

Spouses or civil partners of persons who have or have had leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K)

Requirements for leave to enter as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

194. The requirements to be met by a person seeking leave to enter the United Kingdom as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that:

- (i) the applicant is married to or a civil partner of a person with limited leave to enter in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K); and
- (ii) each of the parties intends to live with the other as his or her spouse or civil partner during the applicant's stay and the marriage or civil partnership is subsisting; and
- (iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (v) the applicant does not intend to stay in the United Kingdom beyond any period of leave granted to his spouse; and
- (vi) the applicant holds a valid United Kingdom entry clearance for entry in this capacity.

Leave to enter as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

195. A person seeking leave to enter the United Kingdom as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be given leave to enter for a period not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) provided the Immigration Officer is satisfied that each of the requirements of paragraph 194 is met.

Refusal of leave to enter as the spouse or civil partners of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196. Leave to enter the United Kingdom as the spouse or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 194 is met.

Requirements for extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196A. The requirements to be met by a person seeking an extension of stay in the United Kingdom as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that the applicant:

(i) is married to or civil partner of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K);
or

(ii) is married to or civil partner of a person who has limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) and who is being granted indefinite leave to remain at the same time;
or

(iii) is married to or a civil partner of a person who has indefinite leave to remain in the United Kingdom and who had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and

(iv) meets the requirements of paragraph 194(ii) - (v); and

(v) was admitted with a valid United Kingdom entry clearance for entry in this capacity.

Extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196B. An extension of stay in the United Kingdom as:

(i) the spouse or civil partner of a person who has limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) may be granted for a period not in excess of that granted to the person with limited leave to enter or remain; or

(ii) the spouse or civil partner of a person who is being admitted at the same time for settlement, or the spouse or civil partner of a person who has indefinite leave

to remain, may be granted for a period not exceeding 2 years, in both instances, provided the Secretary of State is satisfied that each of the requirements of paragraph 196A is met.

Refusal of extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196C. An extension of stay in the United Kingdom as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 196A is met.

Requirements for indefinite leave to remain for the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196D. The requirements to be met by a person seeking indefinite leave to remain in the United Kingdom as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that the applicant:

(i) is married to or civil partner of a person who has limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) and who is being granted indefinite leave to remain at the same time; or

(ii) is married to or a civil partner of a person who has indefinite leave to remain in the United Kingdom and who had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and

(iii) meets the requirements of paragraph 194(ii) - (v); and

(iv) has sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, unless he is under the age of 18 or aged 65 or over at the time he makes his application; and

(v) was admitted with a valid United Kingdom entry clearance for entry in this capacity.

Indefinite leave to remain as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196E. Indefinite leave to remain in the United Kingdom for the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be granted provided the Secretary of State is satisfied that each of the requirements of paragraph 196D is met.

Refusal of indefinite leave to remain as the spouse or civil partner of a person who has or has had leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

196F. Indefinite leave to remain in the United Kingdom for the spouse or civil partner of a person who has or has had limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 194D is met.

Children of persons with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135i-135k)

Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

197. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as a child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) are that:

- (i) he is the child of a parent with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K); and
- (ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) he is unmarried and is not a civil partner, has not formed an independent family unit and is not leading an independent life; and
- (iv) he can and will be maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and
- (v) he will not stay in the United Kingdom beyond any period of leave granted to his parent(s); and
- (vi) both parents are being or have been admitted to or allowed to remain in the United Kingdom save where:

(a) the parent he is accompanying or joining is his sole surviving parent; or

(b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or

(c) there are serious and compelling family or other considerations which make exclusion from the United Kingdom undesirable and suitable arrangements have been made for his care; and

(vii) if seeking leave to enter, he holds a valid United Kingdom entry clearance for entry in this capacity or, if seeking leave to remain, was admitted with a valid United Kingdom entry clearance for entry in this capacity.

Leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

198. A person seeking leave to enter or remain in the United Kingdom as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) may be given leave to enter or remain in the United Kingdom for a period of leave not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) provided that, in relation to an application for leave to enter, he is able to produce to the Immigration Officer, on arrival, a valid United Kingdom entry clearance for entry in this capacity or, in the case of an application for limited leave to remain, he was admitted with a valid United Kingdom entry clearance for entry in this capacity and is able to satisfy the Secretary of State that each of the requirements of paragraph 197 (i)-(vi) is met. An application for indefinite leave to remain in this category may be granted provided the applicant was admitted with a valid United Kingdom entry clearance for entry in this capacity and is able to satisfy the Secretary of State that each of the requirements of paragraph 197 (i)-(vi) is met and provided indefinite leave to remain is, at the same time, being granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) .

Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K)

199. Leave to enter or remain in the United Kingdom as the child of a person with limited leave to enter or remain in the United Kingdom under paragraphs 128-193 (but not paragraphs 135I-135K) is to be refused if, in relation to an application for leave to enter, a valid United Kingdom entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival or, in the case of an application for limited leave to remain, if the applicant was not admitted with a valid United Kingdom entry clearance for entry in this capacity or is unable to satisfy the Secretary of State that each of the requirements of paragraph 197 (i)-(vi) is met. An application for indefinite leave to remain in this category is to be refused if the applicant was not admitted with a valid United Kingdom entry clearance for entry in this capacity or is unable to satisfy the Secretary of

State that each of the requirements of paragraph 197 (i)-(vi) is met or if indefinite leave to remain is not, at the same time, being granted to the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K) .