

Immigration and Nationality

Your rights to live and work in the UK



*Community
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There are many laws and rules that say who can come into the United Kingdom (UK), depending on why you are coming and whether you want to stay permanently. This leaflet is about your rights to come to the UK and stay here.

● Do I need permission to come to the UK?	3
● How is entry to the UK controlled?	4
● What sort of permission do I need to come to the UK?	5
● What if I want to work in the UK?	7
● What restrictions are there after I've arrived in the UK?	8
● What if I want to settle in the UK?	10
● What if my application is refused?	13
● What if I stay longer than I am allowed to?	14
● Who has a right to British nationality?	17
● How can I become a British citizen?	17
● Where can I get help with my immigration application?	18
● Terms used in immigration and nationality matters	19

The leaflets in this series give you an outline of your legal rights. They are not a complete guide to the law and are not intended to be a guide to how the law will apply to you or to any specific situation. The leaflets are regularly updated but the law may have changed since this was printed, so information in it may be incorrect or out of date.

If you have a particular problem, you will need to get more information or personal advice to work out the best way to solve it. See 'Further help' on page 22 for sources of information and advice.

This leaflet explains how and when people are allowed to come to the UK to visit, work, or settle here. The laws and rules for people who have been granted refugee status and people seeking asylum are different. See the Community Legal Service leaflet 'Claiming Asylum' for information about this.

The ways that people are allowed to come to the UK are described in rules produced by the Home Office. There are many rules and most of them have been in place for years, but details can change at short notice. The rules, and some of the guidance for the immigration officers who must apply them, are on the Home Office website (see 'Further help' on page 22).

If you are worried about whether you or a relative or partner will be allowed to stay in the UK, remember that this leaflet is only a guide. Unless your situation is straightforward, you should get expert advice. See 'Further help' on page 22 for where you can find more advice.

Do I need permission to come to the UK?

Only people who have the 'right of abode' in the UK can come here without any immigration controls. This includes all British citizens and a few Commonwealth and other British nationals (see 'Who has a right to British nationality?' on page 17).

This right does not cover members of these people's families who are not British citizens. They must meet certain conditions to enter the country (see 'Categories of entry' on page 7). There are some controls for Irish and many other European citizens (see 'What if I am a citizen of a European country?' below). All other people are checked when they travel to the UK, even if they live permanently in this country (see 'What if I want to settle in the UK?' on page 10).

What if I am a citizen of a European country?

If you are a citizen of a country within the European Economic Area (EEA), you are generally free to enter the UK to work here and to stay here. However, you can be deported (made to leave) if you commit a serious crime.

The EEA is made up of:

- the 24 other European Union countries (Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Germany, Hungary, the Irish Republic, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden);
- Iceland;
- Norway; and
- Liechtenstein.

Citizens of Switzerland have similar rights to EEA citizens.

Citizens of eight of these countries (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) need to register with the Home Office during their first year working for an employer here, and pay a small fee.

The special rights of EEA citizens also cover their families (even if members of the family have other nationalities), as long as the EEA citizen is in the UK. If other family members travel to the UK on passports of a country outside the EEA, they will need to have entry clearance (see 'What sort of permission do I need to come to the UK?' on page 5). However, they will not have to pay a fee for it.

How is entry to the UK controlled?

There are four situations in which you may need to show that you are allowed to come to or stay in the UK. They are:

- at a British embassy or other consular post overseas, when you apply for a visa (or other kind of entry clearance);
- at a British airport or seaport when you arrive in the UK, or when you are getting on a Channel Tunnel train;
- at the Home Office after you have arrived in the UK, when you apply to extend your permission to stay, or to change the reason for your stay; and
- if you are questioned by immigration officers or the police in the UK to check that you do have permission to be here.

You can also be asked about your immigration status when you apply for certain things in the UK, including:

- social security benefits;
- a bank account;
- hospital treatment;
- housing from your local authority;
- a school or college place for yourself or one of your children;

- a marriage licence; or
- a job.

For these things, you may have to show papers such as your passport or a Home Office letter to prove that you have permission to be here. These are not immigration controls. But getting the service (for example, benefits or a job) may depend on your immigration status, and the organisation involved (for example, a Jobcentre or employer) may pass information about you to the immigration authorities.

What sort of permission do I need to come to the UK?

The type of permission ('entry clearance' or 'visa') you need to come to the UK depends on:

- your nationality;
- why you are coming to the UK; and
- whether you are visiting or want to settle here.

If you already have permission to stay for a limited time you have a right to travel from and to the UK as long as you go back to your home country or apply to the Home Office again before that permission ends. If you have permission to stay permanently, you can travel to and from the UK; and if you leave, you will keep your permanent residence status as long as you come back within two years.

If you are a citizen of a European Economic Area country, you are free to come to and leave the UK whenever you want (see 'What if I am a citizen of a European country?' on page 3).

Otherwise, whether you need permission (in the form of a visa) depends on whether you are a 'visa national' or not. You are a 'visa national' if you have a passport from one of the countries on a list that is in the immigration rules. If you are from one of these countries, you will need a visa the first time you travel here, whatever your reason for coming to the UK, and for however long you want to stay. To find out which countries are visa national countries, contact UK Visas (see 'Further help' on page 22).

If you are not a 'visa national', you don't need a visa for a short visit, but you will usually need to get permission before you travel to the UK for other reasons (for example, to settle here or for business).

Many visitors to the UK are not 'visa nationals', including people from the USA, Japan and many Commonwealth countries, including Australia, Canada, New Zealand and South Africa. If you are a citizen of one of these countries you do not need to get permission to come for a short visit, but you will need permission if you are coming to stay for more than six months, whatever the reason for your stay.

To find out whether you need a visa for a visit to the UK, contact any British embassy or other consular post, or check the UK Visas website (see 'Further help' on page 22).

If you arrive with entry clearance the immigration officer will check only that this is genuine, and that your circumstances have not changed so that it no longer applies. However, whether you have clearance or not, an immigration officer has the power to detain (hold) you while they are looking into your entry clearance, or if you are refused permission to enter the UK.

How do I apply for permission to come to the UK?

You normally apply for a visa or other permission at the nearest British embassy or other consular post in the country you are living in, though not all of these handle visa applications directly. In some countries you will need to apply at the office of a company that has a special arrangement with the British authorities (see the UK Visas website for details). You can download the application forms through this website. You must pay a fee when you apply, and in some countries you must provide your fingerprints as well.

You may be interviewed when you apply. An interview is much more likely if you are applying to come to live here or to set up a business. Interviews are also more common for citizens from certain countries.

Your application may be sent to the UK for a decision, especially if you are applying for business reasons. If it is approved, the immigration officer will put a sticker in your passport which sets out the conditions on which you are allowed to enter and the dates of your stay. You will usually need to travel to the UK within six months of getting permission, but visas for 'settlement' (to live here) are valid for up to 12 months.

Airlines and ferry companies that bring passengers to the UK make their own checks to see whether you have the right papers to be allowed into the UK. They can be fined for bringing you here if you do not have the right papers, so you will not be able to get on a flight or ferry to the UK unless you have a valid passport (with a UK visa if you need one).

Categories of entry

The immigration rules describe the many ways in which you can be allowed to enter the UK. The most common categories are:

- visitors;
- students;
- au pairs;
- for work or business;
- members of the family of a person in one of those categories;
- groups coming to live with that person while he or she stays here; and
- members of the family of a British citizen or other person resident here, who can apply to stay permanently (see 'What if I want members of my family to settle here with me?' on page 11).

Business people whose business involves negotiating agreements, going to meetings or going on training courses while they are in the UK are allowed in as visitors, if they plan to stay for six months or less. If you are not sure whether you can enter as a business visitor or need a work permit, get specialist advice.

What if I want to work in the UK?

If you want to stay in the UK to work, you will also usually need a work permit. If a company here wants to employ you, then the company, not you, must apply for the work permit.

The Home Office allows people who have certain skills or qualifications to come to the UK without having a job arranged before they come, under the Highly Skilled Migrant Programme (see the Home Office's Working in the UK website).

In most cases, your husband, wife or registered civil partner and any children under 18 who are dependent on you can come with you. However, this applies only if you can support them without 'recourse to public funds' (in other words, claiming benefits). There are also some restrictions on family members joining you if you are coming here on a temporary work scheme, including:

- as a working holidaymaker;
- for seasonal agricultural work (for example, fruit picking); or
- for 'sector-based schemes', which allow people to work in certain industries.

The immigration rules also say whether you will be allowed to change from one category of entry to another (called 'switching') after coming to the UK. Here are some examples:

- If you entered the country as a visitor you will not be permitted to stay on as a student, but will have to leave and apply from abroad.
- If you want to be employed here or to start or join a business, you must normally apply from abroad, unless you are a student on a degree course, or you have been training as a doctor, dentist or nurse, or you are a working holidaymaker. There are special rules if you have a degree in a science or engineering subject at a UK university, if you complete an MA or PhD here, or if your degree course was in Scotland.

- If you entered the country as a visitor and then marry someone who lives in the UK permanently, you will normally have to apply from abroad to work or settle here. If you want to marry or enter into a civil partnership in the UK, you will usually need to ask for permission from the Home Office first. Without this permission, a registrar will usually refuse to marry you or register a civil partnership. See 'What if I want members of my family to settle here with me?' on page 11 for more about this.

The Home Office may still look at your application if you ask for permission to switch and do not fit one of these rules. But if it then refuses your application, you won't be able to appeal against the decision.

What restrictions are there after I've arrived in the UK?

When you are given permission to enter the UK, you will be told the conditions of your stay. These conditions will be given to you in writing. If you arrive with a tour group, the notice may be given to the group leader. In other cases, the conditions will be written in your passport. If you don't have a passport, they will be in a letter from the immigration authorities.

Unless you are allowed to settle here straight away, the conditions will include a time limit on your stay. Depending on your reason for coming to the UK, you are also likely to be barred from having 'recourse to public funds' (claiming benefits, for example).

You may not be allowed to work or you may be allowed to do only some types of work. Visitors cannot do any work, even if it is unpaid. Students on courses of six months or more have restricted permission to work. They can work full-time during their holidays and part-time (up to 20 hours a week) during the term. If you are a citizen of a country outside the Commonwealth and you come here to work or for business reasons (and sometimes as a student), you may also have to register with the police.

Rarely, an immigration officer will tell someone coming to settle here that they must report to a medical officer (for example, if they have a certain contagious disease).

If you break the conditions of your permission to stay in the UK, you are committing a crime, and you may be sent back ('removed').

What if I want to stay longer than I was originally allowed?

If you want to stay longer than the time shown in your passport, you need to apply again. You can apply by post or at one of the four Home Office Public Caller Units around the country, although some of these deal only with certain kinds of application. If you want to make your application in person you must phone first to make an appointment.

There are different forms for different kinds of application. You must:

- fill in the correct form carefully;
- make sure you include all the documents the form asks for (for example, your passport, proof of the money you have, and your student registration); and
- pay the correct fee.

If you don't provide all the information needed or send the correct amount of money, the Home Office will send your application back to you without looking at it further.

The only circumstances in which you do not need to use a form are:

- for a European Economic Area permit (see 'What if I am a citizen of a European country?' on page 3); or
- if you are seeking asylum.

If the Home Office agrees to give you more time to stay, it will place a sticker, known as a residence permit, in your passport.

Supporting yourself

In almost all cases where you are given permission to come to the UK, you must be able to support yourself and any family members with you 'without recourse to public funds'. This includes:

- the cost of supporting yourselves while you are here, if there is a time limit on your stay; and
- paying for where you will live.

If you are coming for a short time, you must have a place to stay. This can be with friends or family, or in a hotel or guesthouse. You also need enough money to live on, including paying for where you are staying.

If you are coming to live here, you need somewhere suitable to live and enough money for your family to live on without claiming benefits. You do not need to own the place where you live – you can stay with relatives, as long as their house or flat won't become overcrowded.

If you are joining someone who lives here, you will not usually be able to claim benefits. If the person who lives here claims benefits, they probably won't be able to include you as a dependant for purposes such as working out whether they would qualify for certain benefits for people with a low income.

If you are receiving benefits and you are trying to sponsor a relative to come and live in the UK, you should get expert advice. See 'Further help' on page 22 for where you can find advice.

What if I want to settle in the UK?

With some kinds of entry permit, you may be allowed to settle in the UK, as long as you meet certain conditions. If you want family members to join you here, they may have to live here for a certain length of time before they will have the right to live here permanently (see 'What if I want members of my family to settle here with me?' on page 11).

There are time limits for people in other situations, too. You must live here for five years before you can settle permanently, if you:

- have a work permit;
- are self-employed or a business person;

- are a retired person 'of independent means' (which means you can support yourself);
- are here for 'permit-free' work (which means you do a type of work that doesn't need a permit; for example, working as a foreign correspondent, sole representative of an overseas company, domestic servant or religious minister);
- have been allowed to stay under the Highly Skilled Migrants Programme; or
- are an 'investor' or 'innovator' (someone who wants to set up business in the UK).

This five-year limit also applies if you are the husband, wife, registered civil partner or child of someone in one of the above situations.

If you are in the UK and you want to apply to settle here, you must apply to the Home Office shortly before you reach the end of the time you have been allowed. If you show that you still meet the rules for living here and have not broken the law during that time, your time limit should be lifted, and any other conditions that are part of your permission to be here (such as not being allowed to work) will also end. When this happens, you are given what is called 'indefinite leave to remain'.

Once you are settled in the UK in this way, you can travel abroad and stay away for up to two years without needing permission to return. But if you are away for longer than this, you will have to apply for clearance, and your right to return to the UK is not certain.

What if I want members of my family to settle here with me?

British citizens and anyone who is settled in the UK can 'sponsor' close family members to come over to live here. These family members can include your:

- husband, wife, or registered civil partner;
- unmarried partner;
- fiancé or fiancée;
- children (up to 18 years old); and
- parents or grandparents over 65.

Many family members will have a time limit on their stay to begin with. The only people who are allowed to settle straight away are:

- husbands or wives who have been living as a married couple abroad for four years;
- parents;
- grandparents; and
- children who arrive on their own.

Other people will be given a time limit of two years to stay, but can apply to stay permanently at the end of that time. This applies to:

- husbands, wives and registered civil partners who have been living as a couple abroad for less than four years;
- children who arrive with a husband, wife or registered civil partner; and
- unmarried partners, and any children who come with them.

This time limit can sometimes cause problems for husbands, wives or partners if the relationship comes to an end before the period ends. However, in this situation you should be allowed to stay if your UK partner has died, or if you can prove to the Home Office that you were forced to leave them because they were violent to you.

If you are entering the country as a fiancé or fiancée, you will be allowed into the UK for six months. During that time you are expected to marry and apply again to the Home Office to stay. You won't be allowed to work in the UK until you are married and the Home Office has given you permission to stay.

Children under 18 who want to join a single parent in the UK must meet extra conditions. These are meant to make sure that no other relative abroad could care for them. However, if the children are given permission to come here, they will be allowed to settle straight away without waiting two years.

Parents or grandparents who are over 65 have to show that they depend on the support of the child or grandchild in the UK who is sponsoring them, and that they do not have any close relative to help them in their own country.

Relatives not on the above list who want to join someone in the UK (including parents under 65), must show that they are living alone in 'the most exceptional compassionate circumstances'. This is difficult to prove, and few people succeed with this sort of application.

Most of the relatives on the list can also apply in the UK after entering for some other reason. However, if this applies to you, here are some of the things you would not normally be able to do:

- You cannot 'switch' to staying as a fiancé or fiancée. You should be engaged before you enter the country, and if you plan to stay here after your marriage you must get entry clearance for settling here before you arrive.
- You will not usually be allowed to stay in the UK because you are the husband, wife or registered civil partner of a UK resident if you married or registered your partnership before you came, but you first entered the country as only a visitor.
- If you want to get married or register your civil partnership in the UK you will first need to apply for written permission from the Home Office, and pay a fee. You will not automatically get permission.
- You may be allowed to stay here if you marry or register your civil partnership while here as a student (for example), but not if you came for a course of six months or shorter, nor if you came as a visitor.

- If you got married overseas and you did not arrive with entry clearance as a husband, wife or civil partner, you will probably have to go back and apply from abroad. This may be quicker than applying to the Home Office in the UK.

If you do not have permission to stay in the UK, marrying or registering a civil partnership with someone who lives here will not usually give you any right to stay. However, you should be able to go abroad and apply for entry clearance to come back to join them. You need to get specialist advice if you are in this position.

What if my application is refused?

An immigration officer can refuse your application to enter or to stay longer if they think:

- you don't meet one of the rules for the particular category of entry;
- you don't meet one of the general reasons (for example, you have a criminal record); or
- you are thought to be a threat to national security.

If you are refused, you can, in most cases, appeal against the decision (see 'Can I appeal if my application is refused?' on page 14).

What if I stay longer than I am allowed to?

It is against the law to stay in the UK beyond your time limit, unless:

- you have applied to the Home Office for permission to stay longer or to settle and you are waiting for a decision; or
- you are appealing against a refusal.

Otherwise you become an 'overstayer' and you may be prosecuted and sent home ('removed'). The immigration authorities may also deport or remove you for other reasons. They can do this after you have settled here if:

- you are found guilty of a serious crime; or
- they discover that you told lies in order to settle here. For example, if you were allowed to settle because you married someone living here, and the Home Office later finds out that you were not living together.

However, you cannot be deported if you become a British citizen (see 'How can I become a British citizen?' on page 17). Also, many Commonwealth citizens who have lived in the UK since before 1973 cannot be deported.

What is a registered civil partnership?

Since the end of 2005, same-sex (gay and lesbian) couples in the UK have been able to register their partnership, called a registered civil partnership. Registered civil partners have the same rights and responsibilities in law as married couples. For more about registered civil partnerships, see the Community Legal Service Direct leaflet 'Living Together'. For more about immigration issues for same-sex partners, see the UK Lesbian and Gay Immigration Group website (see 'Further help' on page 22).

Can I appeal if my application is refused?

Whether you can appeal if your immigration application is refused depends on what you were applying for and where the decision was made. The rules about who can appeal are complicated, and are likely to change by 2007. If your application has been refused you should get advice quickly, as the time limits for any appeal are quite short (see 'Further help' on page 22).

If you are refused entry clearance while overseas, you can usually appeal, unless:

- you wanted to study in the UK for less than six months;
- you wanted to look for a study course in the UK; or
- in some cases, you applied for clearance as a visitor.

If you were refused entry clearance to visit the UK, you can appeal only if you were coming for a family visit. There are special rules about family visits, including a long list of which relatives are considered 'family'. An appeal against refusal to visit the UK is usually dealt with faster than other appeals. You can ask for your appeal to go ahead based on the papers that you and the Entry Clearance Officer send in, or you can ask for a hearing if you have someone in the UK to represent you.

When you are refused entry at a port or airport or when coming through the Channel Tunnel, you can only appeal while you are in the UK if you:

- have entry clearance; or
- are returning to the UK while you already have permission to be here.

Otherwise, you will be able to appeal only after you have gone back to where you came from. Some students and visitors have no right of appeal.

If you are refused by the Home Office in the UK, you will have a right to appeal if the Home Office has said you must leave the UK. You can't appeal if you are given permission to stay on certain terms but this sort of permission is not what you applied for (for example, if you applied to stay permanently but were given a time limit on your stay).

If the immigration authorities want to remove you from the UK (send you back) because they believe you got your permission by lying, for example, you can appeal against this decision only after you have left the UK.

In this sort of situation, your only option while you are still in the UK would probably be to get a 'judicial review' of the refusal. This procedure looks at whether the authority has broken the law in making its decision, not at whether the decision itself was fair. If you are in this position, you will need expert legal advice.

You will not be able to appeal against any decision if the refusal is 'mandatory'. This means the official must refuse you if:

- you do not have a work permit and are seeking entry to work;
- you are outside the age range allowed for one of the temporary working categories;
- you do not hold one of the nationalities required by a rule; or
- agreeing to your application would take your total length of stay beyond the maximum time permitted under the rules.

How do I appeal?

If your application is refused, you will get a notice telling you whether you may appeal. If you may appeal, you will also be given a form to fill in to do this. You must fill in the form and return it within:

- 10 working days if you are appealing in the UK (or five days if you are being detained); or
- 28 days if you are appealing from overseas.

You may be able to appeal under other laws as well as the immigration law. The most important of these is the Human Rights Act. This law says (among other things) that the government can't normally make decisions that would 'interfere with your right to respect for private and family life'. If it does interfere in this way, it has to have a good reason.

However, this law does not mean you have the right to choose which country you want to live in with your family. The Human Rights Act will help your immigration appeal in the UK only if you can show a good reason why you should not have to live in another country. For more information, see the Community Legal Service leaflet, 'The Human Rights Act'.

If you think your application has been refused unfairly because of your race or ethnic origin, you may also be able to appeal under race relations laws.

If you want to base your appeal on reasons of human rights or race relations, you must do this as part of your immigration appeal. You must include all the points you want to raise on the same appeal form. However, the law in these areas is complicated, and you will need expert legal advice. See 'Further help' on page 22 for more about finding advice.

Who has a right to British nationality?

Several types of people have British nationality. All of them can have a British passport. The largest group is British citizens, who have the 'right of abode'.

Until the law was changed at the start of 1983, everyone born here became a citizen unless their parents were here as foreign diplomats when they were born. However, since 1983, children only become citizens if their parents are settled in the UK when the child is born. If the parents still have a time limit on their stay or have no permission to be here when the child is born, the child does not become a citizen. However, the child will be able to become a British citizen if their parents settle here later.

Anyone who becomes a British citizen in the UK can pass on citizenship to their child born abroad. British citizens have rights to travel freely and to work in European Economic Area countries (see 'What if I am a citizen of a European country?' on page 3 for a list of these countries). Other people who live in the UK need permission from other European countries if they want to work there. People born abroad who become British citizens because their parents are British

citizens cannot pass on their citizenship to their own children born abroad.

How can I become a British citizen?

- If you have been allowed to settle (stay here permanently), you can apply for citizenship under a process called 'naturalisation'. The two main ways of doing this are if you:
 - have lived in the UK for five years and have been settled here for the previous 12 months; or
 - are married to a British citizen, have lived here for three years, and are settled here. There is no minimum period for which you must be settled.

In either case, you may not be accepted if you have been outside the UK for more than three months, on average, in any one year. The Home Office will want to know that you have a good character and will check to see if you have a criminal record.

You will also usually need to show that you speak English well enough (or Welsh or Scots Gaelic). There are special rules about the level of English (or Welsh or Gaelic) you need, and how you prove this. The Home Office website has details of this, or you can ask for legal advice.

You must also pass a test to show that you know about life in the UK. There is information about this test, and examples of the questions, on the special Home Office website (see 'Further help' on page 22).

If you want to become a British citizen, you can use an application form that you can get from immigration advice centres or the Home Office. You can also download the forms from the Home Office website (see 'Further help' on page 22).

You can apply for children to be made citizens on their own or you can include them on your own application.

Most applications for naturalisation are accepted. But if yours is refused, you cannot appeal. The Home Office will explain why and will normally look at your case again if you think it has simply made a mistake. You can always apply again, but you will lose the fee you paid if your application is not successful.

When your application is accepted you will need to attend a ceremony in your local area, where you will make an official declaration about becoming British, and will then be given a certificate to show that you are a citizen.

Where can I get help with my immigration application?

If you are making an application or appeal, and you do not have enough money to pay for a lawyer, you should be able to get specialist help or advice free through the Community Legal Service. See 'The Community Legal Service' on page 23 for more about how to do this.

It is against the law for someone to offer advice or help with immigration cases unless they work under the rules of the Office of the Immigration Services Commissioner (see 'Further help' on page 22 for details), or belong to a professional body such as the Law Society (for solicitors) or the Bar Council (for barristers).

Your adviser must tell you in writing:

- what service you can expect;
- who to complain to if you are not happy with the service;
- whether you will have to pay, and if so how it is worked out; and
- how to contact your adviser when you need to.

If you pay for immigration advice and have no income or a very low income, your adviser must also tell you that you can get free advice.

If you are not happy with any immigration advice, or think any charge you have to pay is unfair, you can complain to the Office of the Immigration Services Commissioner (see 'Further help' on page 22 for details).

What if I need an interpreter?

If you need an interpreter, the immigration authorities will provide one for any interview they carry out, as long as you tell them you need one. Your legal representative should also find an interpreter for you when you see them. You won't have to pay for this if you get free legal help.

Remember, the interpreter is there to help you to communicate. They should just translate what is said, not give advice or answer questions for you. You should try to avoid using friends or family members for translating all but the simplest advice.

Terms used in immigration and nationality matters

Au pair A young person who is a citizen of a European country and who can come to the UK to live with an English-speaking family for up to two years.

Common travel area The UK with the Isle of Man, the Channel Islands and the Republic of Ireland. Each of these has its own immigration controls, but you can travel between them without restrictions.

Entry clearance A sticker in your passport that shows the conditions under which you can enter the UK. The most common type of clearance is a visa.

Illegal entry Entering the UK without permission when the law says you need it. You can be arrested and removed from the UK without the right of appeal before you go. The same applies if you get permission only by lying or deceiving the authorities.

Indefinite leave to remain When a person subject to control is allowed to settle permanently in the UK, and there is no longer any time limit on their 'leave to remain'. This is also known as 'permanent residence' or 'settled status'.

Mandatory refusal When your application to enter the UK can be refused and you cannot appeal against the decision. See 'Can I appeal if my application is refused?' on page 14.

Overstayer A person who does not leave the UK after the time they have been allowed to stay has passed.

Permit-free The types of work that do not need approval from Work Permits UK. They include working as foreign correspondents, sole representatives of overseas firms, domestic servants and religious ministers.

Registered civil partnership A formal partnership of a same-sex (gay or lesbian) couple in the UK, which gives the same rights and responsibilities in law as a married couple.

Removal When the immigration authorities send you out of the UK because you do not have permission to be here, or you break the conditions that are part of your permission. If you are 'removed', you cannot appeal against the decision before you leave.

Right of abode The legal right that British citizens and some other people have to enter and live in the UK without needing permission.

Schengen visa A visa, issued by one of several European Union countries, which gives you the right to enter any of those countries. The UK is not part of this group of countries, so you cannot use a Schengen visa to enter the UK.

Sponsor Someone living in the UK who is supporting an application from a person overseas who wants to come here.

Subject to control Anyone who needs to have permission to come into the UK or to stay here can be 'controlled' (checked) under the immigration laws.

Switching Changing your stay from one category of permission to another (for example, from visitor to student).

Temporary admission or temporary release When you are waiting to find out if you will be allowed to stay in the UK, immigration officers may let you into the UK for a short time while they look at your case. If they do this, they will hold onto your passport.

Visa A coloured sticker placed in your passport. It will say how long you can stay in the UK, when you must leave, and what conditions you must keep to while you are here (for example, not being allowed to work).

Visa national A citizen of one of the countries and territories listed in the immigration rules, who must always apply for a visa before they travel to the UK (unless they already have another kind of permission). Most of the world's countries are included.

Further help

Community Legal Service Direct

Provides free information direct to the public on a range of common legal problems.

Call 0845 345 4 345

If you qualify for legal aid, you can also get free advice from a specialist legal adviser about benefits and tax credits, debt, education, employment and housing. You can also find a local legal adviser or solicitor.

Click www.clsdirect.org.uk to find out more.

The Immigration Law Practitioners' Association (ILPA)

phone: 020 7251 8383

www.ilpa.org.uk

The Home Office

For more information about immigration rules:

phone: 0870 606 7766

www.ind.homeoffice.gov.uk

For information about working in the UK:

www.workingintheuk.gov.uk

For information about the test for British citizenship:

www.lifeintheuktest.gov.uk

Immigration Advisory Service

The Immigration Advisory service has offices throughout the UK, which are listed on its website: www.iasuk.org.

Head office: phone: 020 7967 1200

The UK Lesbian and Gay Immigration Group

<http://uklgig.org.uk>

The Law Society

Represents solicitors in the UK and has an accreditation scheme for solicitors who offer legal representation in immigration cases.

phone: 020 7242 1222

www.lawsociety.org.uk

Office of the Immigration Services Commissioner

For complaints about immigration advice or services.

phone: 0845 000 0046

www.oisc.gov.uk

UK Visas

The Home Office UK Visa service

phone: 0845 010 5555

www.ukvisas.gov.uk

Work Permits (UK)

Administers work permit arrangements for the UK government.

phone: 0114 207 4074

The Community Legal Service

The Community Legal Service has been set up to help you find the right legal information and advice to solve your problems.

You can get help through a national network of organisations including Citizens Advice Bureaux, Law Centres, many independent advice centres and thousands of high street solicitors. All of these services meet quality standards set by the Legal Services Commission. Look for the Community Legal Service logo, shown below.

Many of the organisations offer some or all of their services for free. If you cannot afford to pay for advice you may be eligible for financial support through the Community Legal Service Fund (Legal Aid). You can order leaflets about funding from the LSC Leaflet line on 0845 3000 343. You can also use a Legal Aid eligibility calculator on the website: www.clsdirect.org.uk

*Community
Legal Service*



The Legal Services Commission (LSC)

The Community Legal Service and the Community Legal Service Fund are managed by the Legal Services Commission. To find out more about us visit our website at www.legalservices.gov.uk or find the details for your local Legal Services Commission office in the phone book.

legal services
COMMISSION

The leaflets are also available online at: www.clsdirect.org.uk

- 1 Dealing with Debt
- 2 Employment
- 3 Divorce and Separation
- 4 Renting and Letting
- 5 Buying and Selling Property
- 6 Losing your Home
- 7 The Human Rights Act
- 8 Claiming Asylum
- 9 Welfare Benefits
- 10 Wills and Probate
- 11 Dealing with the Police
- 12 No-win, No-fee Actions
- 13 Problems with Goods and Services
- 14 Medical Accidents
- 15 Equal Opportunities
- 16 Racial Discrimination
- 17 Personal Injury
- 18 Rights for Disabled People
- 19 Community Care
- 20 Education
- 21 Immigration and Nationality**
- 22 Mental Health
- 23 Alternatives to Court
- 24 Family Mediation
- 25 Veterans
- 26 Domestic Violence, Abuse and Harassment
- 27 Living Together and your Rights if you Separate
- 28 Dealing with Someone Else's Affairs
- 29 Care Proceedings
- 30 Neighbourhood and Community Disputes
- 31 Changing your Name

The leaflets are also available in Welsh, Braille and Audio

To order any of these leaflets contact the LSC leaflet line on **0845 3000 343** or email LSCLeaflets@ecgroup.uk.com or Fax 020 8867 3225



This leaflet is published by the Legal Services Commission (LSC). It was written in association with the Immigration Law Practitioners' Association and Mick Chatwin, a barrister and solicitor specialising in immigration law.



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