



UK Visas
& Immigration

**TIER 1 or 5
DEPENDANT
HELP TEXT
LEAFLET**
version 03/2016

APPLICATION FOR A GRANT OF LEAVE AND BIOMETRIC IMMIGRATION DOCUMENT AS A DEPENDANT OF A TIER 1 OR 5 WORKER - MAIN APPLICANT

HELP TEXT

This help text leaflet is for use with the Tier 1 or 5 (Dep) application form for Tier 1 or 5 dependants who are already in the United Kingdom.

The application form is available from our website:

www.gov.uk/government/organisations/uk-visas-and-immigration.

Please check that this is the current form and leaflet for use on the date that you apply.

This help text leaflet is for use with the application form specified for applications made on or after 18 March 2016

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INTRODUCTION

This document provides information to help you to complete the Tier 1 or 5 dependant application form. For further information on the Tier 1 or 5 Dependant policy please see section 6A of the immigration rules and the Tier 1 or 5 Dependant policy guidance notes. These documents are available on the Home Office website at www.gov.uk/government/organisations/uk-visas-and-immigration.

All the above documents are available in Welsh, Braille, large print, audio and other alternative formats on request. For further information on alternative formats, and how to obtain these, please contact the Customer Contact Centre on 0114 207 4074.

WHO SHOULD BE APPLYING USING THIS FORM?

This application form should only be completed by individuals who are already in the United Kingdom.

You should use this form if you are:

- Currently in the United Kingdom as the dependant spouse, civil partner, unmarried or same-sex partner or child of a person in another immigration category who has, or is at the same time applying for, leave to remain as a PBS migrant.
- Currently in the United Kingdom as the dependant spouse, civil partner, unmarried or same-sex partner or child of a PBS migrant and seeking to extend their leave for a further period within their existing category.

SUBMITTING A VALID APPLICATION

Under paragraphs 34-34I of the Immigration Rules you must complete a 'valid' application. If you do not do this, you will be required to make a fresh application and any delay in doing so may affect your appeal rights if your application is subsequently refused. You will only be considered to have submitted a 'valid' application if the following has been complied with:

- the correct application form must be completed and submitted by prepaid post,

in person or by courier;

- the correct application fee must be paid;
- your current passport, Biometric Residence Permit (BRP) if applicable or travel document must be provided, unless it is not available for one of the reasons specified on the application form;
- the mandatory sections (marked as ones that you must complete) in the application form must be completed;
- an appointment for the purposes of recording Biometric information must be made and must take place by the dates specified in the notification we send following receipt of the application;
- two recent identical passport-size
- the correct payment has been made towards the Immigration Health Surcharge, if applicable;
- photographs of you with your full name written on the back of each one must be supplied.

The photographs provided must be in the format specified in the separate photograph guidance, which can be found on our website at www.gov.uk/government/organisations/uk-visas-and-immigration

Please ensure that your photographs are placed in a small sealed envelope attached to part B of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

If your application(s) is successful, the photographs you provide will be reproduced in your Biometric Residence Permit.

If you are required to register with the Police then you must also include your Police Registration Certificate with your application.

If your application does not comply with the above, it will be rejected as invalid.

You are required to answer all questions in this application form truthfully. It is a criminal offence to make a false statement in this application, and it may also lead to refusal of your application.

WHAT IS THE FEE FOR THE APPLICATION?

The applicable fees for an application made on this form are set out below. Applications can be made in person at a Premium Service Centre (PSC) for a same day consideration of your application. There is an additional fee for this service and all fees will be taken when you book an appointment. For more details and to book an appointment please visit www.gov.uk/ukvi-premium-service-centres

To assist in the processing of the application, you are advised to send any dependant applications in the same envelope as that of the main applicant.

Category of the Points Based System under which the main applicant is applying at the same time	Fee for each eligible dependant
Tier 1 – (General)	£1,771
Tier 1 – (Entrepreneur)	£1,204
Tier 1 - (Investor)	£1,530
Tier 1 – Exceptional Talent	£574
Tier 1 – Exceptional Talent Extension	£574
Tier 1 – Graduate Entrepreneur standard	£465
Tier 5 – standard	£230

Please note that the following applications under the Points Based System cannot be validly made at a Premium Service Centre

- Tier 1 (Investor)
- Tier 1 (Entrepreneur)
- Tier 1 (Exceptional Talent)
- Tier 1 (Graduate Entrepreneur)
- Tier 5 (Youth Mobility Scheme)

However dependants of persons who already have leave in these categories of the Points Based System may make an application on this form in a Premium Service Centre on payment of the separate premium (PSC only) fee.

By completing this form, you are also applying

for a biometric immigration document (or Biometric Residence Permit, BRP) – there is no additional fee to pay for this. Guidance on BRP applications is included in a section at the end of this leaflet.

HOW CAN YOU PAY?

You can pay by any of the following methods:

- Cheque/Bankers Draft
- Postal Order
- Credit card*¹ - Mastercard, Visa (including Electron) or American Express (Amex)
- Debit card* - Delta, Maestro** (including Solo)

* Maestro - We can only accept Maestro cards issued in the UK if you are applying by post.

Please note that your application is invalid if you do not pay the specified fee in full or if you pay by any method other than those specified above.

USING A CHEQUE OR A POSTAL ORDER

You must make the cheque or postal order payable to 'Home Office' and cross the cheque or postal order 'A/C Payee only'. Please write your full name and date of birth of the main applicant on the back of the cheque and/or postal order and keep the postal order receipt(s). Please make sure that the date and the amount (words and figures) are correct and that the cheque is signed properly. Attach your cheque or postal order(s) to the front of the application form.

1 Please note that when making large or multiple payments using your credit card, the anti-fraud measures that banks operate sometimes stop the full payment being taken. This can happen for a number of reasons. To prevent this you may inform your bank of your intention to make large or multiple payments in advance so that your bank allows the full payment to be taken when you submit your application. Please be aware that not all banks offer this service.

WHAT IS THE FEE FOR?

If the payment submitted does not cover the full cost of your application, it will be an invalid application and the form, together with any documentation submitted, will be returned to you.

The fee charged is for the processing and consideration of the application.

This fee will be payable once the application form is received by the Home Office or its payment processing agent, regardless of the outcome of the application. If your application contains errors or is missing information it may be rejected as invalid. Your application will not be considered and your fee will be refunded less an administration fee of £25 for each person included in the application.

We cannot begin the consideration process until the payment has cleared. We allow 5 working days for payments made by cheque to clear; credit/debit cards and postal order(s) will clear immediately.

SUPPORTING EVIDENCE

It is your responsibility to provide the evidence to support any statements made in your application. You must satisfy us that the requirements for the category under which you have applied have been met. We must be satisfied, by considering the evidence provided that you meet all of the necessary criteria.

You must ensure that all of the necessary supporting documentation is provided at the time that your application is submitted. Only those documents specified in the application form and set out in detail in the Tier 1 or 5 policy guidance will be considered acceptable for the purposes of establishing that you qualify for the points claimed in scoring area.

You must be selective in submitting evidence, as sending large amounts of irrelevant or poor quality documentation may delay the consideration of your application.

It is only necessary to submit evidence that is directly appropriate to the application as requested, as unrelated evidence cannot be considered for points scoring.

Any documentary evidence that you provide should be original (unless otherwise stated).

Where a document is not in English or Welsh then the original must be accompanied by a fully certified translation by a professional translator/translation company. Please see the Tier 1 or 5 policy guidance for more details.

HELP ON SPECIFIC QUESTIONS

Completing Section A

To ensure that your payment is processed without any delay, please follow this guidance when completing part A of this form (Payment Details).

A1 - Tick the fee appropriate to your application - see the section titled 'What is the fee for the application'.

A2.1 to A2.2 - Amount - please tick the amount you are paying. If no fee is ticked we cannot take a payment and your application will be rejected as invalid. The address for correspondence may be your home address in the UK, or that of the main applicant. However, if a solicitor or other authorised immigration adviser is submitting the application, it should be their address at A2.1 and their name at A2.2.

A2.3 - Dependant's full name, as given in your passport, travel document or Biometric Residence Permit.

A2.4 - Dependants date of birth.

A2.5 - Main applicant's name, or the name of the person on whom you are dependant if they are not applying at the same time because they already have leave to remain under a Tier of the Points Based System.

A2.6 - Main applicant's date of birth.

A2.7 - Tick one of the boxes to show which method of payment you are using.

A2.8 - If paying by cheque enter the bank account number, sort code and cheque number.

A2.9 - Tick one of the boxes to show which card you are using.

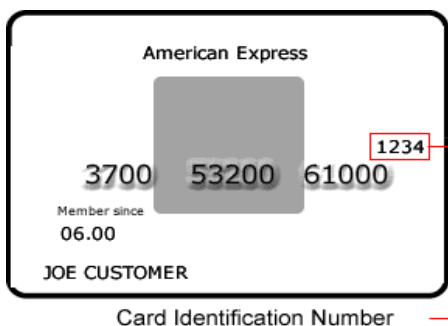
A2.10 - The name as displayed on the credit/debit card.

A2.11 - Card number - this is the long number across the centre of the card.

A2.12 - Enter the details where available on the card.

- The Card Verification Value (CVV) is a three-digit security code, found on the back of the card on the signature strip - it consists of the last 3 digits. For Amex the security code, or card identification number consists of 4-digits and is found on the front of the card. If you do not provide the CVV number, we cannot take your payment and your application will be rejected as invalid.

Back of Your Credit Card



A2.13 to A2.14 - Cardholder's signature - the person named on the credit/debit card must sign and date these sections.

Completing Section B

B1 - You should set out your full name exactly as it appears on your passport or travel document.

If you only have one name in your passport or travel document, you should enter your name as a Family name and add an asterix * as your given name e.g.: Family name: Jones, Given Name: *

B2 - You should indicate your gender. If you have been the subject of Gender Reassignment and the application contains documents relating to previous identities, you should tick the gender indicated on your Gender Recognition Certificate (GRC) and provide your certificate.

The only exception to this is where you have previously submitted their GRC with an earlier application. In such cases you will therefore not be required to resubmit it.

B4 - You should indicate your marital status. This status may be:

- Single – a person who is unmarried and not in a relationship that has subsisted for two or more years;
- Married – a person legally married in the United Kingdom or outside the United Kingdom;
- Civil partner – a person in a same sex relationship and who has gone through a legal ceremony in the United Kingdom under or by virtue of the Civil Partnership Act 2004, or in the country of his/her residence;
- Unmarried partner – a person in a heterosexual or same sex relationship, which has been subsisting for two years or more but is not married or in a civil partnership;
- Widow/widower or surviving civil partner - a person whose spouse has passed away and has not re-married or is not currently in an unmarried relationship that has subsisted for more than two years;
- Separated - a person legally married in or outside the United Kingdom but no longer living with his/her married partner;
- Divorced - a person married in or outside the United Kingdom whose marriage has been legally dissolved;
- Dissolved – a person who has been in a civil partnership in or outside the United Kingdom which has been legally dissolved;
- Separation Order – a separated person who remains in law the civil partner of the other person.

B7 - You should select the country of which you are a National.

B8 - If you currently hold or have previously held any nationality other than the one you have entered above you must provide details.

B9 - If you have previously been known by any other name(s) you should provide full

details of each name, the date of each change and submit the relevant supporting legal documentation. This is for official changes of name only and does not include nicknames. Evidence of name change(s) should show your full name before and after the change and may include deed poll documents or marriage certificates; and, both the old passport and the new passport.

Should you submit documentation in support of your application that refers to you under a name(s) not given in this section, we will not consider that documentation.

B11 Please provide your Immigration Health Surcharge reference number

As part of your application you may be required to pay the Immigration Health Surcharge. Before going any further, you will need to assess the likely cost using the online portal www.gov.uk/healthcare-immigration-application. Once the assessment has been completed you will receive a unique reference number which you enter on this application form.

Completing Section C

C4 - All Home Office applications are given an individual reference number. This allows us to track and link past applications. You should provide the main applicant's full Home Office reference number if they have one. This number can be found on any previous Home Office correspondence relating to the Tier 1 or 5 migrant.

Completing Section D

D2 to D3 - If your representative works for an organisation, such as a firm of solicitors or a company, please provide the name of that organisation. If you have authorised an organisation rather than an individual to represent you, you must enter the name of the organisation here.

D8 - Your representative should tell you whether they are regulated by the OISC or some other body and, if not, why it is lawful for them to act for you. This information is often on their notepaper. It is a criminal offence for a person to provide immigration services unless he is a qualified person.

Information about the provision of immigration services and who can provide them can be found at (link to OISC - <http://oisc.homeoffice.gov.uk>)

Information about who is registered with OISC can also be found here.

Completing Section E

E1 - This should be the address where you currently live in the UK.

E3 to E4 - This is the address where we will send any letters or documents to you. However, if you have a representative we will send any correspondence to them.

Completing Section F

F1 - If you have previously made an application to the Home Office then you will have been given a reference number which you should enter here.

All Home Office applications are given an individual reference number. This allows us to track and link past applications. You should provide your full Home Office reference number if you have one. This number can be found on any of your previous Home Office correspondence. You may have numerous Home Office reference numbers and you can provide up to three numbers here.

F3 to F6 - National Insurance numbers are issued by another Government department - HM Revenue and Customs.

National Insurance Numbers are made up of 9 characters, in either of the following formats:

- 2 letters, 6 numbers and a final letter e.g. AB123456A
- 2 letters, 6 numbers and a space e.g. AB123456

If you have previously held another National Insurance number you must provide details.

Completing Section G

G1 to G7 - For your application to be valid, you must provide your original current passport or travel document unless it is not available for one of the reasons specified on the application

form. You should also provide all previous passports and/or travel documents that you have used to travel to and remain in the United Kingdom. Passports that have not been used to travel to and remain in the United Kingdom need not be provided.

You must provide details of all passports or travel documents, current or expired, that you have used to enter or remain in the United Kingdom, including:

- passport number;
- issue date;
- expiry date; and,
- place of issue.

Where you need more space than is available, you should photocopy the relevant page of the application form, add in additional details and submit it with your application.

Where you hold, or have held, other nationalities, you should provide the relevant passport or travel document for each nationality held and provide the above details.

You must submit all of these passports/travel documents with your application. They should be original documents and not copies.

In certain circumstances certified photocopies will be accepted where you do not have the original at that time.

You must provide details as to its location and state when they will provide it. You must then ensure that the original document is submitted as soon as you can.

If your passport has been lost or stolen, a Police crime report number /report must be provided along with details of the police station the loss was reported to and the date that it was reported.

Completing Section H

H1 to H6 - If you have a current grant of leave on an identity card you must also provide your BRP (Biometric Residence Permit) for the application to be valid.

If your BRP has been lost or stolen, you will need to provide details of when you reported this to the Home Office's Card Management Service and to the Police, including the Police crime report number /report along with details of the police station the loss was reported to and the date that it was reported.

Completing Section I

I1 to I4 – If you have ever previously lived in Northern Ireland, you should provide full details of the address(es) you lived at here, including the dates that you lived there from and to.

If you have already provided a Northern Ireland address as your current address in Section E of this form, you are not required to duplicate that information here.

Where you need more space than is available, you should photocopy the relevant page of the application form, add in additional details and submit it with your application.

I5 - You must provide all of the addresses that you have lived at in the UK within the past 5 years.

Where you need more space than is available, you should photocopy the relevant page of the application form, add in additional details and submit it with your application.

Completing Section J

We routinely conduct eligibility and background checks and you should ensure that you fully disclose all information which could be relevant to your application and be aware that the failure to do so could result in your application being refused.

We will carry out criminal record checks on all applicants and dependants.

J1 - You must give details of all criminal convictions. This includes road traffic offences but not fixed penalty notices (such as speeding or parking tickets) unless they were part of a sentence of the court. It includes all drink-driving offences.

J7 - A Civil Judgement is where a court has ordered you to pay money to another person/ party usually because of damages or monetary loss incurred by that person/party. A Civil

Penalty under a UK Immigration Act would be a financial penalty imposed on you, for example, as a result of the failure to check an employee's immigration status.

J13 - War Crimes are grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Crimes against humanity are acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

Genocide covers acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 8 of the International Criminal Court Act 2001 at www.opsi.gov.uk/acts/acts2001/ukpga_20010017_en_1

or purchased from The Stationery Office (telephone 0870 600 5522). It your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately.

J15 to J20 - Terrorist activities are any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purposes of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

An organisation is concerned with terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

Completing Section K

K4 - If you were required to register with the police as a condition of your previous leave it will have been written on your vignette, passport or BRP.

Nationals of certain countries granted leave under certain categories and for certain periods may be required to register with the Police. The list of relevant countries is as follows:

Afghanistan, Algeria, Argentina, Armenia, Azerbaijan, Bahrain, Belarus, Bolivia, Brazil, China, Colombia, Cuba, Egypt, Georgia, Iran, Iraq, Israel, Jordan, Kazakhstan, Kyrgyzstan, Kuwait, Lebanon, Libya, Moldova, Morocco, North Korea, Oman, Palestine, Peru, Qatar, Russia, Saudi Arabia, Sudan, Syria, Tajikistan, Tunisia, Turkey, Turkmenistan, UAE, Ukraine, Uzbekistan, Yemen and Holders of Stateless Documents.

K5 to K9 - If you obtained permission to come to the UK prior to travelling then you should have been issued with a Visa or an Entry Clearance certificate which will normally have been placed in your passport/ travel document.

K10 - You should state your method of travel on your last entry into the United Kingdom.

K11 - Ports include airports, seaports and St. Pancras International Station where you have entered the United Kingdom by the Channel Tunnel.

K12 - If you have it you should provide the ticket booking or reference number for the ticket you used when you last entered the UK. If you do not have it do not answer this question.

K13 - The transport operator is the airline, ferry company, shipping line, train operator, etc which you used when you last entered the UK.

K14 to K15 - You must tell us if you have overstayed on a previous trip to the UK. You are required to answer all questions in this application truthfully. It is a criminal offence to make a false statement in this application and it may also lead to refusal of your application.

K16 to K21 - You are required to answer all questions in this application truthfully. It is a criminal offence to make a false statement in this application, and it may also lead to refusal of your application.

K22 to K23 - If you have made an application to the Home Office which has not yet been decided this application will be treated as a variation of that application and that application will no longer be decided. If that application has already been decided and it has been refused you cannot make a new application until any appeal you may have against that refusal is finally determined.

K24 to K25 - If you have an appeal outstanding you cannot make a new application until that appeal is finally determined.

This may apply to you if your last application for leave in the UK was refused and you were given a right of appeal against that decision.

Under section 3C of the Immigration Act 1971, a person may not make an application for a variation of their leave to enter or remain in the UK while their leave is extended by that section.

This includes any period when the application for variation is neither withdrawn or decided or the period when an appeal under section 82(1) of the Nationality, Immigration and Asylum could be brought or remains pending.

If you have an appeal outstanding or you are still in the limited period when you are able to lodge an appeal then you should not make a fresh application.

The period during which you are able to lodge an appeal after an application has been refused is usually 5 or 10 working days from the date that the refusal decision was served or sent to you. If you are unsure about this then you should carefully read the letters and forms sent to you with the refusal decision.

Completing Section L

L1 - You are required to answer all questions in this application truthfully. It is a criminal offence to make a false statement in this application, and it may also lead to refusal of your application.

The term "Public Funds" includes;

Attendance Allowance, Carers Allowance, Child Benefit, Child Tax Credit, Disability Living Allowance, Housing or Homelessness Assistance, Housing Benefit, Income-Based Jobseekers Allowance, Income Support, Severe Disablement Allowance, Social Fund Payment, State Pension Credit, Working Tax Credit and Income Related Employment Support Allowance.

L18 - If your housing is provided by your local council or housing association as part of an agreement with your employer you will be asked to provide evidence of that agreement as part of the application process.

Completing Section M

M4 - If an application has been successful, we would have written to the PBS main applicant to notify them about their decision.

BIOMETRIC RESIDENCE PERMIT

A leaflet explaining the Biometric Residence Permit including the application process is available to download at the following location:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/261497/brp-information-leaflet.pdf