

If you wish to apply for an extension of stay in the United Kingdom (UK) for a purpose for which you must use form FLR(M), please read these guidance notes before making your application.

CONTACTING US

Our main website address and telephone numbers for contacting us are given below.

OUR WEBSITE

www.ukba.homeoffice.gov.uk

For information about immigration law and policy, the services offered by our public enquiry offices, and to see and download application forms and guidance notes

IMMIGRATION ENQUIRY BUREAU

0870 606 7766

Monday to Thursday: 9.00 - 4.45
Friday: 9.00 - 4.30

For general immigration enquiries and information, and to book appointments at our public enquiry offices

APPLICATION FORMS UNIT

0870 241 0645

Monday to Thursday:
9.00 - 4.45
Friday: 9.00 - 4.30

For application forms and guidance notes only

OUR PUBLIC ENQUIRY OFFICES

Our public enquiry offices (PEOs) are for premium service applications only. Their addresses and opening times are given below. The telephone number for appointments is given above.

CROYDON

Public Enquiry Office
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Monday to Friday:
8.00 - 4.00

BIRMINGHAM

Public Enquiry Office
Dominion Court
41 Station Road
Solihull
Birmingham
B91 3RT

Monday to Friday:
9.00 - 4.00

GLASGOW

Public Enquiry Office
Festival Court
200 Brand Street
Govan
Glasgow
G51 1DH

Monday to Thursday:
8.30 - 4.30
Friday: 8.30 - 4.00

LIVERPOOL

Public Enquiry Office
Reliance House
20 Water Street
Liverpool
L2 8XU

Monday to Friday
8.30 - 4.00

GUIDANCE NOTES**1 FOR WHICH APPLICATIONS MUST YOU USE FORM FLR(M)?**

This form must be used only if you are applying for an extension of stay as one of the following:

Spouse or civil partner of a person present and settled in the UK**Unmarried or same sex partner of a person present and settled in the UK**

You and any children under 18 included in the application must be in the UK to apply.

If you have already been given leave to enter or remain for 2 years as the spouse, civil partner, unmarried or same sex partner of a person present and settled in the UK, and are nearing completion of that period, you must use form SET(M) if you want to apply for indefinite leave to remain.

If you are the non-European Economic Area (EEA) partner of an EEA national exercising Treaty Rights in the UK, you should not be applying on form FLR(M). As a family member of an EEA national, you should apply for a residence card or permanent residence under EEA Regulations on form EEA2 or EEA4 depending on your circumstances - see our website.

2 QUALIFYING FOR AN EXTENSION OF STAY

To qualify for an extension of stay, you must satisfy the requirements of the Immigration Rules for the category in which you are applying.

The relevant requirements for the categories for which you must use form FLR(M) are set out in Part 8 Section 1 of the Immigration Rules, which are on our website.

You can also seek information about the relevant rules by calling **0870 606 7766**.

If you are applying for an extension of stay rather than indefinite leave to remain even though you have completed or are about to complete 2 years' permitted stay as a partner, please explain the reasons in a letter and enclose it with the form. Possible reasons are that you have not yet obtained a relevant qualification demonstrating your knowledge of the English language and life in the UK; or that you prefer to apply for an extension of stay because of personal circumstances to do with your relationship with your partner.

Biometric immigration document. From 28 April 2008, certain specified persons applying on form FLR(M) are also required at the same time to apply for a biometric immigration document - see section 7 of the form. For background and other relevant information about this, please read the **Biometric Immigration Document Pilot** section on pages 5-7 of these guidance notes.

3 WHO CAN APPLY ON THIS FORM?

You and your children under 18 if they are applying as your dependants.

4 THE FEE

The current specified fees for applications on form FLR(M) are **£395** for postal applications or **£595** for the premium service at one of our public enquiry offices. If you do not pay the specified fee, the application will be invalid and will be returned to you.

There is only one fee for each application form. You may include children under the age of 18 in your application if they are applying for an extension of stay as your dependants. If they apply separately, they must pay the specified fee.

Children aged 18 or over cannot be included; they must each apply individually and pay the specified fee, as must any children under 18 if there is some reason preventing them from being included in your application.

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

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

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

5 WHEN TO APPLY

You and anyone included in the application must apply before the end of your/their permitted stay in the UK.

6 MAKING SURE YOUR APPLICATION IS VALID

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

apply on the current version of form FLR(M)

pay the fee in full by one of the methods specified in the payment guidance

provide photographs of yourself, your partner and any children under 18 in the application as specified

complete section 8 (Personal History) as required

make sure the relevant declarations in section 11 are signed by you and your partner

send the application by prepaid post to the UK Border Agency address given on the form or make it in person at a public enquiry office.

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

7 MAKING SURE YOUR APPLICATION IS COMPLETE

You do this by completing every section of the form as required and providing all the relevant specified documents, including your passport and those of any dependants included in the application. **If you do not do this, we reserve the right to decide your application on the basis of the information and documents provided.** It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

8 COMPLETING THE FORM

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

In the payment details and other sections where you give personal details and addresses, leave an empty

box between each name or part of the address(es) required in this section. Please note that we always use the personal details in an applicant's passport or travel document for official purposes, including any residence permit if the application is granted.

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

If you need help with any of the questions, you can seek advice by telephoning **0870 606 7766**.

As already emphasised in part 7 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

9 PHOTOGRAPHS

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

Two identical passport-size photographs of yourself with your name written on the back of each one.

One passport-size photograph of your partner with his or her name written on the back of it.

Two identical passport-size photographs of any children under 18 included in the application with their name written on the back of each one.

The photographs should be in colour, recent (within the last month), and approximately 45 millimetres high and 35 millimetres wide, the size of a passport photo.

Each photograph must show the individual's full face clearly against a light background. Sunglasses are not acceptable. Nor is any head covering unless this has to be worn for religious or cultural reasons. But if such a covering conceals the face, this will not be acceptable.

Use one staple or paper clip in each person's case to attach the photographs to the spaces provided. When stapling, do so at the edge of the photograph so as not to damage the image of the face. **Do not use glue or any other sticky adhesive.**

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

10 DOCUMENTS

Documents provided with the application must be originals.

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

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

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

Make sure passports or travel documents are signed.

11 APPLYING BY POST - THE ADDRESS

If you are applying by post, the address to which you must send an application on form FLR(M) is:

**UK Border Agency
Leave to Remain - FLR(M)
PO Box 495
Durham
DH99 1WR**

Posting it to any other address will not only delay your application but could make it invalid. This address is only to be used when sending your application. Please use the address given in part 14 for any other correspondence about your application,

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

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

12 APPLYING IN PERSON

We offer a same day service to people who apply in person at our public enquiry offices (PEOs). The premium rate of **£595** has to be paid for this service, which is available only for applications which are straightforward and do not require further enquiries.

Appointments. To apply in person, you must make an appointment in advance with one of the PEOs. If you

make one for some time ahead, please check that the application form you use is still valid on the day of your appointment.

The addresses, appointments telephone number and opening times of the PEOs are given on the front page of these guidance notes. For the latest information about their opening times and services, please see their pages on our website or phone our general enquiry number.

13 DECISION TIMES

Our current published service standards for deciding charged applications are:

Applications made by post: we aim to decide 70% of applications within 4 weeks (20 working days) and 90% within 14 weeks (70 working days).

Applications made in person: we aim to decide 90% within 24 hours.

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

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

14 CONTACTING US AFTER YOU HAVE APPLIED

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

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

**UK Border Agency
Initial Consideration Unit - FLR(M)
Lunar House
40 Wellesley Road
Croydon
CR9 2BY**

and give the following details in your letter:

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

If you need your passport because you have to travel urgently and unexpectedly, call **0870 606 7766** and provide the personal and other details listed above.

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

15 OBTAINING APPLICATION FORMS

You can obtain application forms from our Application Forms Unit on **0870 241 0645** or by downloading them from our website.

16 OTHER TELEPHONE ENQUIRIES

For enquiries other than obtaining an application form, call **0870 606 7766**.

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

17 CHOOSING AN IMMIGRATION ADVISER

If you engage an immigration adviser one, take care in choosing one. The Office of the Immigration Services Commissioner (OISC) regulates immigration advisers.

The OISC website at **www.oisc.gov.uk** contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives. If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

**Office of the Immigration Services Commissioner
5th Floor,
Counting House
53 Tooley Street
London
SE1 2QN**

Telephone: **0845 000 0046**

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on **0870 606 2555** or visit their website at **www.sra.org.uk**

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

**Legal Complaints Service
Victoria Court
8 Dormer Place
Leamington Spa
Warwickshire CV32 5AE**

Telephone: **0845 606 6565**

18 COMPLAINTS ABOUT OUR SERVICE

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information about how to do so.

If you are unable to access the website or if you need further advice after reading the information on the complaints page, please telephone our immigration enquiry bureau on **0870 606 7766**.

19 DATA PROTECTION NOTICE

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

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

BIOMETRIC IMMIGRATION DOCUMENTS PILOT

From 28 April 2008, the UK Border Agency will be carrying out a pilot in connection with the introduction of identity cards for foreign nationals staying in the UK who are subject to immigration control. The pilot will test the technology and the processes. It will be limited to certain specified people making applications on forms FLR(M) or FLR(S).

Under the provisions of The Immigration (Biometric Registration) (Pilot) Regulations 2008, certain specified people applying for an extension of stay on either of these two forms will be required at the same time to apply for a biometric immigration document and the processes involved will require them to provide a record of their biometric identifiers.

These measures, which are based on powers contained in the UK Borders Act 2007, were explained in the publication **Introducing Compulsory Identity Cards for Foreign Nationals** issued by this Agency on 6 March 2008.

What is a biometric immigration document?

A biometric immigration document is an identity card which will have an electronic chip containing biometric identifiers of the individual, alongside biographical details, such as their name, date and place of birth. It will be issued to foreign nationals who are subject to immigration control and are being granted further or indefinite leave to remain in the UK.

What are biometric identifiers?

Biometric identifiers are unique physical characteristics that can be used to identify you. These may include your facial image, iris images and fingerprints. They do not include your DNA record. If you have to apply for a biometric immigration document in the pilot, you will only

be required to provide a record of your fingerprints and facial image.

Who is required to apply for a biometric immigration document in the pilot exercise?

If you are applying for an extension of stay for a purpose for which you must use form FLR(M), you will be required to apply for a biometric immigration document only if your application satisfies certain conditions specified in The Immigration (Biometric Registration) (Pilot) Regulations 2008.

The conditions apply only to applications made in person at our public enquiry office in Croydon, or made by post by someone whose home address falls within the London postcode area. They are explained in more detail below.

Applying in person at our public enquiry office in Croydon

Anyone applying in person on form FLR(M) at our public enquiry office in Croydon will be required to apply for a biometric immigration document as set out below:

From 28 April 2008

- only single applicants aged 18 or over

From 16 June 2008

- single applicants aged 18 or over
- applicants aged 18 or over with dependent children under 18 included in their application
- children under 18 applying as dependants.

Applying by post

If you are making a postal application on form FLR(M) you are required to apply for a biometric immigration document only if you live at an address within the London postcode area (that is, postcodes starting with **E, EC, N, NW, SE, SW, W and WC**). Anyone with such an address who is applying by post will be required to apply for a biometric immigration document as set out below:

From 28 April 2008

- single applicants aged 18 or over who post their application on or after 28 April and before 26 July 2008

From 16 June 2008

- single applicants aged 18 or over who post their application before 26 July 2008
- applicants aged 18 or over with dependent children under 18 included in their application who post their application on or after 16 June and before 26 July 2008
- children under 18 applying as dependants whose applications are posted on or after 16 June and before 26 July 2008.

If you are making a postal application after 25 July 2008, you are not required to apply for such a document.

How can I check whether I live within the London postcode area?

You can check whether your address is within the London postcode area through the Royal Mail website at www.royalmail.com or at a Post Office.

What will happen if you are required to apply for a biometric immigration document?

a. If you are applying in person at our public enquiry office in Croydon, once your application on form FLR(M) has been accepted as valid, you will be required to provide your biometric identifiers after signing an acknowledgement to confirm that you understand what you are required to do.

You will then be asked to place your fingers, followed by your thumbs, on a fingerprint scanner. If your hands are dirty, we will ask you to clean them. Once your fingerprints have been recorded we will then take a photograph of your face.

The same process will be carried out for any children under 18 included in your application, except that any

children aged under 6 will not be required to provide fingerprints, although we will take their photograph.

The biometric identifiers taken will then be recorded as part of your application.

In some circumstances, you may be required to attend an identity interview if we require further information to establish your identity.

b. If you are applying by post and your home address is in a London postcode area, once your application has been accepted as valid, we will send you a letter instructing you to book an appointment to attend Lunar House in Croydon in order for your biometric identifiers to be registered.

You must book the appointment within 10 working days from the date on which our letter is posted.

You will normally be offered an appointment within 20 working days from the posting of our letter. Where this is not possible, you will be offered the next available appointment.

The time and date of your appointment to provide your biometric identifiers will be confirmed in writing and also by a text message to your mobile phone if you have provided us with a mobile telephone number.

When attending the appointment at Lunar House, you must bring your appointment letter with you, together with a recent document containing your name and address, such as a council tax notification, gas/electricity or other utility bill, or a bank statement.

The procedure at your appointment will be the same as that described above for someone making an application in person at our Croydon public enquiry office.

How and when will you be notified of the outcome of your application for an extension of stay and for a biometric immigration document?

If your application is successful, the decision will be confirmed in an UK residence permit in your passport and those of any dependent children included in the application. In due course, such decisions, together with the biometric identifiers, will be recorded in an identity card rather than in an UK residence permit in a passport, but this will not happen during the pilot.

If you are applying in person at our public enquiry office in Croydon, you will normally be notified of the outcome on the same day.

If you are making a postal application, you will be notified of the outcome by post.

Children under the age of 16

We cannot record the biometric identifiers of children under the age of 16 unless they are accompanied by a responsible adult.

If you include any such children as your dependants in an application made on or after 16 June 2008, we would expect you to be with them when their biometric identifiers are taken.

If any dependent child under the age of 16 has to be accompanied by anyone other than yourself, that person must be a responsible adult aged 18 or over who is either the child's parent or guardian, or a person who for the time being takes responsibility for the child. Any such person should be named on the application form.

That person must bring with them a letter from yourself confirming that they are authorised to take responsibility for the child for the purpose of the biometric identifiers appointment.

When attending Lunar House the responsible adult will also be asked to provide an acceptable form of identity, such as a passport or driving licence, which will be checked against the details given on the application form.

What will happen if you fail to apply for a biometric immigration document or to book an appointment as required?

If you are required to apply for a biometric immigration document but fail to confirm this by ticking the box at question **7.7** of the application form, your application for an extension of stay may be disregarded and returned to you.

Similarly, if you are instructed by letter to book an appointment but fail to do so within 10 days of the date on which that letter was posted, your application will be rejected as invalid and returned to you.

In either of these situations, you will have to resubmit your application if you still want it to be considered.

What will happen if you fail to attend the appointment to record your biometric identifiers, or to comply with the recording process at the appointment?

If you fail to attend a booked appointment, you will be given an opportunity to book another one within a limited period.

If you fail to attend the new appointment or cancel it without a reasonable explanation, your application for an extension of stay is likely to be refused on the grounds of non-compliance with immigration rules and regulations made under the UK Borders Act 2007.

If, when you attend the appointment, you fail to co-operate fully with the biometric recording process, for example by attempting to obscure your biometric identifiers, you will be warned that your refusal to comply may result in your immigration application being refused on the grounds of non-compliance with immigration rules and regulations made under the UK Borders Act 2007.

What about any medical or physical conditions that may require the UK Border Agency to provide you with special arrangements?

If you and/or a child included in the application have a medical or physical condition which may require special arrangements to be made in order for your biometric identifiers to be taken, you must provide a letter or other document giving the details of any such condition. Such a letter should be enclosed with your application.

Appropriate documentary evidence would be a letter from a treating clinician, such as a practising doctor registered with the General Medical Council, giving details of the condition and/or special needs and explaining any arrangements that may be necessary.

Do you need to make any particular preparations before your biometric identifiers are recorded?

Before you attend your appointment to provide your biometric identifiers, we recommend that you check your hands and fingers are clean - this should enable us to process your appointment quickly.

If your hands are not clean, we may ask you to wash them before we scan your fingerprints.

We would advise you not to have any colouring or similar substances (such as henna) on your hands, as this could prevent us from recording your fingerprints on the day of your appointment.

If that were to happen, you would have to make a new appointment to provide your biometric identifiers and that would delay the consideration of your application.