

FAQS

-SPOUSE VISA-

WHAT IS A SPOUSE VISA?

A spouse visa allows a foreign national to travel to the United Kingdom to live with their partner who is either British or is 'settled in the UK'.

This guide will briefly explain the general requirements that must be met to apply for the spouse visa. All requirements must be strictly met otherwise the application will be refused.

WHAT ARE THE REQUIREMENTS?

In order to qualify for a spouse visa, you must satisfy a number of requirements which are as follows:

- You and your partner must be aged 18 or over when the application is submitted.
- You and your partner must intend to live together permanently in the UK.
- The applicant and UK partner must have met in person.
- Your relationship with your partner must be 'genuine' and 'subsisting'
- You and your partner are legally married in a marriage that is recognised in the UK;
- Any previous relationship has broken down permanently
- You satisfy a financial requirement.
- You speak and understand English to a required level.
- There is adequate accommodation for you and any dependents.

SPONSORING PARTNER

Your application for a spouse visa is based on your partners basis to be in the UK and therefore they must be either one of the following:

- A British Citizen.
- 'Settled' in the UK; or
- Have Pre-Settled Status under the EU Settlement Scheme.
- In the UK with refugee leave or humanitarian protection.
- Have limited leave to remain as a Turkish Businessperson or Turkish Worker under Appendix ECAA;

RELATIONSHIP

To satisfy the relationship requirements, you will need to prove one of the following:

- you're in a civil partnership or marriage that's recognised in the UK
- you've been living together in a relationship for at least 2 years when you apply
- you are a fiancé, fiancée or proposed civil partner and will marry or enter into a civil partnership in the UK within 6 months of arriving
- You must also ensure that you and your partner are 18 or over and have met in person. If either of you have previously been in a relationship, that relationship has broken down permanently.

IMMIGRATION STATUS REQUIREMENT

Along with making an application from abroad, you can make an application from within the UK for the first time, however you must not be in the UK:

- As a visitor
- With a leave granted for a period of 6 months or less
- On immigration Bail
- In breach of immigration rules

Should your circumstances fit in the above criteria then please see section below - What if you cannot meet all the requirements?

FINANCIAL REQUIREMENTS

You must show that you meet the financial requirements under Appendix FM and therefore can be adequately maintained in the UK without recourse to public funds.

You will need to demonstrate that you and your partner have a combined gross annual income of at least £18,600 per year. If you have children who are not British, or do not have pre-settled status, then you must show an additional:

- £3,800 a year for your first child
- £2,400 a year for each child you have after your first child

If you do not meet the income requirement stated about, you may be able to use savings. Contact us to find out more information.

HOW CAN YOU MEET THE FINANCIAL REQUIREMENTS?

There are a number of ways that you can satisfy the financial requirements which include:

- Employment income
- Self-employment income
- Savings
- Investments in stocks and shares
- Rental income

If you are in receipt of certain public funds, you may be able to rely on the adequate maintenance and accommodation alternative to satisfy the financial requirements. Please contact us for more information.

KNOWLEDGE OF ENGLISH REQUIREMENT

You will need to show that you speak and understand English to the required level to meet this requirement. You can prove this by passing an approved English language test.

You must pass at least level A1 on the Common European Framework of Reference for Languages (CEFR) scale for your first visa application. Level A2 if you wish to stay in the UK after your first visa and are intending to apply for a renewal. Level B1 if you are applying for settlement here in the UK.

You do not need to take an approved English language test if you have a degree or academic qualification that was taught or researched in English.

You also do not need to prove your knowledge of English if you are a national of one of the countries below:

Antigua and Barbuda	Canada	New Zealand
Australia	Dominica	St Kitts and Nevis
the Bahamas	Grenada	St Lucia
Barbados	Guyana	St Vincent and the Grenadines
Belize	Jamaica	Trinidad and Tobago
The British overseas territories	Malta	USA

WHAT IF YOU CANNOT MEET ALL THE REQUIREMENTS?

It may be possible to still apply for a spouse visa if you do not meet all the requirements if you will face significant difficulties in continuing your family life outside of the UK. Please contact us to find out more information.

PROCESS

Once you application has been submitted, you will need to book a biometric appointment so that you can attend a visa centre to submit your biometrics. You will not be able to submit any further documents after your biometrics have been submitted and your application will be under consideration.

Presently, the Home Office can take up to 6 months from your biometric submission date to decide an application made for the first time unless there is a delay. If you are applying for an extension after your first visa has expired, then you should receive a decision within 6 months from the biometric submission date.

There is a number of reasons why an application can be delayed, but most commonly it can failure to provide all the required documentation, and / or the need to attend an in-person interview.

To help avoid such potential delays, please contact us to Assis with your spouse visa applications, ensuring that avoidable delays, and refusals are dealt with at the application stage.

IS FAST TRACK AVAILABLE?

Please note that super priority service is available whereon you will get a decision the next working day. For applications made abroad the Home Office charge an additional fee of £956.00 and for applications made within the UK, the Home Office fee is £800.00.

FEES

You will need to make payment of both the Home Office fee and Immigration Health Surcharge when your application to the Home Office is ready to submit. Presently, the fees are as follows:

Application	Home Office fee	Immigration Health Surcharge
Applying for entry clearance	£1,048	624 per year
Applying within the UK	£1,538	£624 per year

Please note that when applying for entry clearance, the actual fee paid may be higher due to payment being processed in the local currency.

SPOUSE VISA - GRANTED

Should your application for spouse visa be granted you will be granted a visa for 33 months. If you have made an application within the UK, then you will be granted a visa for 30 months.

You will be eligible to enter and live in the UK within this time. You will be able work without any restrictions and study in the UK.

WHEN CAN YOU APPLY FOR SETTLEMENT?

If you met all the spouse visa requirements listed under Appendix FM, then you can apply for settlement after holding the visa for 5 years. If you did not meet the requirements, then you can apply after 10 years. Contact us today to start the Spouse Visa process.

CONTACT US TODAY TO START THE VISITOR VISA PROCESS

We at Lisa's Law regularly assist in applying for Spouse Visa applications both from abroad, and within the UK. We will advise and represent you throughout the process. Contact us today to start the process.