or child of a member of HM Forces who has been discharged; or
- The partner or child of a British citizen member of HM Forces applying under Appendix Armed Forces; or
- The partner or child of a foreign or Commonwealth member of HM Forces applying under Appendix Armed Forces; or
- The partner or child of a foreign or Commonwealth member of HM Forces who is applying under Part 7 transitional arrangements; or
- The partner or child of a British citizen member of HM Forces who is applying under Part 8 transitional arrangements; or
- The bereaved partner or child of a member of HM Forces applying under Appendix Armed Forces; or
- A former Gurkha soldier discharged before 1997 or
- The widow of a former Gurkha soldier who was discharged before 1997; or
- The partner or child of a former Gurkha soldier discharged before 1997

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

You must not use this form to make an application for asylum or international protection (this includes an application for humanitarian protection or an Article 3 European Convention on Human Rights (ECHR) application made on protection grounds); or to make further submissions on asylum or human rights grounds after the refusal or withdrawal of an earlier asylum or human rights claim.

From 1 December 2013, in order to qualify for indefinite leave to remain, applicants aged 18-64, unless applying under the Part 7 transitional arrangements or exempt on the basis of disability, must meet the two parts of the Knowledge of Language and Life in the UK requirement by:

- passing the Life in the UK test,

And one of the following language qualifications:

- having a speaking and listening qualification in English at B1 level or above of the Common European Framework of Reference for Languages (CEFR), or having a degree that was taught or researched in English, or being a national of an English-speaking country.

Further guidance regarding the KOLL requirement can be found on our website at

[www.gov.uk/types-of-british-nationality](http://www.gov.uk/types-of-british-nationality)

## **2. QUALIFYING FOR INDEFINITE LEAVE TO REMAIN**

To qualify for indefinite leave to remain in the categories of the Immigration Rules for which you must use form SET (AF), you must meet the requirements set out in the following parts of the Rules:

- Appendix Armed Forces
- Transitional arrangements for those with leave under Part 7 or Part 8 of the Immigration Rules in place before 1 December 2013.

The full Immigration Rules are on our website.

If you are a Gurkha discharged before 1 July 1997, you and/or relevant family members must use this form to submit your application(s).

If you are applying on the basis of domestic violence arising from a relationship with a HM Forces member you should apply on the SET (DV) form and not the SET (AF) form. You can find information on these applications on our website here:

[www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration).

## **3. WHO MAY APPLY ON THIS FORM?**

You and your partner and/or children under 18 if they are applying as your dependants (if allowed by the relevant immigration rules - see below).

“Partner” means a spouse, civil partner, unmarried or same-sex partner.

You and your partner and/or children under 18 if they are applying as your dependants (if allowed by the relevant immigration rules - see below).

Children aged 18 or over must apply on a separate SET(AF) form even when specific provision is made for them within Appendix Armed Forces.

HM Forces means a member of the Royal Navy, British Army or Royal Air Force who is serving as a member of the regular forces. It includes former members of HM Forces applying on the basis of their service providing they were discharged within the 2 years prior to the date of application.

## **4. THE FEE**

£1875 - Standard fee

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. For more details and to book an appointment please visit:

[www.gov.uk/ukvi-premium-service-centres](http://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.
- 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.

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.

## **5. WHEN TO APPLY**

You and any dependants applying with you should apply before the end of your/their permitted stay in the UK.

If you are a HM Forces member you are able to apply up to ten weeks before the date of your discharge. If you do this the Home Office will also consider any dependent applications listed on your application at the same time.

## **6. MAKING SURE YOUR APPLICATION IS VALID**

A valid application must include:

- apply on the current version of form SET(AF)
- 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
- complete section 10 (Personal History) as required
- sign the declaration in section 13
- send the application by prepaid post or make it in person at a Premium Service Centre if the premium service is available.

The above list is not exhaustive and applicants need to satisfy themselves they have complied with the relevant parts of para 34-34I of the Immigration Rules.

If you fail to do any of these things, your application will be invalid and we will return it to you. This could result in the loss of appeal rights if your permitted stay has run out by the time you make a valid application.

## **7. 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 therefore important to provide a letter of explanation if you cannot give us all relevant information or documents when making your application.

## **8. 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 granted.

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 7 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.

## **9. 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 who are applying with you with their full name written on the back of each one.

The photographs you provide must also comply with the format requirements specified in the separate UK Visas & Immigration photograph guidance.

Please ensure that you place the photographs in a small sealed envelope and attach it to section 1 of the form as instructed there - please make sure that the staple or paper clip does not damage or mark the photographs.

If the application(s) is/are successful, the photographs which you provide will be reproduced in the residence permit(s) in your passport or travel document and those of any dependants included in the application.

## **10. 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.

You must provide a covering letter if you are unable to provide any original documents requested. Where HM Forces chain of command hold original documents and are unable for operational reasons to release them you should submit a letter signed by them confirming the details of the document(s) and reasons why they are being retained. Where the Home Office is able to return documents without necessitating the withdrawal of the application we will seek to do so.

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

Make sure passports or travel documents are signed.

## 11. APPLYING BY POST - THE ADDRESS

If you are applying by post you must send form SET(AF) to the address at the beginning of the form. Please use the address given in part 16 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. The validity of your application will then be checked and we will contact you in writing if your application is invalid.

## 12. APPLYING IN PERSON

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

The premium service is not available for applications as a Gurkha or former Gurkha discharged prior to 1 July 1997 or applications as a bereaved partner, medical discharge or applications where there is a criminal and or service disciplinary history, or where the applicant has spent part of their time in the Crown Dependencies – Jersey, Guernsey, Isle of Man, Sark, Alderney.

## 13. 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/book-an-appointment](http://www.gov.uk/ukvi-premium-service-centres/book-an-appointment). If you book some time ahead, please check that the application form you use is still valid on the day of your appointment.

If you are taking the Life in the UK test, you must allow at least 2 working days between passing the test and attending your appointment.

For applications made in person at a Premium Service Centre, the total fee includes a £100 appointment fee, which may be retained should the applicant fail to attend their appointment without good reason.

**Please note that if your application is successful, Residence Permits for yourself and any dependants applying with you will be posted 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](http://www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre).

## 14. SETTLEMENT CHECKING SERVICE

You may wish to use the Settlement Checking Service operated by a number of local authorities. Please see the Home Office website for details if one is operated in your area.

## **15. DECISION TIMES**

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

Applications which are not straightforward, or which need further enquiries, take longer to decide. These include applications by people who have remained here unlawfully after the expiry of their permitted stay.

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

If you apply as a serving HM Forces member ten weeks before your discharge then the Home Office will endeavour to notify you of a decision as soon as possible after your discharge date has passed, usually within two working days. However, if your case is more complicated this may not always be possible.

## **16. YOUR STATUS WHILE YOUR APPLICATION IS BEING CONSIDERED**

If you and any dependants apply before the end of your permitted stay in the UK, your/their existing immigration status, including any permission to work, will continue until your/their application(s) is/are decided.

If you are a serving HM Forces member you should be aware your exemption from immigration control under section 8(4) of the Immigration Act 1971 stops immediately after you are discharged from HM Forces; for this reason we aim to ensure you receive a decision as soon as possible.

## **17. 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, write to the following address (not the one to which you posted your application):

Home Office

Liverpool Settlement Casework (Armed Forces)

PO Box 306

Liverpool

L2 0QN

and 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](http://www.gov.uk/visa-documents-returned)

Your application will be treated as withdrawn if your passport is returned for travel outside the Common Travel Area before a decision is made on the application.

If you need to travel for service related reasons (for example, a posting overseas) full details should be provided by your Chain of Command. Whenever possible the Home Office will seek to accommodate such requests but this is not always possible.

## **18. OBTAINING APPLICATION FORMS**

You can obtain application forms, the accompanying guidance notes and the Home Office photograph guidance from our website at [www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration)

## **19. OTHER ENQUIRIES**

For enquiries other than obtaining an application form, consult our website [www.gov.uk/government/organisations/uk-visas-and-immigration](http://www.gov.uk/government/organisations/uk-visas-and-immigration)

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

## **20. CHOOSING AN IMMIGRATION ADVISER**

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC). Their website at [www.oisc.gov.uk](http://www.oisc.gov.uk) contains a list of accredited advisors.

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](http://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

## **21. 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.

## **22. 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.

### **23. BIOMETRIC RESIDENCE PERMITS**

Everyone applying for indefinite leave to remain in the categories for which form Set (AF) must be used must apply for a Residence Permit. Further information and guidance about these measures, which are based on powers contained in the UK Borders Act 2007, can be found on our website here:

<https://www.gov.uk/biometric-residence-permits>