

Visit guidance

Version 9.0

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About this guidance

This guidance tells you about applications for visas, leave to enter and leave to remain in the UK for visitors.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Visit Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Clearance and publication

Below is information on when this version of the guidance was cleared:

- version 9.0
- published for Home Office staff on 22 August 2019

Changes from last version of this guidance

 Additions have been made to reflect the expansion of ePassport gate eligibility to seven additional nationalities on Monday 20 May 2019.

Related content

Contents

Quick guide: visit visa

This page is a quick reference guide to the process for making a decision on a visit visa application, made outside the UK. This does not apply in respect of applications for transit visitor visas (see: Transit guidance) but note that standard and marriage and civil partnership visitors can transit the UK.

When considering a visit visa application you need to consider:

- if the applicant meets all the mandatory identity and suitability checks
- if the applicant is a genuine visitor:
 - do they intend to undertake <u>permitted activities</u> and <u>leave</u> at the end of their stav
 - are you satisfied they will <u>not be living in the UK or making the UK their</u> home through frequent and successive visits
 - o will they be doing any prohibited activities
 - do they have sufficient <u>funds</u>, <u>maintenance and accommodation</u> for the duration of their stay
- is a <u>third party providing support</u> do they have a genuine relationship, is the third party in the <u>UK in breach of immigration laws</u>
- if there are additional eligibility requirements for their type or purpose of visit, does the applicant meet them, see:
 - o <u>children</u>
 - o private medical treatment
 - o organ donor
 - Approved Destination Status (ADS)
 - o academics (more than 6 months)
 - o marriage and civil partnership
 - permitted paid engagements (PPE)
- is the visitor intending to undertake activities for which they are required to provide specific supporting documents, for example:
 - o Prospective entrepreneur
 - Professional and Linguistic Assessment Board (PLAB) Test and Objective Structured Clinical Examination (OSCE)
- do you need to make a referral, for example:
 - o is there a mandatory referral requirement
 - if the applicant fails to meet the visit rules, but there are genuinely exceptional or compelling circumstances to consider leave outside the rules
- what duration of visa to grant, for example:
 - is there a specific duration of grant (ADS, private medical, academic and PPE)
 - o have they applied for a multiple entry long term visit visa
 - is there reason to grant a short duration or single entry visa
- have you completed all the relevant recording requirements

Visa endorsement codes

For further information on visa endorsement codes see: <u>Visit: endorsements and LTE/ LTR codes</u>.

People who are British citizens or who have right of abode

A person who is a British citizen, or who has right of abode in the UK cannot be given leave to enter or remain under the Immigration Rules. This is because under <u>section 1(1) of the Immigration Act 1971</u> a person with right of abode is not subject to immigration control.

If a person who has right of abode applies for a visit visa and you are satisfied that they have right of abode, you should advise them that their application cannot be considered, the application will lapse, and they may want to apply for a certificate of entitlement to the right of abode or a British passport instead. The application fee will not be refunded.

If you believe the person may have right of abode in the UK, but they cannot establish their claim, you can issue a visit visa provided the applicant meets the Immigration Rules, and provided you are satisfied that they have made genuine and reasonable attempts to obtain the relevant documents. Where you are not satisfied that they meet the rules, they can be refused a visa in line with the rules (for example, that they are not a genuine visitor).

Related content

Contents

Related external links

ECB22: extant leave ECB05: where to apply

Quick guide: visitors at the border

This page is a quick reference guide to the process for making a decision on a visitor seeking entry at the UK border. Please see separate Transit guidance on visitors transiting the UK, but note that standard and marriage and civil partnership visitors can transit the UK.

When considering a visitor application, you need to consider:

- if the applicant meets all the mandatory identity and suitability checks
- if the applicant has a visa or existing leave to enter, do they meet any of the grounds for cancellation
- if the applicant is a child with a visa endorsed as <u>accompanied are they with the</u> specified adult or adults
- if the applicant does not have a visa or existing leave to enter, do they need a visa in advance, are they:
 - a visa national not on the exceptions list (if they have an Electronic Visa Waiver (EVW) is it valid)
 - an academic, academic dependant, visitor for private medical treatment coming for more than 6 months as a visitor
 - o a visitor for marriage or civil partnership, unless they are <u>changing an</u> existing civil partnership to a marriage
- if the applicant is a non-visa national, are they a genuine visitor, and:
 - do they intend to undertake <u>permitted activities</u> and <u>leave</u> at the end of their stay
 - are you satisfied they will <u>not be living in the UK or making the UK their</u> home through frequent and successive visits
 - o will they be doing any prohibited activities
 - do they have sufficient <u>funds</u>, <u>maintenance and accommodation</u> for the duration of their stay
 - is a <u>third party providing support</u> do they have a genuine relationship is the third party in the UK in breach of immigration laws
- are there additional eligibility requirements for the route or purpose of visit, see:
 - o children
 - o private medical treatment
 - o organ donor
 - o marriage and civil partnership
 - o permitted paid engagements (PPE)
- is the visitor intending to undertake activities for which they are required to provide specific supporting documents, for example:
 - o Prospective entrepreneur
 - Professional and Linguistic Assessment Board (PLAB) Test and Objective Structured Clinical Examination (OSCE)
- have you completed all the relevant recording requirements

Leave to enter endorsement codes

For further information on leave to enter endorsement codes see: <u>Visit: endorsements and LTE/ LTR codes</u>.

Related content Contents

Quick guide: extension of stay as a visitor

This page is a quick reference guide to the process for making a decision on an application to extend stay in the UK as a visitor.

When assessing an application to extend visitor leave you should consider:

- has the applicant submitted a valid application
- if the applicant meets all the mandatory identity and suitability checks
- can the applicant extend Part V8 of the Immigration Rules for visitors
- is the applicant here in breach of immigration laws
- is the applicant a genuine visitor, and:
 - do they intend to undertake <u>permitted activities</u> and <u>leave</u> at the end of their stay
 - o are you satisfied they will <u>not be living in the UK or making the UK their</u> home through frequent and successive visits
 - o will they be doing any prohibited activities
 - do they have sufficient <u>funds</u>, <u>maintenance and accommodation</u> for the duration of their stay
 - o is a third party providing support do they have a genuine relationship is the third party in the UK in breach of immigration laws
- does the applicant meet the additional eligibility requirements for their extension of stay:
 - o for private medical treatment
 - o as an academic
 - o as a visitor doing a PLAB test and clinical attachments
- have you completed all the relevant recording requirements

Leave to remain endorsement codes

For further information on leave to remain endorsement codes see: <u>Visit:</u> endorsements and LTE/ LTR codes.

Related content

Contents

Related external links

FLR(IR) for extensions

Visit: evidence

This page gives information on how to make a decision on a visitor application.

Contents:

Burden of proof and evidence
Supporting documents
Refusals
Refusal wording

Burden of proof and evidence

You must assess the applicant's credibility and intentions to visit the UK or to extend their stay as a visitor and decide whether they meet the requirements in the visitor rules. You must be satisfied that the applicant is a genuine visitor.

Visitors can undertake multiple activities whilst they are in the UK, but the applicant should be able to explain what their main reason for coming to the UK is at the visa application stage, on entry and for extending their stay.

It is the applicant's responsibility to ensure they provide evidence to satisfy you that they meet the visitor rules.

You must assess all the information provided by the applicant (unless it is a document that should not be sent with the application – see <u>supporting documents</u>) and any other evidence that may be relevant to the case. This must include any locally held information. Make an assessment considering all factors relevant to the application. See also guidance on <u>visit: genuineness and credibility</u>. Where the applicant falls to be refused on one or more mandatory suitability grounds, they can be refused under the rules on suitability grounds, without an assessment of whether they meet the visitor eligibility requirements. You must, however, decide eligibility if you are refusing on discretionary suitability grounds. See guidance on <u>visit: suitability</u>.

Supporting documents

For more information on supporting documents see the <u>customer guidance on</u> <u>supporting documents</u> for visits.

Mandatory documents

Applicants must have a valid passport (or travel document).

The visitor rules require specific evidence from certain types of visitors. Section 3 of the <u>supporting documents guidance</u> sets out the additional documents required for the different types of visits.

Other documents

You must be satisfied that the applicant is a genuine visitor. Look at their personal circumstances, their stated purpose of visit, their travel history and record of compliance and whether they have adequate funds to cover the costs of their trip or, if they are applying to extend their stay, of the additional time they are seeking to stay here as a visitor. Supporting documents should back up statements made on the application form.

The supporting documents guidance for applicants includes:

- in section 2, a list of documents that applicants might want to send in to back up the statements on their application form:
 - these are not mandatory if an applicant does not send one of the recommended documents this failure is not of itself a ground for refusal
 - if the applicant does not send one of the suggested documents, however and you are not satisfied that the applicant meets the requirements, then you must refuse
- in section 4, a list of documents we ask applicants **not** to send in. If:
 - o an applicant does submit a document on that list you should not consider it
 - you exceptionally want to see one of the documents on the list or some other document, you should contact the applicant to request it

For visa applications, locally held information will help determine what types of supporting evidence is available in different countries.

You must not ask for or accept a written guarantee or undertaking from the applicant concerning the length of their stay.

At the border, whether you ask for supporting evidence will depend on the questions you ask and the answers the applicant gives.

For applications for extensions of stay, whether you ask for supporting evidence will depend on the information in the application form.

If you have concerns about the genuineness of a document, you should try to verify it at source.

Refusals

You should refuse if the applicant does not provide sufficient evidence to satisfy you that they meet the requirements of the visitor rules. See also the <u>guidance on burden of proof and evidence</u> and <u>genuineness and credibility</u>.

The reasons for refusal must be factual, clear, and relevant to the application. For example, if an applicant in the past accessed public funds in the UK or has a poor immigration history, this factual evidence should be used in the refusal.

On whatever ground you are refusing, curtailing or cancelling leave, you must have evidence to support the reasons why you are not satisfied that the applicant meets the requirements. For example:

- if you are refusing, curtailing or cancelling leave on a mandatory ground such as that the applicant is not conducive to the public good
- if you are refusing, curtailing or cancelling on the ground that the applicant is or
 is no longer a genuine visitor because they are undertaking a prohibited activity

 see <u>prohibited and permitted activities for visitors</u>

Refusal wording

For visa applications, you should use the following refusal templates:

- Visit_NRA_refusal_letter_template_v1.0 (Horizon link) for all visit visa refusals that do not have a right of appeal
- Visit_ROA_refusal_letter_template_v1.0 (Horizon link) for all visit visa refusals that attract a right of appeal on human rights grounds.

For further information about refusal notices for visit visa applications, including relevant refusal paragraphs, see Visit: refusal notice guidance (Horizon link).

For refusals at the border or refusals of extensions of stay you should use the template and paragraphs on DocGen, refusing in line with the visitor rules at appendix V.

Related content

Contents

Visit: genuineness and credibility

This page gives information on what being a genuine visitor means.

Contents:

Assessing an applicant's genuine intentions to visit

Assessing an applicant's personal circumstances

Travel/ immigration history

<u>Frequent or successive visits: how to assess if an applicant is making the UK their</u> main home or place of work

Grounds for doubting the applicant's intentions to visit the UK

Credibility and intentions: borderline decisions

Assessing an applicant's genuine intentions to visit

See: paragraph V 4.2 of appendix V: visitor rules.

You must be satisfied that the applicant meets all the requirements of V 4.2 to V 4.10 of the visitor rules and is a genuine visitor. See also <u>V 8.4 for extensions of stay</u>. If you are not satisfied, you must refuse their application. A visitor can enter, or extend their stay, to do different permitted activities but they should be expected to have a main reason or reasons for visiting, for example for business or a holiday, and be able to provide details. However, particularly where a visitor holds a long-term, multiple entry visit visa valid for 2, 5 or 10 years, it is likely that their reason for visiting will differ over time. This is permissible, provided they continue to intend to undertake one or more permitted visitor activity. See <u>suitability</u> for further details.

See also burden of proof and evidence.

Assessing an applicant's personal circumstances

See: paragraph V 4.2 of appendix V: visitor rules.

The following factors will help you assess if an applicant is a genuine visitor:

- their previous immigration history, including visits to the UK and other countries
- the duration of previous visits and whether this was significantly longer than
 they originally stated on their visa application or on arrival if this is the case,
 you should not automatically presume that the visitor is not genuine, but this
 may be a reason to question the applicant's overall intentions
- their financial circumstances as well as their family, social and economic background
- their personal and economic ties to their country of residence
- the cumulative period of time the applicant has visited the UK and their pattern of travel over the last 12-month period, and whether this amounts to 'de-facto' residence in the UK

- whether, in your judgment, the information and the reasons for the visit or for extending their stay provided by the applicant are credible and correspond to their personal, family, social and economic background
- other information that is relevant to assessing the applicant's intentions, such as:
 - the applicant's country of residence and/or country of nationality this can include the political, economic and security situation - you may use any reputable publicly available information to identify these factors for example, Home Office country information reports, UN reports, EU reports, factual media reporting
 - o where publicly available information indicates that the political and/or economic and/or security situation in the country (or part of the country) in which the applicant has the right to reside permanently is unstable or is a conflict zone because it has significant political or social unrest, this will form an important part of the assessment of whether the applicant is a genuine visitor who has the intention and ability to leave the UK at the end of their visit - an example of this scenario is in the next bullet
 - o where information indicates that the country or part of a country is a conflict zone, this information, if it is not outweighed by the particular circumstances of the applicant – for example, that they also have legal right to reside permanently in another, more stable country - can be sufficient reason for you not to be satisfied that the applicant is a genuine visitor
 - information on immigration non-compliance by individuals who applied for a visit visa from the same geographical region as the applicant - this can include published statistical information on immigration non-compliance and any other locally held information - <u>Home Office published statistical reports</u> may help with your assessment

Travel/ immigration history

You must check the applicant's travel history in their passport (and, for visa applications, listed on the form). A pattern of travel that shows the applicant has previously complied with UK immigration law may indicate the applicant is a genuine visitor. As might travel to other countries, especially the USA, Canada, Australia, New Zealand, Ireland, Schengen countries or Switzerland.

If an applicant has previously failed to comply with another country's immigration law, for example if they have been removed from another country, or if they have been refused entry to another country, this may suggest that an applicant is not a genuine visitor (depending on the circumstances).

Travel history should not be the only consideration in deciding whether you are satisfied an applicant is a genuine visitor. In particular, there may have been a change in circumstances since previous travel. You should consider all relevant information for each application including any social and economic factors and any locally held information.

Where the applicant is a first-time traveller, you will need to rely on other evidence to satisfy you they have a genuine intent to visit.

Frequent or successive visits: how to assess if an applicant is making the UK their main home or place of work

See: paragraph V 4.2(b) of appendix V: visitor rules.

You should check the applicant's travel history, including how long they are spending in the UK and how frequently they are returning. You must assess if they are, in effect, making the UK their main home.

You should look at:

- the purpose of the visit and intended length of stay stated
- the number of visits made over the past 12 months, including the length of stay on each occasion, the time elapsed since the last visit, and if this amounts to the individual spending more time in the UK than in their home country
- the purpose of return trips to the visitor's home country and if this is used only to seek re-entry to the UK
- the links they have with their home country consider especially any long-term commitments and where the applicant is registered for tax purposes
- evidence the UK is their main place of residence, for example:
 - o if they have registered with a general practitioner (GP)
 - o if they send their children to UK schools
- the history of previous applications, for example if the visitor has previously been refused under the family rules and subsequently wants to enter as a visitor you must assess if they are using the visitor route to avoid the rules in place for family migrants joining British or settled persons in the UK

There is no specified maximum period which an individual can spend in the UK in any period such as '6 months in 12 months'. However, if it is clear from an individual's travel history that they are making the UK their home you should refuse their application.

Grounds for doubting the applicant's intentions to visit the UK

See: paragraph V 4.2 of appendix V: visitor rules.

This is not an exhaustive list but may help with your assessment. If:

- the applicant has few or no family and economic ties to their country of residence, and has several family members in the UK - for example a person with most of their family in the UK and no job or study in their own country may be considered to have few ties
- the political, economic and security situation in the applicant's country of residence, including whether it is politically unstable, a conflict zone or at risk of becoming one, leads to doubts about their intention to leave the UK at the end of their visit – see 'Assessing an applicant's personal circumstances'

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- the applicant, their sponsor (if they are visiting a friend or relative) or other immediate family member has, or has attempted to, deceive the Home Office in a previous application for entry clearance, leave to enter or leave to remain
- there are discrepancies between the statements made by the applicant and the statements made by the sponsor, particularly on points where the sponsor could reasonably be expected to know the facts but does not
- it has not been possible to verify information provided by the applicant despite attempts to do so
- the information that has been provided or the reasons stated by the applicant are not credible
- a search of the applicant's baggage and vehicle at the border reveals items which demonstrate they intend to work or live in the UK

Credibility and intentions: borderline decisions

See: paragraphs V 4.2 and V 8.4 of appendix V: visitor rules.

For visa applications, if you are satisfied that the applicant meets all the visitor rules you should grant the visa, but if some aspects remain of concern, you should consider whether to grant a <u>short duration visa</u>.

At the border, you must use code 3 if the applicant meets all the visitor rules, but some aspects remain of concern.

See <u>Recording requirements for UKVI and Border Force: Credibility and intentions – borderline decisions</u> for information you must record where you have residual doubts.

Related content

Contents

Visit: maintenance and accommodation and sponsorship

This page gives information on maintenance and accommodation requirements and sponsorship which applies to all visitors except transit.

Contents:

Maintenance and accommodation

Maintenance and accommodation provided by a third party

Sponsor undertakings on maintenance and accommodation

Other third party support (non financial)

Maintenance and accommodation

See: paragraphs V 4.2(e) and V 4.3 to 4 of appendix V: visitor rules.

Check the applicant has access to sufficient resources to maintain and accommodate themselves adequately for the whole of their planned visit to the UK or for the period of any application for extension of stay.

There is no set level of funds required for an applicant to show this.

At the border you may want to ask where the applicant will be staying and ask for evidence that they have access to funds to cover the costs they are likely to incur during their visit.

For visa and extension applications you should look at the application form and any financial supporting documents to assess this requirement. You should consider the likely cost of their stay and assess any sources of revenue that will continue to be paid to the applicant whilst they are visiting the UK.

You must also take into account any ongoing financial commitments the applicant has in their country of residence such as rent/ mortgage payments and any dependants who they support financially, including those who are not travelling with them.

Their income or savings, minus their financial commitments, must be sufficient to meet the likely costs they will incur in the UK and be reasonable expenditure in light of their financial situation.

Where an individual provides documents which show sufficient funds for their planned stay, but either all or the majority of these funds have not been held in their account for long, you may want to make further checks to establish the origin of this money.

If the money is from a third party you must check whether the rules on <u>maintenance</u> and accommodation provided by a third party are met. If not, you should refuse. If

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the applicant has not declared the third-party support, for example on the application form, and they are unable to show that the funds are genuinely theirs, they cannot be counted in any assessment.

Where a child is applying to come to the UK as a visitor or seeking to extend their stay, they are not expected to have funds in their own name, instead they may meet the requirement by showing they have access to funds from their parents or a third party.

At the border, if an unaccompanied child is travelling to the UK, you may want to ask for evidence about how their visit is to be funded.

Maintenance and accommodation provided by a third party

See: paragraphs V 4.3 to V4.4 of appendix V: visitor rules.

Maintenance and accommodation support can be provided by a third party, including family members, friends and other people with whom the applicant has a genuine personal or professional relationship. If the third party is in the UK, they must not be in breach of immigration law at the time of the decision on the visitor's application, or their entry to the UK. Where that is not the case, the support must be discounted.

A friend, family member or business outside the UK may provide financial support if they meet V 4.3(a) and (c).

To assess whether the relationship is genuine and whether the third party intends to provide support consider:

- the third party's previous history of 'sponsoring' visitors for example, previous failures to support visitors may call into question their intention and ability to do so for this application
- the relationship between the applicant and the third party

For visa applications, you may want to check with the applicant or third party:

- where they met
- how often and by what method they communicate

If the third party is an individual such as a friend or family member providing financial support for the visitor, they must satisfy you that they have enough funds available to adequately support themselves and anyone normally dependent on them, as well as the visitor.

Where you have doubts around the intentions of the third party to provide this support, you must refuse the application.

Sponsor undertakings on maintenance and accommodation

See:

- paragraph V 4.3 to V4.4 of appendix V: visitor rules
- border force guidance on interviews with sponsors

See 'Recording requirements for UKVI: sponsor undertakings on maintenance and accommodation' for information you must record and actions you must take where a sponsor gives an undertaking on maintenance and accommodation.

Other third party support (non financial)

Only third parties providing maintenance and accommodation are mentioned in the visitor rules. Sometimes third parties such as MPs may provide undertakings in support of a visit application. These cannot be considered as a guarantee that the visitor will comply with the terms of their leave. You should not actively seek out such an undertaking or accept an offer to provide one.

Where a third-party undertaking is provided with an application, you may consider it as a factor relevant to establishing the applicant's credibility and intentions, but it should not be accepted as evidence of funds.

See 'Recording requirements for UKVI: MP letter in support of an application' on what to do when an MP writes to a visa application centre in support of an application.

Related content Contents

Visit: prohibited and permitted activities for visitors

This page gives information on visitors coming to the UK for tourism, visits to friends and family, business, work related reasons, for private medical treatment or to transit the UK on route to another country.

Contents:

Tourism and volunteering

Assessing whether work or employment is prohibited for a visitor

Permitted activities for visitors: business and other work-related activities

Payment for visitors

Study for visitors

Medical treatment for visitors

Transiting the UK as a 'standard' or 'marriage/civil partnership' visitor

Tourism and volunteering

Permitted activities

See: appendix 3 paragraphs 1, 3 and V 4.21 (for ADS) of appendix V: visitor rules.

For visa applications, visitors are not required to provide an itinerary, but you should normally expect the applicant to have some plans for their stay and provide information about this on the application form.

At the border, you should expect the applicant to be able to answer questions on what they plan to do.

Volunteering

Appendix 3 allows visitors to undertake volunteering (not voluntary work) provided volunteering is not the main purpose of the visit, it is for a registered charity and will be for no longer than 30 days in total. Where an individual is looking to come to the UK as a visitor specifically to volunteer they must be refused. Volunteering and voluntary workers are provided for in the Tier 5 Charity worker route of the points-based system.

Assessing whether work or employment is prohibited for a visitor

See: paragraphs V 4.5 to V4.6 of appendix V: visitor rules.

For visa applications you should consider whether the information provided about the applicant's purpose of visit/ activities to be undertaken would amount to prohibited work under V4.5. Permitted activities under appendix 3 must not amount to

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employment or filling a role even on a temporary basis. Where you consider that the information provided means that this is the case, you must refuse the application and notify the sponsor management team in case the organisation holds a sponsor licence.

See 'Recording requirements for UKVI: employers using visitors to undertake work or fill a role' for information that you must record and details of where to send this information to.

At the border, you will need to ask the applicant to explain what they are coming to do and for how long. Where you consider that the information provided means that the activities amount to prohibited work under V4.5, you should refuse entry.

The reasons for refusing a visa, leave to enter or cancelling or curtailing leave must be clear and supported by evidence. For example:

- refusal on the ground that an applicant is assessed as not being a genuine visitor because they will be undertaking an activity that is prohibited for visitors (paragraphs V4.5 to V4.10) should be supported by information in the visa application form or from examination of the applicant at the border
- it may be considered that an applicant is intending to directly sell goods or services to the public as opposed to negotiating and signing deals or contracts:
 - the former is a prohibited activity for visitors whereas the latter activity is permitted
 - the information in the visa application form or from questioning the applicant would need to support the assessment of whether or not they intend to undertake a prohibited activity

Where a family member is coming to look after a child in the UK, this is permitted provided it is for a short visit and does not amount to the relative being employed as a child-minder. You must be satisfied that the visit is of a short duration, the relative is a genuine visitor and will not live in the UK for extended periods through frequent or successive visits.

Permitted activities for visitors: business and other workrelated activities

See: appendices 3, 4 and 5 of appendix V: visitor rules.

Check that the applicant has explained their main reason for coming to the UK and that this is one of the permitted activities. For visa applicants this will be on their application form. At the border you will need to ask.

There is no provision for family members (outside of those covered by the dependant routes, such as partners and children, or as the dependant of a visitor undertaking academic activities for more than 6 months) to stay with individuals for the duration of their visit. However, they can enter to visit providing that they are not making frequent or successive visits to reside in the UK for extended periods.

Business activities will normally be linked to the person's employment overseas and activities for visitors are mostly incidental to their employment. There is no restriction on the visitor keeping in contact with their office/ employer whilst they are in the UK. Some activities allow a visitor to do their overseas role from the UK, for example a driver on an international route delivering goods or passengers from abroad to the UK. In all cases the duration of activities must be less than 6 months and prearranged where possible. Where they are not, you should check who will be covering the applicant's role whilst they are in the UK and assess whether the activities in fact amount to work that must be carried out under the points-based system routes.

General business activities

See: appendix 3 paragraph 5 of appendix V: visitor rules.

You should assess whether the period of leave requested is credible in view of the activities they are seeking to do, and be satisfied that the visitor is not coming to work or make the UK their main place of work. For visa applications this evidence might be included in a letter from an employer.

A visitor can attend conferences or seminars. Whilst most will be formal speaker-led events usually lasting for a couple of days and focussed on a specific topic or sector, they can also include familiarisation programmes for people coming to learn about UK practices on law or finance for example. However, you must ensure this does not amount to the person undertaking work experience or longer study.

There is no restriction on the duration of a conference, but it would be reasonable to expect the activity to last no more than a couple of weeks. Where a conference is longer, you should check that it does not amount to a course of study.

Intra-corporate activities

See: appendix 3 paragraphs 6 to 7 of appendix V: visitor rules.

Intra-corporate activities should be of a short duration, linked to a specific project and not involve the visitor directly working with or for clients. You must be satisfied that the applicant is not coming to fill a role in the company as an 'intra-company transferee' which must be done on a Tier 2 ICT visa. If that is the case, the application must be refused.

You should check that the applicant will mainly be based at their company's offices in the UK and not at client sites unless it is for meetings.

There are no restrictions on the nature of regulatory audits as long as they are internal to the group of companies (including branch and subsidiary). You may want to check company records online to confirm if the companies are in the same group.

An example of an audit is inspecting the quality of car productions at a manufacturing plant.

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Prospective entrepreneurs

See: appendix 3 paragraph 8 of appendix V: visitor rules.

The visitor can take part in meetings and discussions to obtain funding for their business. Once funding is secured they must apply for a Start-up or Innovator visa before they undertake any work as an entrepreneur.

Manufacturing and supply of goods

See: appendix 3 paragraph 9 of appendix V: visitor rules.

You should expect visitors to stay for less than one month to carry out this activity because they will be in employment overseas. If they request longer, you must look carefully at what they will be doing in the UK and be sure they are not filling a role in the UK company. Activities for more than one month would not be an automatic ground for refusal but may lead to questions about their intention to be in the UK for a short visit.

Clients of UK export companies

See: appendix 3 paragraph 10 of appendix V: visitor rules.

You should check if there is a contract of service between the two companies for the UK company to provide goods or services to the overseas company. An example would be a UK company contracting defence services to an overseas company (companies must not be part of the same corporate group). Employees of the overseas company can work with the UK company to oversee delivery of the contract. Repeat visits are possible if the duration of the contract is for more than 6 months but there should be a clear end date for the work.

Science, research and academia

See: appendix 3 paragraphs 11 to 12 of appendix V: visitor rules.

You should ensure that researchers and scientists remain paid and employed overseas and are only carrying out activities that are incidental to their job overseas, for example providing advice on an international project, or sharing knowledge on research they are working on overseas. If they want to do research in the UK they should consider applying under Tiers 2 or 5 of the points-based system.

Eminent senior doctors or dentists must have been working for a number of years in their profession. They may come to the UK to take part in research, teaching or clinical practice as long as this remains incidental to their employment overseas.

An academic can carry out research for their own purposes such as for a book or for their employment overseas but the research should not be for commercial gain.

Academics who are applying for a 12 month visit visa, or an extension to complete 12 months as an academic carrying out visitor activities, must be highly qualified within their field of expertise and working in that area before entering the UK. This will generally be people with PhDs or higher. If the applicant does not provide evidence of this, you can usually find a biography on the relevant university website.

Academics who want to come to the UK for 6 months or less do not need to meet the additional requirements at V 4.22 of appendix V: visitor rules.

Legal

See: appendix 3 paragraphs 13 to 14 of appendix V: visitor rules.

Where a person is summoned to the UK to attend a court hearing and there are reasons to doubt their intentions, you should check whether their evidence could be given by video-link by contacting the court. Any person summoned by a UK court would need to provide evidence to confirm why their attendance in person is necessary.

Religion

See: appendix 3 paragraph 15 of appendix V: visitor rules.

You should check that the person is not seeking to take up an office, post or appointment in the UK.

Religious workers can undertake pastoral duties which can include one-off engagements such as conducting wedding ceremonies or funerals, provided these are one-off engagements for which they are not receiving payment and they continue to be in employment overseas.

Creative

See: appendix 3 paragraphs 16 to 18 of appendix V: visitor rules.

An artist can include anyone coming to the UK to undertake an activity that is connected to the arts (literature, performing arts, visual arts, culinary arts). There is no restriction on amateur or professional artists doing permitted activities. Examples include:

- poets
- film crew
- photographers
- designers
- artists
- musicians
- writers
- conductors

Entertainers can include anyone coming to the UK to undertake an activity that is connected to the performing arts, for example dancers, comedians, members of circus acts or members of film crew.

Personal or technical staff who are attending the same event can accompany the artist, entertainer or musician to the UK, provided they are employed to work for them overseas. Examples include, but are not restricted to:

- choreographers
- stage managers
- make-up artists
- personal bodyguards
- press officers

Sport

See: appendix 3 paragraphs 19 to 20 of appendix V: visitor rules.

You must consider whether the individual is being employed as a professional sports person by a team based in the UK. If that is the case, you should refuse and inform the applicant to consider applying for a work visa under Tiers 2 or 5 of the points-based system.

Sportspersons are able to take part in tournaments or events, however if the applicant intends to participate in a professional domestic championship or league, including where one or more of the fixtures/ rounds takes place outside the UK, this is classed as employment (paid or unpaid).

Amateur sportspersons are able to join an amateur team or club to gain experience in a particular sport, provided they are an amateur in that sport. You must consider whether the individual is actually an amateur or not, as well as the amateur status of the team/ club. An individual is not permitted to join an amateur team/ club as a visitor if they are a professional sportsperson or the team/club is not an amateur one and you must refuse the application.

It should be possible to confirm the team's/ club's status on their website or on the website of the sport's governing body. For example, the England and Wales Cricket Board for cricket or on the websites of the leagues, for example the English, Scottish, Welsh and Northern Irish football league websites.

The definition of 'amateur' and 'professional' sportsperson for immigration purposes is in the <u>introduction section of the Immigration Rules</u>:

"An "**Amateur**" is a person who engages in a sport or creative activity solely for personal enjoyment and who is not seeking to derive a living from the activity. This also includes a person playing or coaching in a charity game.

A "Professional Sportsperson", is someone, whether paid or unpaid, who:

- 1. is currently providing services as a sportsperson, or is playing or coaching in any capacity, at a professional or semi-professional level of sport;
- 2. is currently receiving payment, including payment in kind, for playing or coaching, and that payment covers all, or the majority of, their costs for travelling to, and living in, the UK, or has received such payment within the previous four years;
- is currently registered to a professional or semi-professional sports team, or has been so registered within the previous four years. This includes all academy and development team age groups;
- 4. has represented their nation or national team within the previous two years, including all youth and development age groups from under 17s upwards;
- 5. has represented their state or regional team within the previous two years, including all youth and development age groups from under 17s upwards;
- 6. has an established international reputation in their chosen field of sport; and/or
- 7. engages an agent or representative, with the aim of finding opportunities as a sportsperson, and/or developing a current or future career as a sportsperson, or has engaged such an agent in the last 12 months,

unless they are playing or coaching as an "Amateur" in a charity event."

Some examples of those likely to be included in the definition of 'professional sportsperson' are:

- players who have played for professional or semi-professional clubs at junior levels, which may include under 17s and under 19s teams, whether they were paid or not
- coaches of junior teams of professional or semi-professional clubs, whether they were paid or not
- former professional sportspeople who have formally reverted to amateur status according to the rules of their sport
- players who have played representative sport for their state, country or territory, whether they were paid or not
- those who have engaged agents to find opportunities to provide their services as a sportsperson or a coach
- those travelling solely to play or coach sport who have their expenses wholly or largely paid for them

Technical or support staff for sportspersons must be attending the same event as the sportsperson and be employed to work for them overseas. Examples include:

- physiotherapists
- coaches
- dieticians
- bodyguards
- press officers

 polo grooms but only when they are accompanying a polo player and not intending to base themselves in the UK for the sporting season to take up employment in the stables

Sports officials (for example lines people, umpires) do not have to, and in many cases will not, be employed by the sportsperson to work for them overseas. They must be attending the same event as the sportsperson and support their activities during that event.

Overseas roles requiring specific activities in the UK

See: appendix 3 paragraph 21 of appendix V: visitor rules.

It is possible for certain types of people, who are employed abroad and remain so, to visit the UK to carry out their work. For example, drivers on an international route or interpreters accompanying another visitor. You must check the visitor continues to be employed and paid overseas. Personal assistants and bodyguards who are supporting an overseas business person on their visit must not be providing personal care or doing domestic work for them in the UK – they must use the Overseas Domestic Worker route for this.

Work-related training

See: appendix 3 paragraph 22 of appendix V: visitor rules.

Training should be in work practices and techniques that are not available in the visitor's home country. It should typically be class-room based or involve familiarisation or observation. Practical training is however allowed provided it does not amount to 'training on the job' or the person filling a role. It is acceptable for a visitor to learn how to use a piece of equipment in the UK, but you must carefully assess how long they intend to do this for and make sure there is no risk that they will be working for that company in the UK.

Where you think the training is available in their home country, you may want to question why the visitor needs to come to the UK.

You would normally expect a visitor to carry out training for less than one month. If the visitor requests longer, you should consider who will be covering their work overseas and whether their training activities actually amount to taking employment in the UK.

Professional Linguistic Assessment Board (PLAB) test and Objective Structured Clinical Examination (OSCE)

See: appendix 3 paragraph 22 and V 8.10 to 11 of appendix V: visitor rules.

Where a person is undertaking the PLAB test this will not usually include any study in the UK and should not count towards the permitted period of study. The applicant

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should provide confirmation of their test from the General Medical Council or Nursing and Midwifery Council.

Where an individual successfully passes the PLAB test and wishes to remain in the UK they can only do so if it is for an unpaid clinical attachment as specified in the visitor rules.

Individuals can enter as visitors to sit a test or an exam in the UK, such as those for entry into one of the Royal Colleges.

Payment for visitors

See: paragraph V 4.7 and appendices 4 and 5 of appendix V: visitor rules.

Visitors may only receive payment from a UK source in specific circumstances as set out in the visitor rules - this must not equate to a salary. Where this is the case, you must refuse the application.

At the border, you may want to ask whether the applicant will be being paid in the UK for any activities. See guidance on Permitted paid engagements.

Study for visitors

See: paragraphs V 4.8 and appendix 3 paragraph 25 of appendix V: visitor rules.

The rules limit visitors to a maximum period of 30 days' study, where study is not the main purpose for which the visitor is coming to the UK (see exception under Long-term visit visa holders). For example, where the visitor is coming to the UK for a holiday and undertaking an English language course. The permitted 30 days can either be in one period or multiple periods totalling no more than 30 days, for example, study on 30 separate days.

Check to ensure that they are not using frequent or repeat visits to pursue a longer course, especially where this would not meet the requirements of the relevant student route.

Where an individual is coming to undertake a period of study in excess of the permitted 30-day period or study is the main purpose in coming to the UK, they should apply under the short-term study route.

Any bona fide institution in the UK, that is not a state funded school or academy, can offer recreational courses, for example horse riding or a dancing course. Courses that lead to formal qualifications are not normally considered recreational. Qualifications for this purpose do not include attendance certificates.

Non-recreational short courses, including English language courses or study that is part of a course of study overseas, are only allowed if the provider meets the criteria of appendix 3 of the visitor rules, including that it is not a state funded school or academy.

Long-term visit visa holders

A visitor who holds a long-term, multiple-entry visit visa may wish occasionally to come to the UK solely to study for a short period of time (up to 30 days). This can include but is not limited to, people who are pursuing a course of study overseas (including a UK course by distance learning) who are required study in the UK as part of this.

Since a person cannot hold 2 forms of leave at a time, a long-term visit visa holder cannot be granted a visa or leave to study as a short-term student without their long-term visit visa being cancelled, if the validity of the long-term visit visa and the short-term study leave are concurrent. A long-term visit visa holder may therefore be permitted occasionally to enter solely to take a course or period of study. The course or period of study must meet the requirements of <u>paragraph 25 of appendix V</u>, so must not exceed 30 days at any one time and, unless it is a recreational course, take place at an accredited institution.

The main purpose of holding the long-term visit visa must continue to be to undertake visitor activities as set out in <u>paragraphs 3 to 24 and 26 to 27 of appendix 3 to appendix V of the Immigration Rules</u>. So, the visits must continue to be mainly for permitted activities other than study – for example, that the time spent studying in the UK does not exceed the time spent carrying out other activities. If information is available that the visits are not mainly for other permitted visitor activities, the visitor visa can be cancelled and the visitor refused entry. It may be apparent, for instance, that the visitor's main purpose in visiting the UK is to study, if they are making repeat visits in order to complete a longer course of study (they may have confirmation of acceptance on such a course). Such study should be carried out either under the short-term student route or Tier 4 of the points-based system. A short-term student must not intend to study in the UK for extended periods through frequent or successive periods as a short-term student.

This exception does not apply to holders of single entry visit visas and to non-visa nationals applying for leave to enter as a visitor at the border. For such people, study must not be the main or sole purpose of the visit.

Permitted activities: educational exchange visits

See: paragraph V 4.8 and appendix 3 paragraph 25(a) of appendix V: visitor rules.

You must check that the students are in full time education in their home country and that any teachers or other adults accompanying the group are employed overseas.

Exchanges and educational visits may be with a state funded school or academy or an independent school and should be mainly about broadening horizons and deepening intercultural understanding. These visits are not limited to 30 days, but you should look at the nature of the visit if it is for longer and make sure it does not amount to a course of study that should be carried out under the study routes. The precise nature of the visit is for the school to decide. You may wish to see evidence of a programme of cultural visits or other activities to satisfy you that the programme is a short exchange.

For visits longer than 28 days, see guidance on private foster care.

State education: children of visiting academics in UK for 12 months

The requirement that a visitor must not intend to study at a maintained school may be waived for a dependant of a person who has entered the UK for the purpose of accompanying their parent who is a visiting academic who is on sabbatical leave and undertaking research for up to 12 months in the UK.

Admission to maintained schools is not an immigration matter. The Department for Education has policy responsibility for admissions to schools in England. Admissions policy elsewhere in the UK is a matter for the devolved administrations of Scotland, Wales and Northern Ireland. Responsibility for deciding whether to admit a child to an individual maintained school rests with the school's admission authority, which is the local authority in the case of a community or voluntary controlled school, and is the school's governing body in the case of voluntary aided or foundation school.

Medical treatment for visitors

Prohibited medical treatment

See: paragraphs V 4.9, V 4.14 to 16 and appendix 3 paragraphs 26 to 27 of appendix V: visitor rules.

Visitors are not eligible for free of charge treatment on the National Health Service (NHS), unless an exemption from charge applies in law, and therefore may be billed for any NHS treatment received in the UK. Further details are in the Department of Health guidance on overseas visitors.

The UK has reciprocal healthcare agreements (RHCAs) with a number of countries. RHCAs generally provide equivalent access to immediately necessary healthcare for

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the citizens of the contracting countries, where they are present in the other's country for a limited period. Treatment is provided on the same terms as for a local resident (free of charge in the UK). The majority of these RHCAs apply only to short-term visitors. RHCAs cater for treatment that arises during a migrant's stay. RHCAs do not usually allow migrants to come to the UK for the specific purpose of seeking medical care.

Permitted medical treatment, including organ donors

See: paragraphs V 4.17 to 20 of appendix V: visitor rules.

Visitors can only access treatment in the UK if it is paid treatment. The only exception is organ donors.

Organ donors must provide the specified evidence in the visitor rules to prove they are a donor match or have been identified as a potential donor to an identified recipient in the UK.

You must be satisfied the organ donor has a genetic or close personal relationship with the intended recipient in the UK.

Genetic relationships would be where the donor is a blood relative to the identified recipient in the UK. Close personal relationships would typically include the visitor's spouse, partner or close friends. It would not extend to relations established via social media campaigns.

It is an offence for money to be given for organ donation (expenses are permitted for NHS donors). Where you suspect payment is being made in return for organ donation, you must refer the case to Immigration Enforcement International.

You must also be satisfied that the identified recipient is legally in the UK and entitled to receive treatment either on the NHS or in a private hospital.

Individuals donating to patients receiving NHS treatment can be reimbursed for expenses incurred which are directly attributable to being a donor. These can include travel costs and loss of earnings and are usually paid by the NHS after the treatment. You should look for information as to who is funding the visitor's stay in the UK.

Organ donors should not be accompanied by their children unless there is no immediate care arrangement for them in their country of residence and satisfactory arrangements have been made for them in the UK. In assessing any arrangements for the UK, you should ensure that this accounts for any period the donor will be either in hospital or unable to care for the child or children whilst recuperating.

There is no permitted activity for a family member, friend or nurse of the visitor coming to the UK for private medical treatment to accompany the visitor. People who wish to do so, must apply as a visitor and meet the visitor rules.

If the individual does not meet the visitor rules, or the person escorting the private medical treatment visitor wants to stay in the UK for more than 6 months, you must refer the case to the Referred Casework Unit (RCU) to see whether a grant of leave outside of the rules is appropriate.

Secondary applications from organ donors

Where a visitor enters as an NHS donor and is assessed to be an unsuitable match or chooses not to donate, either because they are incompatible with their intended recipient, or prefer a better match, they may choose to pursue a paired or pooled donation. This allows them to be matched with another donor and recipient in the same situation in the National Living Donor Sharing Schemes. The donor organs are then swapped. When 2 pairs are involved it is a paired donation, and where there are more than 2, it is a pooled donation.

Where an individual applies for a visit visa on this basis, their application must be referred to RCU for consideration outside the rules. Individuals applying on this basis must provide the relevant medical letter, detailing the arrangements involved and specifying whether this is a pooled or paired donation. The application must be assessed against the general visitor requirements and the additional organ donor requirements (with the exception of the requirement to have genetic or a pre-existing emotional relationship with the direct recipient, although they should still have a connection with someone in the group who is receiving an organ transplant).

Transiting the UK as a 'standard' or 'marriage/civil partnership' visitor

See: appendix 3 paragraph 28

A transit visitor is a person seeking to travel through the UK on their way to another destination country outside the Common Travel Area (CTA) (UK, Ireland, the Channel Islands and Isle of Man).

There are four ways an individual can transit the UK. These are explained in detail in the Transit guidance.

A person who holds a 'transit visitor', 'standard visitor' or 'marriage/civil partnership visitor' visa or leave can use that to enter the UK to transit the UK landside (that is, to cross UK border control while transiting and enter the UK for a maximum of 48 hours).

The differences are that a person who holds a 'transit visitor' visa or leave cannot use that to enter the UK for any other reason, they can transit the UK only.

A person who holds a 'standard visitor' or 'marriage/civil partnership visitor' visa or leave can transit the UK as well as undertake any of the other permitted activities in Appendix 3 to Appendix V.

For example, a visitor who holds a long-term 'standard visitor' visa valid for 10 years can come to the UK to transit using that visa, without the need to obtain a 'transit visitor' visa and for the long-term 'standard visitor' visa to be cancelled. Or a visitor who applies for a 'marriage/civil partnership visitor' visa valid for 6 months can, if issued, come to the UK to get married or form a civil partnership, leave the UK to honeymoon in a third country and transit the UK on their way to returning to their home country using the same visa.

Full details of considerations and processes can be found in the Transit guidance. 'Standard visitors' and 'marriage/civil partnership visitors' intending to transit must meet the requirements under V7 and V4 and V6 respectively.

A 'Permitted paid engagement visitor' visa or leave cannot be used to transit the UK.

Related content

Refer or defer an entry clearance case Contents

Related external links

<u>List of registered medical practitioners</u>
<u>Transfer or refer an entry clearance case (GOV.UK)</u>

Visit: period of stay granted

This page gives information on what length and type of entry will be granted in different circumstances.

Contents:

Long-term visit visas (multiple entry)
Extensions for long-term multiple-entry visit visas
Single entry visit visa: when and how to grant
Short duration visa: when and how to grant

Long-term visit visas (multiple entry)

Applicants may apply for a visit visa that allows multiple visits of up to 6 months at a time (for a (standard) visitor) over a period of:

- 2 years
- 5 years
- 10 years

Applicants for a long-term visit visa must meet all the visitor rules relevant to their visit. You must then decide whether to issue the length of visit visa applied for.

The applicant must satisfy you that they have a genuine intention to visit on a regular basis. Consider:

- credible ongoing reason to visit:
 - a successful applicant will show a frequent and continued reason for coming to the UK, such as family links or an established business connection but must not intend to make the UK their home
 - visitors coming to marry or to form civil partnership in the UK, as well as unaccompanied children and those entering the UK for medical treatment are unlikely to demonstrate this
- stability of personal and economic circumstances as far as possible, an applicant's financial circumstances and ties to their home country should be unlikely to change significantly during the validity of the visa
- travel history a person does not need to have previously held a visit visa before being issued with a multiple entry visit visa, however, a history of international travel which shows the individual's compliance with UK or other immigration laws will be relevant to deciding whether the applicant intends to leave the UK at the end of each visit - see guidance on travel/immigration history

Where the applicant meets the visitor rules but does not show a need to visit the UK on a regular basis and therefore does not qualify for a long-term visit visa, you can issue a visit visa for up to 6 months. In such cases, no refund (full or partial) is available.

You must provide clear reasons for the decision to grant a visa for a shorter period than that applied for in a covering letter when the passport is returned.

See: Frequent or successive visits: how to assess if an applicant is making the UK their main home or place of work.

Extensions for long-term and multiple-entry visit visas

If a visitor holds a long-term multiple-entry visa and they want to stay for longer than the visa expiry date, it is possible for them to apply to extend their leave for up to the maximum 6 months permitted for visitors (standard). For example, a visitor arrives in January and their long-term visit visa is due to expire in February. Provided the visitor meets the rules, they can extend for up to 6 months, until June, as a visitor (standard). A single entry or 6-month visa can also be extended to complete 6 months' in the UK as a visitor.

Single entry visit visa: when and how to grant

Entry Clearance officers must obtain the authority of the Entry Clearance Manager before issuing a single-entry visit visa (except for Approved Destination Status (ADS) visas).

Most visit visas allow the person to enter the UK multiple times during its period of validity except for ADS.

For other visitors, you must only issue a single-entry visit visa in certain cases, such as:

- children whose visit is sponsored by charities
- in residual doubt cases where the applicant meets the rules, but you have a residual doubt and there is a clearly established, verifiable and compelling reason to visit the UK (see examples below)

A non-exhaustive list of examples of where it may be appropriate to issue a singleentry visit visa includes:

- key witness (non-expert) at a criminal, civil or family court appearance
- a visit at the request of the police or other agency to assist enquiries
- to attend the funeral of an immediate family member
- to attend a specific one-off genuine event the applicant has been invited to, for example a religious convention
- to conduct a specific business transaction in the UK where the person's attendance is essential
- to visit an immediate family member who is pregnant or who is seriously ill

Short duration visa: when and how to grant

Unless there are grounds for not issuing a multi-entry or long-term visit visa, you should issue the visa applied for.

See <u>Recording requirements for UKVI: granting a short duration visa</u> for information you must record.

Grounds for limiting the duration of a visa

You can limit the duration of a visa:

- for children, who should only be granted a long-term visa which is valid to 6 months past their 18th birthday, for example:
 - for a 14 year old applying for a 2 year long term visit visa, the visa expiry date should be 2 years from the date it is granted
 - for a 14 year old applying for a 5 or 10 year long term visit visa, the visa expiry date should be limited to the date that is 6 months after the applicant's 18th birthday
- when it is appropriate to issue a single entry visa
- when the applicant holds a travel document:
 - with permission to enter another country that must be exercised before a given date
 - o that restricts how long they may be outside their country of normal residence

Related content

Frequent or successive visits: how to assess if an applicant is making the UK their main home
Contents

Visit: suitability

This page gives information on how the suitability rules apply to all visitors.

Visitor suitability rules: relationship to part 9 of the Immigration Rules

Unlike other routes, visitors are not subject to the general grounds for refusal (GGfR). Instead you must apply the suitability requirements in <u>part V3 or V9 of appendix V: visitor rules.</u> These are a single set of requirements that apply to all visitor applications whether for a visit visa, for leave to enter at the border, or for an extension in the UK.

Where an application falls to be refused on suitability grounds, or a visa or leave to enter or remain falls to be cancelled/ curtailed it must be done with reference to the relevant paragraph of <u>part V3 of appendix V</u> or <u>part V9 of appendix V</u> respectively and not under the GGfR rules, (part 9 of the Immigration Rules (paragraph 320 to 324)). See the table in the visit refusal notice guidance showing how the visitor rules correspond to part 9.

However, the advice in the current guidance on <u>part 9 of the Immigration Rules</u> (<u>paragraph 320 to 324</u>) is relevant when applying part 3 of the visitor rules.

Cancelling and curtailing leave

<u>Part V9 of appendix V</u> provides for visit visas and leave to enter or remain as a visitor to be cancelled before or on arrival at the border and for leave to be curtailed, in specified circumstances.

All visitors, apart from transit and Approved Destination Status visitors can undertake any permitted visitor activity included in appendix 3 of appendix V. Marriage and civil partnership visitors can undertake the activities in appendix 3 and in addition, visit to marry or form a civil partnership or to give notice of this. Permitted paid engagements visitors can undertake the activities in appendix 3 and, in addition, the activities in appendix 4 of appendix V.

It is reasonable to expect that a person who is applying for a visit visa or leave to enter or remain will have and be able to articulate a main purpose or purposes for visiting the UK. However, since a visitor can undertake any permitted activity or activities, it is not sufficient reason to cancel a visit visa on arrival due to a change in the declared permitted activity to be undertaken, provided the visitor does propose to undertake a (any) permitted activity. The primary purpose of a long-term multiple entry visit visa holder is particularly likely to change over the course of 2, 5 or 10 years. It is also possible that a visitor, having indicated on a visa application that they intended to undertake a particular permitted activity, changes their main purpose before or on arrival at the border. For instance, they proposed to take part in a sporting event that is cancelled and they come here for a holiday instead. Since a visitor can undertake any permitted activity, this is permissible.

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A visitor must, however, satisfy you that they continue to meet the suitability and eligibility requirements set out in appendix V. It may be appropriate to consider cancelling a visa or curtailing leave to enter or remain if there is evidence to show that the visitor's circumstances or purpose in coming to or seeking to remain in the UK have undergone such a change that their claim to be a genuine visitor has been removed. This may for example be that they:

- are not intending to undertake any permitted visitor activity
- intend to marry or form a civil partnership and do not have a marriage/ civil partnership visit visa
- intend to work, study or volunteer other than as permitted as a visitor
- intend to settle here as the spouse/ partner of a British citizen or settled person

There may also have been a change in the situation in their country of residence. For example, that it is in conflict, which means that it is no longer likely that they will leave at the end of the visit.

Other circumstances where a visa or leave may be cancelled or curtailed are set out in paragraphs V9.4 to V9.12 of <u>appendix V</u>. Where it is considered that false documents have been submitted or false representations have been made or material facts have not been disclosed, you must be able to show that documents/information were false and that they played a part (or in the case of non-disclosure would have played a part) in the decision to grant a visa or leave to enter or remain.

In all circumstances where any of the above applies, the visa or leave to enter or remain must be cancelled or curtailed in addition to refusing any application for leave.

Related content

General grounds for refusal general guidance Refusing entry clearance and leave to remain

General grounds for refusal: checks

General grounds for refusal: entry clearance General grounds for refusal: border force General grounds for refusal: leave to remain General grounds for refusal: refusal wording

Document verification

Contents

Related external links

General grounds for refusal general guidance and checks (GOV.UK)

General grounds for refusal: entry clearance (GOV.UK)

General grounds for refusal: leave to remain (GOV.UK)

General grounds for refusal: refusal wording (GOV.UK)

Curtailment (GOV.UK)

Revocation

Visit: children

This page gives information on how to deal with applications from children visiting the UK.

Contents:

Child welfare duty

Child not travelling or residing with their parent or guardian

Visit visa applications: parental consent and responsibility for care in home country

Border Force: parental consent

Private foster care

Child visiting to stay with a host family

Child visit organised by a charity

Accompanied children (visa nationals)

Unaccompanied children

Child welfare duty

See: paragraphs V 4.11 to 13 of appendix V: visitor rules.

The Home Office has a statutory duty to have regard to the need to safeguard and promote the welfare of children in the UK under section 55 of the Borders, Citizenship and Immigration Act 2009. For more information, see <u>Safeguard and promote child welfare</u>.

You must make sure a child's welfare is taken into account when considering an application from someone under the age of 18.

You must only grant the application when you are satisfied that the child will be adequately accommodated and all duty of care obligations have been met.

Child not travelling or residing with their parent or guardian

See: paragraphs V 4.11 to 13 of appendix V: visitor rules.

Where a child is not travelling or residing in the UK with their parent or guardian, you must be satisfied that care and reception arrangements are adequate and that the requirement for parental consent has been met.

See Recording requirements for UKVI: child not travelling or residing with their parent or guardian for information you must record.

If details are missing, unclear or other factors raise concerns about the child's welfare, you must make further enquiries to confirm the identity and residence of the host and make sure the child is expected.

If you remain concerned about the child's welfare in the UK, you must refuse the application.

At the border

If you have any concerns about a child's welfare you must contact your local authority children's services department or the police where appropriate.

Children's Services will advise on the suitability of the sponsor and will take the child into their care, if they agree that the sponsor is unsuitable or if there is no responsible sponsor. See: Border Force children's guidance.

Visit visa applications: parental consent and responsibility for care in home country

See: paragraph V 4.12 of appendix V: visitor rules.

If a parent or guardian is making the application on behalf of the child, this will usually satisfy the requirement for parental consent.

If the applicant's parents are divorced, the consent must come from the parent who holds legal custody or sole responsibility.

If the application is not made by the parent or guardian, and there are no other factors which give cause for concern, a letter from the parent or guardian confirming their relationship to the child and consenting to the child's application will be sufficient to establish that this requirement has been met. This does not preclude you from asking for further evidence if required.

If the applicant provides information that the parent they will be travelling with is not the parent who holds legal custody you should seek consent from both parents.

If the legal authorities (meaning the police or judiciary, not a legal representative of one parent) in the child's country of residence have indicated that they are at risk of being moved out of the country without consent you should seek consent from both parents.

You should also request consent from both parents where you are concerned that the child may be at risk.

If there is nothing from the parent or guardian to support the application and no reasonable explanation why this is the case, the application must be refused.

If an application is made by someone other than the parent or guardian, unless that person is a social worker who holds parental rights and cares for the child, you must make enquiries about the identities of accompanying adults.

Unless you have cause for concern, you do not need to make detailed enquiries into the acceptability of adults who are to accompany the child.

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See <u>Recording requirements for UKVI: parental consent and responsibility for care in home country</u> for information you must record about accompanying adults.

If you have any concerns relating to child trafficking you must consult the victims of modern slavery guidance.

Border Force: parental consent

If there is no parental consent, refer to the Border Force children's guidance.

Private foster care

See: paragraphs V 4.11 to 13 of appendix V: visitor rules.

A visitor under the age of 18 is considered to be in private foster care when they are:

- under 16 years old or under 18 years old for those who have a disability
- being cared for on a full-time basis for more than 28 days
- not being cared for by parents or close relatives

This is unless:

- a close relative, parent or legal guardian is looking after them
- the child is part of a group travelling and staying together and accompanied by an adult, for example, a school group

If a foster carer or relative who is not a parent or guardian will have responsibility for the child's care whilst in the UK, the applicant must be able to show the following to satisfy you that reception and care arrangements are adequate:

- a written statement of consent from the parent or guardian
- the name and date of birth of the intended foster carer
- the address where the applicant will be living
- the relationship of the foster carer to the applicant
- authority from the parents or legal guardian allowing the foster carer to care for the applicant during their stay in the UK
- where the child is on an educational exchange visit that lasts longer than 28 days and they are not accompanied by their parent or guardian, a letter from the school to include details of the foster care arrangements
- confirmation that the parents have or will notify the relevant UK local authority, including the reply from the local authority if they have one

You must make every reasonable effort to make sure the documents presented are genuine.

In England and Wales

Private foster care arrangements must be notified to the relevant local authority by:

- the parents or other carer of the child
- other parties to the arrangement, for example the education provider
- the Home Office if it has not already been done

In Scotland

The regulations require that parents including a guardian or relative:

- notify the local authority of arrangements to be made for the fostering of their children privately under the Foster Children (Scotland) Act 1984
- make provision for the local authority to investigate the suitability of such private fostering arrangements in the interests of the child (regulations 4 to 6) and for the visiting of such foster children by the local authority (regulation 7)

In Northern Ireland

The regulations are equivalent to those in England. Health and social care trusts must be notified of private foster care arrangements lasting more than 28 days in relation to children under 16 years old (or under 18 if they have a disability).

Where a child's visit exceeds 28 days, under child foster care arrangements the host family must present evidence to satisfy you that they have contacted their local Social Services for a home assessment. Where a home assessment has been completed and approved, evidence of this must be provided.

Where a council declines to carry out such an assessment, their response and any relevant evidence to demonstrate that suitable arrangements have been made for the child's stay in the UK must be provided by the applicant.

Child visiting to stay with a host family

See: paragraphs V 4.11 to 13 of appendix V: visitor rules.

If care arrangements are not adequate the application should be refused.

The checks you must make will vary and depend on whether the child is accompanied or unaccompanied. In all cases a clear record of who is responsible for the child's welfare in their home country and whilst in the UK is imperative.

For host families you need to establish the identity and address of the hosts and you must make sure that the care arrangements meet paragraph V 4.11. In routine cases this could mean seeing a letter from the host family.

See <u>Recording requirements for UKVI: child visiting to stay with a host family</u> for information you must record about care arrangements.

At the border

Where a child does not present any documentary evidence about the care arrangements, you must pursue enquiries as you see fit to satisfy yourself that the child is not at risk. See:

- Border Force children's guidance
- Child not travelling or residing with their parent or guardian

Child visit organised by a charity

See: paragraphs V 4.11 to 13 of appendix V: visitor rules.

Charities must complete the registration form for facilitating child visits to UK host families and provide the following information where they are involved in organising a child's visit to the UK:

- full details of the hosts allocated to accommodate the children whilst in the UK
- full details of checks carried out on the hosts these checks must be in line with the charity's own child protection policy and any Charities Commission or Devolved Authority requirements, such as Disclosure and Barring Service (DBS) checks
- they must state whether this is the first or a subsequent visit sponsored by the charity for the child

You must be satisfied that appropriate checks have already been carried out by the charity. At the time of application any DBS checks must be no more than 3 years old.

Charities should notify visa application centres of any amendments to their registration details, which should be recorded accordingly. It is recommended that charities re-register and provide up-to-date details every 12 months.

Charities may only change host families allocated to children, and as stated on the visa application form, in exceptional circumstances. Full details of the new host family and the checks carried out on them must be presented (as set out above). Where Border Force officers have reason to believe that host families have changed, for example if an adult accompanying the child is not one recorded on their visa, they should check the CRS record or check with the visa application centre to confirm whether they have been notified of this change. If not, the officer must be satisfied that the relevant checks on the new host family have been made. If they have not, and the officer is not satisfied that adequate care arrangements are in place, the application should be refused.

Where children are not residing with host families (for example in cases where they may be residing in residential centres), charities must provide full details of the arrangements.

Where the stay will be for longer than 28 days, see: private foster care guidance.

See: Border Force children's guidance.

Accompanied children (visa nationals)

See: paragraph V 4.13 of appendix V: visitor rules.

Issuing an accompanied visa to a child

If a child is travelling in the company of an adult, the adult's name and passport number must be included on the child's visa.

If the child intends to travel with two adults one after another during the validity of the visa (for example, the child may arrive with one parent and then travel for a day trip to France with the other), each of the adult's passport numbers must be entered on the vignette. The passport numbers are sufficient as there is not enough space on the vignette to allow for the names of two people as well as the passport numbers.

See <u>Visit: endorsements and LTE/ LTR codes</u> for the information you must include on the vignette.

Accompanied children at the border

If the child is not travelling with the adult identified on their visa, they may be refused.

If you have concerns over the identity of the accompanying adult, you must:

- check the passport number, initial and surname in the passport of the accompanying adult against the details recorded for the child's visa on the CRS computer record
- advise the visa application centre that issued the visa so they may make a note against the record, in case subsequent applications are made by the same person

In cases where the accompanying adult has travelled with the child but remains airside and does not accompany the child into the UK, the terms of the visa will not be met. Further enquiries must be made of the child and of the accompanying adult, if the latter can be found. In such cases it may be appropriate to refuse the child entry.

If the accompanying adult has legitimately obtained a replacement passport since the issue of the child's visa, the old cancelled passport is acceptable as evidence of identity to allow the child's entry.

If the original passport has been retained by the issuing authority, the new passport is acceptable if it:

- gives the original passport number in full
- contains an official endorsement confirming it replaces the previous passport

Photocopies of the original passport are not, on their own, reliable evidence of identity.

Unaccompanied children

See: paragraph V 4.13 of appendix V: visitor rules.

You must pay particular attention to applications and to the circumstances of a child coming to the UK on their own.

A child with an 'unaccompanied child visitor' visa may travel with or without an accompanying adult. For example, they may have obtained a multi-entry visa and be unable to advise in advance who they will travel with on subsequent trips to the UK.

Related content

Contents

Visit: private medical treatment

This page gives information on dealing with applications for private medical treatment as a visitor.

Contents:

11 month medical visit visas: when to grant

Assessing a visit for private medical treatment

Referral to a medical officer: when you must do this

Length of treatment

Extension of stay for medical treatment: showing funds

Confirming the details of a doctor in the UK

Danger to public health

Requesting a report from a doctor (not the medical inspector)

Surrogacy

Applications at the border for private medical treatment

11 month medical visit visas: when to grant

See: paragraphs V 1.5 and V 4.1(b) of appendix V: visitor rules.

You must make sure that individuals applying for an 11-month visa for private medical treatment have provided medical evidence to support their stay in the UK for this amount of time. The majority of visitors seeking private medical treatment would be expected to stay for 6 months or less.

Assessing a visit for private medical treatment

See: paragraphs V 4.14 to 16 of appendix V: visitor rules.

A visitor wishing to come to the UK for medical treatment may not be in a position to present specific documentary evidence for the proposed treatment. But they must provide satisfactory evidence concerning:

- · their medical condition and treatment
- expenses likely to be incurred
- how they will be funded
- the likely duration of their treatment

If you need to make checks on the evidence, you can search the General Medical Council (GMC) <u>list of registered medical practitioners</u>. Or you can contact them using their telephone enquiry service on 0845 357 3456.

If you cannot find the consultant listed in the register, you must make enquiries with the hospital where the consultation or treatment is due to take place to confirm whether the consultant carries out work there. You must contact the consultant or hospital in the UK if you have doubts about the costs or arrangements for private treatment given to you by the applicant.

There is nothing to prevent a visitor from undertaking private medical treatment once they are in the UK, however if this is their main reason for visiting, they will need to provide this information when they are seeking entry or applying for a visa.

If you receive an application from an individual wanting to take part in a clinical trial in the UK, you should consult the visit policy team for further advice.

See: Medical treatment for visitors – prohibited medical treatment.

Referral to a medical officer: when you must do this

See: paragraphs V 3.13, V 9.5 and V 4.14 of appendix V: visitor rules.

If an applicant has a communicable disease, you must refer them to a medical officer where available.

Length of treatment

See: paragraphs V 1.5(a) and V 4.15-16 of appendix V: visitor rules.

A long period of treatment, for example, 11 months may be acceptable, provided there is a clear need for the patient to be in the UK to receive treatment and they have enough funds to meet all costs. You must assess how long treatment is likely to take. For example, fertility treatment could go on for some years. As long as you obtain the applicant's consent, you will be able to get good estimates by speaking with the consultant who is due to treat them. Where the treatment is open ended, the application will fall to be refused.

Extension of stay for medical treatment: showing funds

Where a visitor is applying for an extension of stay for private medical treatment, if the applicant is reliant on funds from abroad (their own or a third party's), you must ask for proof that the funds are transferable, as certain countries operate strict exchange controls. If there is evidence the person is relying on a third party for funding, you must get fresh confirmation of the third-party sponsor's willingness and ability to meet the cost.

Confirming the details of a doctor in the UK

See: paragraph V 4.15 to 16 of appendix V: visitor rules.

To check if a doctor is registered with the General Medical Council (GMC) a search can be made on the <u>list of registered medical practitioners</u>. This will also show if the doctor is on the Specialist Register (but not which hospital they work at). Where there is doubt, contact the hospital directly to confirm the doctor is a consultant there.

Danger to public health

See: paragraphs V 3.13, V 4.14 and V 9.5 of appendix V: visitor rules.

Refer all applicants for medical clearance who may have a communicable disease, or suffer, or appear to suffer, from a serious illness or disability, whatever the reason for their visit.

Requesting a report from a doctor (not the medical inspector)

See: paragraphs V 4.14 to 16 of appendix V: visitor rules.

Any doctor or medical adviser, including the patient's own general practitioner, is likely to charge a fee. For this reason, a decision to request a report as part of the consideration of an application must be approved by a manager at least one grade higher than you.

Surrogacy

There is no provision in the rules for a woman to be allowed into the UK for the purpose of being a surrogate mother. Admission for private medical treatment is not appropriate since the applicant would not be suffering from any medical condition.

Any application from a woman to enter the UK to act as a surrogate should normally be refused on the grounds that there is no provision in the rules. Where there are exceptional circumstances you should refer the case to Referred Casework Unit (RCU).

See: medical issues guidance.

Applications at the border for private medical treatment

See: paragraphs V 3.13, V 4.2(e), V 4.14 to 4.16, and V 9.5 of appendix V: visitor rules.

If a person says they are receiving, or intend to receive, health or medical treatment in the UK, you must refer them to the port medical inspector.

Admission can be refused on the advice of the port medical inspector.

Applicants will need to satisfy you that they meet the requirements, including having sufficient funds available and the additional requirement for private medical treatment.

If an applicant is successful they may be granted no more than 6 months, subject to a condition prohibiting access to public funds, study and work.

People escorting private medical treatment visitors

There is no permitted activity for a family member, friend or nurse of the visitor coming to the UK for private medical treatment to accompany the visitor. People who wish to do so, must apply as a visitor and meet the visitor rules.

If the person escorting the private medical treatment visitor wants to stay in the UK for more than 6 months, you must refer the case to the Referred Casework Unit (RCU) to see whether a grant of leave outside of the rules is appropriate.

Related content

Contents

Visit: Approved Destination Status (ADS)

This page gives information on considering applications under the ADS agreement in China.

ADS visit visas

See: paragraph V 4.21 of appendix V: visitor rules.

The ADS agreement is an agreement between the UK and China allowing Chinese nationals to enter the UK with an approved tour group.

You must use VISIT - ADS Code 3 for a maximum period of 30 days and marked 'single' or 'dual' to indicate the number of entries to the UK for which it is valid.

In most cases the visa for ADS tourists will be valid for one entry to the UK during the period for which the visa is valid. However, in cases where the tour group's itinerary involves onward travel to Europe and then the group plans to re-enter the UK dual entry visas should be issued.

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Visit: permitted paid engagements (PPE)

This page gives information on considering applications for a permitted paid engagements visit visa.

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Permitted paid engagements visitors: assessing applications

Visiting examiners or assessors

Visiting lecturers

Other recognised organisations who may invite visiting examiners or assessors or visiting lecturers for PPE

Designated air pilot examiner

Qualified lawyers

Arts, entertainment or sporting professionals

Permitted paid engagement visitors: assessing applications

See: part V5 of appendix V: visitor rules.

Visitors undertaking permitted paid engagements (PPE) are allowed to undertake any of the activities at appendix 3 and 4. For example a professional footballer may enter to give a paid interview and also attend meetings to discuss a contract.

You must make sure that PPE visitors are not using this route on a repeat basis for temporary employment. Whilst payment is allowed, this is strictly for short engagements and you must consider whether the applicant's main place of employment is overseas.

Refuse where you have evidence of the PPE visitor making repeat visits.

See: Frequent or successive visits: how to assess if an applicant is making the UK their main home or place of work.

Where a visa national has made an application for a Permitted Paid Engagement visitor visa, and you are satisfied that they meet the relevant Rules, to allow greater flexibility for applicants to travel in and out of the UK during the validity of their PPE visa you can issue a multi-entry PPE visa with a validity for up to 1 month.

You can continue to restrict a visit visa to single entry, if the circumstances require it – for further information see <u>Single entry visit visa</u>: when and how to grant.

Visiting examiners or assessors

See: part V5 and appendix 4 paragraph 1(a) of appendix V: visitor rules.

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Given the short-term nature of this route, experts will normally be employed outside the UK and therefore intend to return to this employment on completion of their engagement.

Where an academic is fully retired and carries out one-off examination work, this would not count as their full-time occupation and you must refuse their application. However, an individual who is semi-retired, carrying out regular examination work and earning income from this, will qualify under this route.

Where the proposed activities include examining at a further education establishment, their application must be refused, as they must apply under <u>Tier 2</u> to do this.

Evidence

You must consider their employment overseas, which must be in a field relevant to their engagement here.

The invitation should show why the individual has been chosen to carry out the PPE (because of their skills or expertise) and set out how the engagement links to the venue and how long the engagement is for. Other evidence could include publications by the applicant in their particular field of expertise or a letter from their employer confirming where they work and area of expertise.

Visiting lecturers

See: part V5 and appendix 4 paragraph 1(b) of appendix V: visitor rules.

Given the short-term nature of this route, experts must be employed outside the UK (this does not have to be as a full time lecturer) and intend to return to this employment on completion of their engagement.

Where an expert is fully retired and carries out a one-off lecture, this will not count as their full-time occupation and you must refuse their application. However, an individual who is semi-retired, carrying out regular lectures and earning income from this, will qualify under this route.

UK Higher Education Institution (HEI) is defined in <u>appendix 1</u> to the visitor rules.

If an individual is invited to give a lecture at a HEI as part of a course this is acceptable, providing they are not replacing the formal role of the course teacher at the HEI (this would come under the relevant tier of the points-based system).

The nature of their lecture will, in the majority of cases directly relate to the area in which they are employed overseas. In cases where they are coming to the UK to lecture on an unrelated area you must take care to verify the applicant's qualifications in this area, such as:

- any previous employment or posts held in this area
- publications on the subject
- other recognised qualifications

Evidence

Consider their employment overseas which must be in a field relevant to their engagement in the UK.

Other evidence can include:

- publications by the applicant in a particular field
- evidence of previous lectures given in that field of expertise
- a letter from their employer confirming where they work and area of expertise

Other recognised organisations who may invite visiting examiners or assessors or visiting lecturers for PPE

See: part V5 and appendix 4 paragraph 1(a) and (b) of appendix V: visitor rules.

The Home Office recognises publicly funded research institutions, such as:

- research organisations which could include independent research organisations and those Research Council funded institutes
- museums (this must be the primary purpose of the venue)
- art galleries (where the primary purpose of the venue is to exhibit art as opposed to selling it or any other activity)
- arts centres, arts festivals, theatres and other arts venues

Designated air pilot examiner

See: part V5 and appendix 4 paragraph 1(c) of appendix V: visitor rules.

To make sure a training organisation is regulated by the Civil Aviation Authority (CAA) see the <u>Civil Aviation Authority website.</u>

If you are unsure about the training organisation status, you must contact the CAA to confirm they are an approved facility for providing flight training.

You must make sure the engagement relates to the applicant's expertise or qualifications, and full-time profession overseas. Given the nature of this engagement the applicant must be employed overseas as a member of that country's national aviation authority, for example the Federal Aviation Authority in the USA.

Qualified lawyers

See: part V5 and appendix 4 paragraph 1(d) of appendix V: visitor rules.

Qualified lawyer covers:

- counsel
- advocates
- attorneys
- barristers
- solicitors

In addition to advocacy and dispute resolution work, lawyers entering under these provisions are permitted to take an active role in the preparation of a hearing which may need one or more preparatory visit.

Where it is clear from the invitation or other information the case is likely to last longer than one month, you must find out if the applicant's involvement will be required for the entire duration. If it is, you must refuse the application on the basis that they are not genuinely seeking entry for a period no longer than one month.

If the qualified lawyer is representing a client based overseas, the engagement must still relate to a UK-based hearing. Rights of audience are not required for:

- arbitration
- other alternative dispute resolution hearings
- certain tribunal hearings

Evidence

They must provide confirmation of the lawyer's right of audience (or 'temporary call') which would allow an overseas lawyer to represent a client in a UK court.

Lawyers can be expected to demonstrate their qualifications. It is common to show a practising certificate or certificate of good standing. This document will vary depending on the regulatory body involved.

Arts, entertainment or sporting professionals

See: part V5 and appendix 4 paragraph 1(e) of appendix V: visitor rules.

A creative organisation includes all organisations involved in artistic and entertainment activities. Examples include galleries, arts faculties or departments in universities, schools and venues involved in producing or staging of events. UK based agents and broadcasters can also invite individuals to undertake a paid engagement in the UK. You must be satisfied that the inviting organisation is legitimate.

A sports organisation includes any organisation involved in organising or staging sporting events or matches.

To qualify, applicants must be able to demonstrate this is their full-time profession. In assessing this you must consider factors such as:

- standing
- reputation
- earnings, recognising that some artists may earn lower salaries in certain countries
- existing work commitments outside of the UK

An arts professional can include fields across the performing and creative arts such as a poet, a make-up artist, a photographer or a traditional artist.

Artists may be taking part in activities such as:

- judging panels
- giving lectures
- talking about, presenting or launching their work to other professionals or the public
- performances
- panel debates
- professional conferences

For more information see the **Granta website on up and coming writers**.

Fashion models who are coming to the UK to undertake a specific engagement can use this route, providing they do not intend to make the UK their home.

Evidence

They must also provide documents to show they are an established professional artist, entertainer or sports professional, such as:

- publications they have produced
- publicity material for performances, screenings, concerts, talks, readings and exhibitions
- evidence of awards
- media coverage and reviews
- proof of recent performances

B5JSSK nationals

Nationals of Australia, Canada, Japan, New Zealand, Singapore, South Korea, and the United States of America (B5JSSK) are able to use ePassport gates to enter the UK. However, if they do so without holding a valid entry clearance they will automatically obtain 6 months leave to enter as a standard visitor. Therefore if a B5JSSK national wishes to carry out any of the above Permitted Paid Engagements they **must** see a Border Force officer on arrival and **must not** use the ePassport gates.

Related content Contents

Visit: marriage and civil partnership

This page gives information on considering applications to visit the UK to marry or enter into a civil partnership.

Contents:

Visa requirement

Non-visa nationals who have not applied for a visit visa to come to the UK to marry or enter into a civil partnership

Holders of existing visit visas who want to enter the UK to marry or enter into a civil partnership

Changing an existing civil partnership to a marriage

Giving notice of intention to marry or enter into a civil partnership

Assessing a visit to give notice or to marry or enter into a civil partnership

Assessing whether the marriage or civil partnership is a sham

Visa requirement

All visitors who intend to enter the UK to marry or enter into a civil partnership or give notice of an intention to marry or form a civil partnership, must have a valid marriage/civil partnership visit visa.

You must include the name of the fiancé, fiancée or civil partner on the vignette.

Non-visa nationals who have not applied for a visit visa to come to the UK to marry or enter into a civil partnership

See: paragraph V 1.3(a) of appendix V: visitor rules.

Non-visa nationals who are seeking entry to visit the UK to marry or enter into a civil partnership or to give notice of that, who do not hold a visit visa must be refused entry.

Changing an existing civil partnership to a marriage

Non-visa nationals who are seeking entry to visit the UK to change an existing civil partnership to a marriage are **not** required to hold a marriage visit visa. They can seek entry as a standard visitor. Visa nationals may apply for a standard visit visa for this purpose. A civil partnership can only be converted to a marriage if it took place under the laws of England and Wales or Scotland.

A visa national will need to present their original civil partnership certificate to evidence that they are in a valid civil partnership. For non-visa nationals arriving at the border, you will need to see the original civil partnership certificate for the person seeking entry to the UK. If you are satisfied that the purpose of the visit is to change a civil partnership to a marriage a visit visa or leave to enter can be granted.

For guidance on how to convert a civil partnership to a marriage see guidance on Convert a civil partnership to a marriage.

Holders of existing visit visas who want to enter the UK to marry or enter into a civil partnership

See: paragraph V 4.10 and Part V6 of appendix V: visitor rules.

Visitors who already have a visit visa to enter the UK and who are now seeking entry to marry or enter into a civil partnership (other than when changing an existing civil partnership to a marriage) must hold a visit visa specifically for this purpose.

Giving notice of intention to marry or enter into a civil partnership

See: part V6 of the appendix V: visitor rules.

Visitors intending to marry or form a civil partnership in the UK must give notice at a register office before the marriage or civil partnership can take place. In England and Wales notice must be given in person. In Scotland and Northern Ireland notice can be given by post.

For guidance on what someone giving notice of marriage is required to do (including what documents they are required to have with them) see guidance on <u>Marriages</u> and civil partnerships in the UK.

Assessing a visit where the intention is to give notice or to marry or enter into a civil partnership

An individual who is coming to the UK to give notice at a register office will need to show that they have made arrangements to do so, for example by providing confirmation of a provisional advance booking to give notice (appointment card or email).

An individual who is coming to the UK to marry or form a civil partnership will need to provide evidence they have made arrangements for their marriage or civil partnership to take place in the UK. Examples of evidence include confirmation of the church or register office booking (email confirmation or a receipt for payment of the marriage/ civil partnership venue).

Assessing whether the marriage or civil partnership is a sham

An individual seeking entry to the UK must not intend to give notice or enter into a sham marriage or sham civil partnership. See: <u>paragraph V 6.3 of appendix V: visitor rules</u>.

For visa applications, you should consider the evidence submitted, including the arrangements for the marriage or civil partnership, the couple's relationship, future plans and living arrangements. You must be satisfied from the evidence provided that the applicant is in a genuine relationship. If you consider that the proposed marriage or civil partnership will be a sham, you should refuse the application under paragraph V 6.3 (c) of appendix V: visitor rules.

Related content

Contents

Related external links

Giving notice of intention to marry or enter into a civil partnership

Visit: referrals to other caseworking teams

This page gives information on when to refer visitor applications to other teams.

You must follow the transfer or refer a case guidance.

Where the applicant does not meet the visitor rules, but there are compassionate and compelling circumstances you must refer to guidance on leave outside the rules.

The referrals to the Referred Casework Unit (RCU) should be made on the referral form and should clearly state what guidance you need and include comprehensive information, documentary evidence and if relevant, a full medical report.

Related content

Contents

Visit: recording requirements and other procedures for visitor cases

This page gives information on the recording requirements for visitor decisions and other procedures.

Contents:

UKVI: granting a short duration visa

UKVI: sponsor undertakings on maintenance and accommodation

UKVI and Border Force: credibility and intentions - borderline decisions

UKVI: MP letter in support of an application

UKVI: employers using visitors to undertake work or fill a role

UKVI: child not travelling or residing with their parent or guardian

UKVI: parental consent and responsibility for care in home country

UKVI: child visiting to stay with a host family

UKVI: requesting a report from a doctor (not the medical inspector)

UKVI: extension of stay where a person is receiving NHS medical treatment

UKVI: granting a short duration visa

Where you issue a visa for less than 6 months, it must be referred to an entry clearance manager (ECM) for approval and recorded locally for management information (MI) purposes.

Where an applicant has requested 6 months, but has been issued less leave, the ECO must issue a letter clearly explaining the reasons for this. In such cases, no refund (full or partial) is available.

UKVI: sponsor undertakings on maintenance and accommodation

You should complete the certification on the <u>sponsorship undertaking form</u>, keep a copy on file and send the original sponsorship undertaking to the Department for Work and Pensions (DWP). Please refer to local address list for details of where to send to.

UKVI and Border Force: credibility and intentions – borderline decisions

Where you have residual doubts, you must record full details of their stated intentions, especially those given verbally, either on:

- Proviso
- CID
- · a written account of the interview

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UKVI: MP letter in support of an application

If an MP writes directly to the visa application centre in support of an application, you should send an acknowledgement stating that when the application is assessed, the MP's letter will be taken into account together with all other available evidence.

UKVI: employers using visitors to undertake work or fill a role

Where you have concerns that specific companies in the UK are sending visitors to their offices to undertake work or fill a role, and circumventing the points-based system employment routes, you must record this in the notes section on Proviso and refer it to the Sponsor Management team.

UKVI: child not travelling or residing with their parent or guardian

You must enter the following details on Proviso or CID to record this:

- name, address and landline telephone number of the parent or carer in the child's home country
- the host in the UK
- · the person accompanying the child

UKVI: parental consent and responsibility for care in home country

You must record the following details about accompanying adults:

- names and passport number this is necessary for the child's visa
- address in the home country
- any address in the UK or abroad
- employment details
- their relationship to the child, their parent or guardian and their host in the UK

UKVI: child visiting to stay with a host family

Proviso/ CID details must be updated to show that satisfactory care arrangements are met and to include the name, address and telephone number of the intended family or carer, as well as the parents contact details.

Failure to make sure this information is readily available may result in a lengthy delay for the child at the border.

UKVI: requesting a report from a doctor (not the medical inspector)

If you require a doctor's report, you must:

- make a note in the file explaining why the medical report is necessary and refer the proposal to a senior caseworker or an entry clearance manager for approval before any further action is taken
- send or hand to the person (or in the case of a child, the guardian), form ICD 0867 seeking their consent for a medical report to be prepared by their doctor
- on receipt of the patient's consent, write to the doctor asking for a full report and enclose ICD 0868

Forms ICD 0867 and ICD 0868 can be found on the CID DocGen database.

UKVI: extension of stay where a person is receiving NHS medical treatment

If a person is refused (except for where the applicant is an NHS debtor), the refusal notice must be accompanied by a letter, making it clear to the applicant that they can make a fresh application if they are prepared to have the treatment privately.

Related content

Contents

Visit: endorsements and LTE/ LTR codes

This page gives information on what endorsements and codes must be used for visitors.

Contents:

Visit visa endorsement codes

Endorsements for accompanied children (visa nationals)

Entry codes at the border

On entry refusal codes at the border

Visit visa endorsement codes

See: Visit endorsement guidance.

Endorsements for accompanied children (visa nationals)

If the child is travelling with one adult, you must include the adult's passport number, initial and surname on the child's vignette.

If the child is travelling with 2 adults, the endorsement must read 'only valid if acc. by [passport number of first adult], or [passport number of second adult]'.

Entry codes at the border

See Visit endorsement guidance.

On entry refusal codes at the border

The on entry refusal codes at border are:

- A1 insufficient funds for proposed visit
- A2 not satisfied genuine visitor
- A4 unsatisfactory or unacceptable arrangements for proposed study
- E4 lack of required visa or entry clearance

B5JSSK nationals

Nationals of Australia, Canada, Japan, New Zealand, Singapore, South Korea, and the United States of America (B5JSSK) are able to use ePassport gates to enter the UK. If they do so without holding a valid entry clearance, they will automatically receive 6 months leave to enter as a standard visitor and will not receive an endorsement in their passport.

If granting leave to enter as a standard visitor to a B5JSSK national at the staffed primary control point, you should not endorse the passenger's travel document with a code 5N but should instead grant leave to enter verbally, in line with the B5JSSK guidance.

Related content

Contents

Visit: permit free festivals

This page gives information on how an event qualifies for inclusion on the permit free festival list.

See: appendix 5 of appendix V: visitor rules.

See: permit free festival guidance.

Related content

Contents