

FAQS

-SPOUSE VISA-

Below we have highlighted some of the common questions we receive in relation to the Spouse Visa process:

Q: I HAVE A VISITOR VISA, OR I AM AN OVERSTAYER, CAN I APPLY FOR SPOUSE VISA?

A: The Immigration Status requirements state that you cannot apply for a spouse visa if your most recent / current leave is a visitor visa. If you will face significant difficulties in continuing your family life outside of the UK then you may be able to apply for an exemption. Please contact us to find out more.

Q: WHEN CAN I RENEW MY SPOUSE VISA?

A: You can submit your spouse visa extension application 28 days before the expiry of your current visa.

Q: CAN PEOPLE UNDER SPOUSE VISA ACCESS UK BENEFITS?

A: Those who are in the UK with a spouse visa will not be able to access 'Public funds' and therefore will not be able to receive most UK benefits.

Q: I HAVE BEEN GRANTED A SPOUSE VISA ON THE 10 YEAR ROUTE TO SETTLEMENT. CAN I SWITCH TO THE 5-YEAR ROUTE?

A: If you were initially granted a spouse visa and did not meet all the requirements, then you are on the 10 year route to settlement. You can switch to the 5 year route to settlement once you meet all the requirements.

Q: HOW CAN I APPLY FOR AN ENTRY SPOUSE VISA IF I WANT TO BRING MY CHILDREN FROM A PREVIOUS MARRIAGE WITH ME?

A: It is possible to bring children from a previous marriage to the UK, however you must show that you have sole responsibility for the upbringing of the child. Please contact us for further information.

Q: CAN I WORK AS A SELF-EMPLOYED PERSON WITH MY SPOUSE VISA?

A: You can choose whether you wish to be employed on a part-time or full-time basis or be self-employed.

Q: I HAVE A B1 ENGLISH CERTIFICATE THAT HAS EXPIRED. CAN I USE THIS IN FUTURE APPLICATIONS?

A: You can use a B1 level qualification that's run out if it's on the current list of recognised tests and it was accepted for another UK immigration application, for example when you got permission to enter.

Q: MY PARTNER CAN'T SHOW THAT HE/SHE HAS BEEN CONTINUOUSLY EMPLOYED FOR THE PAST 6 MONTHS (DUE TO ILLNESS/OTHER REASON) BUT MY PARTNER IS A HIGH EARNER, IS IT LIKELY THAT MY SPOUSE VISA WOULD BE REFUSED?

A: You can rely on the total income received over the last 12 months from the date of your application.

Q: CAN I STILL APPLY FOR UK SPOUSE VISA IF MY SPONSOR IS LIVING WITH ME ABROAD?

A: Yes you can still apply for the spouse with your partner/sponsor returning to the UK with you. There are additional financial requirements that he will need to meet. Please contact us to find out further information.

Q: WILL THE FINANCIAL REQUIREMENT BE HIGHER FOR MY SPOUSE VISA APPLICATION IF I HAVE A BRITISH CHILD?

A: No. The additional financial requirement is not applicable to British or settled children.

Q: I SUBMITTED MY APPLICATION FOR EXTENSION BEFORE THE EXPIRY DATE OF MY CURRENT VISA, BUT NOW IT HAS PASSED AND I STILL HAVEN'T HEARD BACK FROM THE HOME OFFICE. AM I ALLOWED TO WORK AND RENT IN THE UK?

A: Yes, you are permitted to continue to work and rent in the UK provided you made an application with the Home Office before the expiry of your leave.