



Home Office

**UK Border  
Agency**

Additional  
Information for  
form TIER 5  
(TEMPORARY  
WORKER)

version 04/12

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## APPLICATION FOR A GRANT OF LEAVE AND BIOMETRIC IMMIGRATION DOCUMENT UNDER TIER 5 (TEMPORARY WORKER)

### ADDITIONAL INFORMATION FOR MAKING A TIER 5 APPLICATION

This document provides additional information to help you complete your Tier 5 application form if you are applying in the United Kingdom.

The application form is available from our website:

<http://www.ukba.homeoffice.gov.uk>.

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

This is for  
use with the  
application form  
specified for  
applications  
made on or after  
6 April 2012

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## INTRODUCTION

This document provides information to help you to complete the Tier 5 (Temporary Worker) application form. For further information on Tier 5 (Temporary Worker) of the Points-Based System policy please see the relevant paragraphs of the immigration rules and the Tier 5 (Temporary Worker) policy guidance notes. These documents are available on the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

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 APPLY USING THIS FORM?

This application form should only be completed by individuals who are already in the United Kingdom. Application forms for individuals applying from outside the United Kingdom can be found on the UK Border Agency website at [www.ukba.homeoffice.gov.uk/countries/](http://www.ukba.homeoffice.gov.uk/countries/).

You should use this application form to apply for limited leave if you are:

- currently in the United Kingdom and wish to make an initial application under Tier 5 (Temporary Worker);
- currently in the United Kingdom as a main applicant under Tier 5 (Temporary Worker) seeking a change of employment or to extend your leave for a further period within your existing immigration category.

Application forms for individuals applying for indefinite leave (settlement) can be found on the UK Border Agency website at [www.ukba.homeoffice.gov.uk/visas-immigration/settlement/applicationtypes/](http://www.ukba.homeoffice.gov.uk/visas-immigration/settlement/applicationtypes/)

This application form should not be used by dependants of main applicants. A separate application form titled 'Points-Based System - Dependants Application Form' is available for this purpose and can be found on the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

**Please note:** Turkish nationals who have accrued employment rights under Decision 1/80 of the Turkey ECAA Association Council do not require sponsorship. More information on Decision 1/80 rights is available in Immigration Directorate Instructions Chapter 5 Section 10 on our website: [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

## SUBMITTING A VALID APPLICATION

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
- 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 in the application form must be completed
- two identical passport-size photographs of you with your full name written on the back of each one must be supplied
- two identical passport-size photographs of any dependants who are applying with you with their 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 the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

Please ensure that they are placed in a small sealed envelope attached to section 2 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

If the application is successful the photographs provided will be reproduced on your BRP.

If you are required to register with the police 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.

### **BIOMETRIC RESIDENCE PERMIT**

Everyone applying to extend their leave in the UK as a Tier 5 (Temporary Worker) must apply for a biometric immigration document - also known as a BRP.

As part of this application process you must make arrangements to have your biometric features recorded.

### **What is a BRP?**

The BRP is a residence permit which holds your biographic details (name, date and place of birth) and biometric information, and shows your immigration status and entitlements while you remain in the UK.

It replaces the vignette (or sticker) and ink stamps previously placed in the passports of those granted permission to remain in the UK. If you are issued with a BRP, you will receive a leaflet giving more information about it and explaining any obligations.

### **What are biometric features?**

Biometric features are unique physical characteristics that can be used to identify a person such as a facial image and fingerprints. We do this by taking a digital photograph of all applicants and scanning the fingerprints of applicants aged six or over.

### **How are biometric features recorded?**

An applicant who is required by law to apply for a BRP must make arrangements to have his/her biometric features recorded.

### **The procedure (premium service applications)**

If you apply in person at one of our public enquiry offices, you and any dependants applying with you will be required to have your biometric features recorded after signing an acknowledgement to confirm that you understand what you are required to do. You will then be asked to place your fingers, followed by your thumbs, on a fingerprint scanner. If your hands are dirty, we will ask you to clean them. Once your fingerprints have been recorded we will then take a photograph of your face.

The same process will be carried out for any dependants applying with you, except that any children aged under 6 will not be required to provide fingerprints, although we will take their photograph.

The biometric features taken, and those of any children under 18 who are applying, will then be recorded as part of the application.

In some circumstances, you may be required to attend an identity interview if we require further information to establish your identity.

### **The procedure (postal applications)**

If you apply by post, you will be sent a letter notifying you of the need to make arrangements for you and any children under 18 applying with you to have your biometric features recorded (enrolled).

### **Enrolling your biometrics at a post office**

Postal applicants are able to enrol their biometrics at a participating Crown Post Offices. This is a walk-in service, with no need to book an appointment<sup>1</sup>. The letter will supply all relevant information for anyone enrolling using the post office service.

You must bring the back page of the letter (which includes your case reference number, full name and date of birth) with you when you attend the Post Office Ltd branch. If you fail to bring the back page of this letter with you Post Office Ltd will not be able to proceed with your enrolment.

[<sup>1</sup> Please note that there may be a queue for this service]

There is more information about this at the UK Border Agency and Post Office website: [www.ukba.homeoffice.gov.uk/aboutus/contact/enrol-biometric/post-office-biometric-enrolment/](http://www.ukba.homeoffice.gov.uk/aboutus/contact/enrol-biometric/post-office-biometric-enrolment/) and [www.postoffice.co.uk](http://www.postoffice.co.uk)

### **Super premium service**

As part of the super premium service we will visit you to record your biometric features (fingerprints and photograph):

- at a location of your choosing; and
- at a convenient time and date for you (between 09:00 and 17:00, Monday to Friday), with a minimum of 48 hours' notice following initial contact.

We will make a decision on the application within 24 hours of the biometric features being recorded.

If you want to use this service, you should phone 020 8196 3893 or 020 8196 3892. The fee for the service is £6,000, and includes fees relating to dependants.

More information about this service, including the fee, is available on our website at [www.ukba.homeoffice.gov.uk/contact/super-premium/](http://www.ukba.homeoffice.gov.uk/contact/super-premium/).

### **How and when will I be notified of the outcome of my application for an extension of stay and for a BRP?**

If the application is successful, you will not be issued with a residence permit in your passport. Instead, you will be issued with a residence permit in the form of a BRP.

### **Applying in person**

If the application is successful, you will be sent a BRPs for yourself and any dependants applying with you by secure delivery. The BRPs should reach the applicant within seven working days of your appointment. **BRPs cannot be issued on the day itself.**

### **Applying by post**

If the application is successful, your passport(s) and other documents will be returned to you with a decision letter. You will then be sent BRPs for yourself and any dependants applying with you by secure delivery. The BRPs should reach you within 10 working days of the date of the decision letter.

### **Children under the age of 16**

We cannot record the biometric features of children under the age of 16 unless they are accompanied by a responsible adult.

If any such children are applying with you as your dependants, we would expect you to be with them when their biometric features are recorded. If not, the person accompanying them must be a responsible adult aged 18 or over who is either the child's parent or

guardian, or a person who for the time being takes responsibility for the child. Any such person must be named on the application form.

If you are a sole applicant under the age of 16, you must be accompanied by your parent, guardian or other responsible adult aged 18 or over.

If the person accompanying the child(ren) under 16 is not their parent or guardian, that person must bring with them a letter confirming that they are authorised to take responsibility for the child(ren) when they have their biometrics recorded.

At the enrolment the responsible adult will also be asked to provide an acceptable form of identity, such as a passport or driving licence.

### **What if I do not receive my BRP?**

If you do not receive the BRPs within ten working days of the enrolment or date of the decision letter, please e-mail [BRPDelivery@homeoffice.gsi.gov.uk](mailto:BRPDelivery@homeoffice.gsi.gov.uk) providing the following information:

- full name;
- date of birth;
- nationality;
- passport number;
- case reference number;
- the delivery address for the BRP; and
- a contact telephone number;

Alternatively, you can send this information to us by post to: **Freepost RRYX-GLYU-GXHZ, Returns Unit, P.O. Box 163, Bristol BS20 1AB.**

You cannot ask about undelivered permits in person at our public enquiry offices or biometric enrolment centres.

### **What if I fail to record my biometric features?**

If you fail to record your biometric features within 15 working days from the date of the notification letter you received, you will receive a warning letter giving you another opportunity within a limited period. The letter will also

advise that failure to record your biometric features or to book an appointment within the stated period will result in your application being rejected as invalid.

### **What about any medical or physical conditions that may require the UK Border Agency to provide you with special arrangements?**

If you and/or any dependants who are applying with you have a medical or physical condition which may require special arrangements to be made in order for your biometric features to be recorded, you must obtain a letter or other document giving the details of any such condition and enclose it with your application. Appropriate documentary evidence would be a letter from a treating clinician, such as a practising doctor registered with the General Medical Council, giving details of the condition and/or special needs and explaining any arrangements that may be necessary.

### **Do I need to make any special preparations before my biometric identifiers are recorded?**

Before you attend your enrolment, we recommend that you check your hands and fingers are clean. If your hands are not clean, we may ask you to wash them before we scan your fingerprints.

We would advise you not to have any colouring or similar substances (such as henna) on your hands, as this could prevent us from recording your fingerprints on the day of your enrolment. If that were to happen, you would have to make arrangements to enrol at a later date which would delay the consideration of your application.

### **What if the BRP contains errors?**

You must check the permit carefully upon receipt, to ensure that all the details on it are correct. If you find a mistake, you should e-mail [BRPError@homeoffice.gsi.gov.uk](mailto:BRPError@homeoffice.gsi.gov.uk) within 10 working days of receiving the permit - otherwise you may be charged for a replacement and will need to apply again. The following details must be provided in the e-mail:

- full name;
- date of birth;
- nationality;
- passport number;
- BRP reference number;
- case reference number;
- a contact telephone number; and
- exactly what is wrong with the BRP.

Alternatively, this information can be sent by post to: **Freepost RRYX-GLYU-GXHZ, Returns Unit, P.O. Box 163, Bristol BS20 1AB.**

We advise you to make a photocopy of the front and back of the permit, in case it is lost or stolen. If you want to make another application in the future, you will need to send your permit to the UK Border Agency, so you may want to retain a copy for your records.

### **What if the BRP is lost or stolen?**

You must report the loss or theft as soon as possible by e-mailing [BRPLost@homeoffice.gsi.gov.uk](mailto:BRPLost@homeoffice.gsi.gov.uk) providing the following information:

- full name;
- date of birth;
- nationality;
- passport number;
- BRP reference number;
- case reference number;
- contact details; and
- when, where and how the BRP was lost or stolen

Alternatively, this information can be sent by post to: **Freepost RRYX-GLYU-GXHZ, Returns Unit, P.O. Box 163, Bristol BS20 1AB.** You cannot ask about undelivered permits in person at our public enquiry offices or biometric enrolment centres.

You must also report the loss or theft to the police and get a police report and crime reference number as soon as possible.

You will need to provide the crime reference number and a police report (if issued) when applying for a replacement BRP on form BRP(RC).

If you fail to apply for a replacement BRP within three months of reporting the loss or theft you could be liable to a sanction, such as a Civil Penalty Notice of up to £1,000 and/or curtailment of your leave to stay in the United Kingdom.

### **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 the necessary criteria.

You must ensure that all of the necessary supporting documentation is provided at the time the application is submitted. Only those documents specified in the application form and set out in detail in the Tier 5 (Temporary Worker) policy guidance will be considered acceptable for the purposes of establishing that you are awarded points in any scoring area.

You must be selective in submitting evidence, as sending large amounts of irrelevant or poor quality documentation may delay the consideration of the 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, the original must be accompanied by a fully certified translation by a professional translator. This translation must include details of the translator's credentials and confirmation that it is an accurate translation of the original document. It must also be dated and include the original signature of the translator.

We will return your passport(s) and other documents by recorded delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough. If your application is successful, your BRP will be sent to you separately by secure delivery.

## QUESTION-SPECIFIC INFORMATION

Further advice on specific questions in the application form is detailed below.

**B1 - B4.** Enter your full name and other details exactly as they appear in your passport or travel document.

### **B5. Nationality**

You should state the country of which you are a national.

### **B5a & B5b. If you are a dual national or have held a previous nationality?**

If you currently hold any nationalities other than the one entered in **B5**, or if you have previously held another nationality which you no longer hold, you must provide the details.

### **B7. You should indicate your current relationship status.**

This status may be:

- Married – a person legally married;
- Civil partner – a person in a same sex relationship and who has gone through a legal ceremony in the UK under or by virtue of the Civil Partnership Act 2004, or in the country of your residence;
- Unmarried partner – a person in a heterosexual or same sex relationship like a marriage or civil partnership, which has been subsisting for two years or more but is not married or in a civil partnership;
- Widow/widower – a person whose spouse has died and has not re-married or is not currently in an unmarried relationship that has subsisted for more than two years;
- Single – a person who is unmarried and not in a relationship that has subsisted for two or more years;
- Separated – a person legally married in or outside the UK but no longer living with your married partner;
- Divorced – a person married in or outside the UK whose marriage has been legally

dissolved;

- Dissolved civil partnership – a person who has been in a civil partnership which has been legally dissolved;
- Separation Order – a separated person who remains in law the civil partner of the other person.

### **B8 & B9. Are you currently known, or have you ever been known, by any other name(s) than those given above?**

You must provide full details, including supporting evidence (please also see the section of this document entitled 'Supporting Evidence'), of any other name or names by which you are known or have been known. If you submit documentation in support of this application that refers to you by a name which you have not provided to us we will not consider that documentation. We do not need to know about informal nicknames.

### **C1. Please give details of your current passport or travel document. (If your current leave is shown on a previous passport or travel document, this must also be provided). Please note that for the application to be valid and complete your current passport/travel document must be provided unless it is not available for one of the reasons specified below:**

**Document Number** Passport/travel document numbers are unique to an individual and their passport. It will be clearly shown and is often found on the same page as the photograph.

**Nationality** This is the nationality indicated on your passport or travel document.

**Dates of issue** This is the date the passport or travel document was issued and it is often found on the same page as the photograph.

**Date of expiry** This is the date the passport or travel document expires and it is often found on the same page as the photograph

**Country of issue** This is the country in which the passport/travel document was issued. It is often found on the same page as the photograph.

**D1. Have you been issued with a biometric residence permit (BRP)?**

A BRP is a card which holds:

- your biographic details (your name, and your date and place of birth); and
- your 'biometric information' (fingerprints and facial image).

It also shows your immigration status and your entitlements while you are in the UK.

**D2. BRP number**

If you have previously been issued with a BRP, you should provide the unique reference number shown on your card.

**D4. Have you reported this to the UK Border Agency card management service?**

You should have reported any lost or stolen BRP to the police and to the UK Border Agency card management service. The police should have given you a police report and/or crime reference number. The loss or theft of your BRP should have been reported to the UK Border Agency. More information about BRPs can be found on the UK Border Agency website at [www.ukba.homeoffice.gov.uk/visas-immigration/while-in-uk/do-i-need-brp/responsibilities/](http://www.ukba.homeoffice.gov.uk/visas-immigration/while-in-uk/do-i-need-brp/responsibilities/)

**D11. Is this person your parent or legal guardian?**

Under Biometric Registration Regulations, any child under the age of 16 who is required to provide a record of their fingerprints and/or a photograph, must have them taken in the presence of a responsible adult who is the child's parent or guardian, or another person who for the time being takes responsibility for the child. If there is any reason preventing a parent/legal guardian from accompanying the child, the parent/legal guardian must nominate the responsible adult who will be accompanying the child. The responsible adult accompanying any child under the age of 16 must provide an acceptable form of identification, such as a passport or driving licence. If that person is not the parent or guardian of the child, they must have a letter

from the parent or guardian confirming that they are a responsible adult who has been authorised to accompany them.

**E1. What is your current immigration status?**

Please select your current immigration status. Your immigration status is the type of leave you currently hold.

'Leave to enter' means that you currently have permission to be in the UK based on leave/entry clearance (visa) that was issued to you before you entered and/or when you entered the UK.

'Leave to remain' means that you were already in the UK when we issued your current permission to stay, and we issued it within the UK.

A 'limited period' means that your leave/entry clearance/visa has an expiry date, and we have not given you unlimited, otherwise known as 'indefinite', permission to stay.

**E2. What is your current grant of leave?**

This is the immigration category in which you were last given leave to enter or remain. Please select your current or most recent category. If you don't have current leave, select the category in which you most recently had leave to enter or remain.

If you do not have leave as a Tier 5 (Temporary Worker) Migrant you can switch into that category if you have, or were last given, leave in one of the following categories as a:

- Sports Visitor - you can apply to switch into the Tier 5 (Temporary Worker) Creative and Sporting sub-category, if you were assigned a valid Certificate of Sponsorship before you came to the UK.
- Entertainer Visitor - you can apply to switch into the Tier 5 (Temporary Worker) Creative and Sporting sub-category, if you were assigned a valid Certificate of Sponsorship before you came to the UK.

- Overseas Government Employee - (granted under paragraphs 160-162 and 164-165 of the Immigration Rules) you can apply to switch into the Tier 5 (Temporary Worker) International Agreements sub-category.

- Qualifying Work Permit Holder –

- you can apply to switch into the Tier 5 (Temporary Worker) International Agreement sub-category, provided your Certificate of Sponsorship shows that you are being sponsored as an overseas government employee or an employee of an international organisation and you will be continuing in employment with the same organisation.

- you can apply to switch into the Tier 5 (Temporary Worker) Government Authorised Exchange, sub-category provided you were previously issued with a work permit for the purpose of employment as a sponsored researcher, and you have been granted a Certificate of Sponsorship to continue this employment.

- Students (paragraphs 57-62 of the Immigration Rules), Students Re-Sitting an Examination (69A-69F), Student Nurses (63-67), Student Union Sabbatical Officers (87A-87F), People Writing up a Thesis, Postgraduate Doctors and Dentists or Tier 4 (General) Migrants (245ZT-245ZY) can apply to switch into the Tier 5 (Temporary Worker) Government Authorised Exchange sub-category, provided they:

- have lawfully:

- obtained a UK bachelors, masters degree, PGCE, PGDE ; or

- completed at least 12 months study in the UK towards a UK PhD; and

- are undertaking a period of postgraduate professional training or work experience which is directly relevant to their qualification described above; and

- intend to pursue a career overseas at the end of the period of work experience or training.

If you are not in one of these categories you cannot switch into the Tier 5 (Temporary Worker) Migrant category whilst you are in the UK and it is likely we will refuse your application.

You can apply to extend your stay for the maximum period allowed in your specific sub-category if you are already in the UK and were last given leave to enter or remain as a:

- Tier 5 (Temporary Worker) Creative and Sporting;
- Tier 5 (Temporary Worker) Religious Workers;
- Tier 5 (Temporary Worker) Charity Workers;
- Tier 5 (Temporary Worker) Government Authorised Exchange;
- Tier 5 (Temporary Worker) International Agreements.

You will not be able to change into a different sub-category while you are in the UK. If you do not have leave in one of these categories, we are likely to refuse your application.

**E3. Were you required to register with the police as a condition of your current or last grant of leave in the UK?**

Certain nationalities are required to register with the police as a condition of their leave. If this condition applied to you, you will have been instructed to register with your local police department when you were granted your last period of leave in the UK. The requirement to register with the police also features on your visa or your BRP, if you are required to have one.

You must submit your **Police Registration Certificate** as part of your application. For detailed guidance about Police Registration Certificates, visit our website at: [www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/policy-registration/policy-registration.pdf?view=Binary](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/policy-registration/policy-registration.pdf?view=Binary)

**E8. Are you currently waiting for a decision on any other application made to the UK Border Agency?**

If you have made an application to the UK

Border Agency which has not yet been decided and your leave has expired, this application will be treated as a variation of that application. 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 or the time limit for appealing has expired.

**E10. Are you currently waiting for a decision on an immigration appeal to the Asylum and Immigration Chamber (AIC)?**

If you have an appeal outstanding you cannot make a new application until that appeal is finally determined. Any further representations should be sent to the AIC to link to the appeal papers. Alternatively, you can withdraw the appeal and make a new application.

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 and you have lodged an appeal with the AIC.

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 other than seeking to vary the original application while it remains undecided.

This includes any period when the application for variation is neither withdrawn nor 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 could 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 five or ten 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.

**F1. Have you been convicted of any criminal offence in the UK or any other country?**

We routinely conduct eligibility and background

checks. 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. The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. You do not need to disclose spent convictions. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed.

Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline on 020 7840 6464 or by obtaining a free copy of their leaflet on 020 7840 6427.

For further guidance on the rehabilitation periods please see our website; [www.ukba.homeoffice.gov.uk/britishcitizenship/eligibility/goodcharacter/](http://www.ukba.homeoffice.gov.uk/britishcitizenship/eligibility/goodcharacter/)

**F2. Please give details below for each criminal conviction, starting with the most recent one – but first see Note 1 about criminal convictions. If you have received more than two convictions, please photocopy this page and enclose it with this form.**

You must give details of all unspent 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. This includes all drink-driving offences.

**F3. Do you have any civil judgments against you or any civil penalty under the UK Immigration Acts?**

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 employees immigration status.

**F7. In either peace or war time have you ever been involved in, or suspected of involvement in, war crimes, crimes against humanity, or genocide?**

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;
- 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;
- Acts committed with intent to destroy, in whole or in part, a national, ethnic, 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. This can be found at [www.opsi.gov.uk/acts/acts2001/ukpga\\_20010017\\_en\\_1](http://www.opsi.gov.uk/acts/acts2001/ukpga_20010017_en_1) or purchased from The Stationery Office (telephone 0870 600 5522). It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately.

**F9. Have you ever been involved in, supported or encouraged terrorist activities in any country?**

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.

**F11. Have you ever been a member of, or given support to, an organisation which has been concerned in terrorism?**

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.

**G1. Are you currently receiving or have you ever received public funds in the UK?**

If you require more information on public funds please see the UK Border Agency's public funds guidance. This can be found at <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/public-funds/funds.pdf?view=Binary>

**G5. Was the housing provided as part of an agreement with your employer?**

If your housing is provided by a local council or housing association as part of an agreement with your employer you will be asked to provide evidence of that agreement. You must submit an original letter from the relevant body.

**H1. Have you ever had any Home Office or UK Border Agency reference number assigned to you?**

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 previous Home Office correspondence. You may have numerous Home Office reference numbers. If so, you should provide all such numbers.

**H3. Do you have a National Insurance number?**

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

**H4 & H6. National Insurance Number**

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

- two letters, six numbers and a final letter e.g. AB123456A
- two letters, six numbers and a space e.g. AB123456

**I1. Give your telephone numbers and indicate which is your preferred contact number**

You should only enter UK telephone numbers. These can either be a landline or mobile numbers. The numbers must be ones which you are easily contactable on. Any landline numbers given should begin with the area code.

**I2. Email address**

An e-mail address will usually be in the following format; name@InternetServiceProvider.country. In some circumstances we may try to contact your dependant using this email address.

**I4. Home address in the UK**

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

**I6. What is your correspondence address in the UK?**

If you have a correspondence address we will send all correspondence to this address unless you have a representative acting on your behalf.

**K2. Are you in local authority care in the UK?**

Please tell us whether you are currently living under local authority care in the UK. If you are, you must provide evidence.

**L2. Are you currently being sponsored by a government or international scholarship agency?**

You are sponsored by a government or an international scholarship agency if you receive financial sponsorship from them that fully pays for both your fees and your maintenance (living costs). If you are currently sponsored by a government or an international scholarship agency, you will need their consent to you remaining in the UK. If they do not give their consent, your application will be refused.

You may have been financially sponsored to be in the UK by a government or an international scholarship agency in one of the following immigration categories:

- \* Student; or
- \* Tier 4 (General); or
- \* Student Nurse; or
- \* Student Re-Sitting an Examination; or
- \* Postgraduate doctor or dentist; or
- \* Person Writing a Thesis; or
- \* Student Union Sabbatical Officer.

**L3. Were you previously sponsored by a government or international scholarship agency?**

You were sponsored by a government or an international scholarship agency if you received financial sponsorship from them that fully paid for both your fees and your maintenance (living costs). If you were sponsored by a government or an international scholarship agency within the 12 months preceding this application, you will need their consent to you remaining in the UK. If they do not give their consent, your application will be refused.

You may have been financially sponsored to be in the UK by a government or an international scholarship agency in one of the following immigration categories:

- \* Student; or
- \* Tier 4 (General); or
- \* Student Nurse; or
- \* Student Re-Sitting an Examination; or
- \* Postgraduate doctor or dentist; or
- \* Person Writing a Thesis; or
- \* Student Union Sabbatical Officer.

**L5. Have you been awarded a UK degree/ PGCE/PGDE or completed at least one year's PhD study whilst you have been in the UK?**

This applies to you if your most recent period of leave to enter or remain was as a:

- \* Tier 4 (General) Student;
- \* Postgraduate Doctor or Dentist;
- \* Person Writing Up a Thesis
- \* Student;
- \* Student Nurse;
- \* Student Re-Sitting an Examination;
- \* Student Union Sabbatical Officer.

You must meet the following requirements, in addition to the other requirements of Tier 5. If you do not, your application is likely to be refused.

You must have lawfully obtained a UK degree, Postgraduate Certificate in Education or Professional Graduate Diploma of Education, or have completed a minimum of 12 months study in the UK towards a UK PhD during your current period of leave.

And

The course you studied must have taken place at a UK institution that is a UK recognised or listed body; or your sponsor must hold a sponsor licence under Tier 4 of the Points-Based System.

And

You must be applying from inside the United

Kingdom.

**L6. Are you applying as a private servant in a diplomatic household?**

A private servant in a diplomatic household is someone who is employed by a diplomat or a family member of a diplomat rather than by the embassy, consulate or high commission.

**L7. What is the name of the individual who is employing you?**

This is the name of the diplomat or family member of the diplomat who is employing you and is named as such on your certificate of sponsorship.

**L8 . Do you have a Certificate of Sponsorship?**

A Certificate of Sponsorship is a virtual document assigned to you by your sponsor, containing information about you, your sponsor and your job. A Certificate of Sponsorship cannot be used more than once.

You must have a valid Certificate of Sponsorship to qualify for leave to remain under Tier 5. Without one, we are likely to refuse your application.

By assigning a Certificate of Sponsorship, your sponsor confirms that to the best of its knowledge you are able to undertake a particular job and intend to do so.

The Certificate of Sponsorship contains details of your job, pay, details of any resident labour market tests your sponsor may have done (or why there might be an exemption from the resident labour market test) and other employment details, as well as your personal information.

To be valid, a Certificate of Sponsorship must, amongst other things:

- have been issued by a licensed sponsor; and
- have the same details on it as your

passport; and

- have been assigned no more than 3 months before the date you submit your application; and
- have a start date no more than 3 months after the date you submit your application; and
- not have been withdrawn or cancelled by your sponsor or by the UK Border Agency.

The Certificate of Sponsorship must confirm that your sponsor is sponsoring you under the appropriate Tier 5 category for which you have applied.

A valid Certificate of Sponsorship does not guarantee that an application for leave to remain will be successful. You must meet the specific criteria for the Tier 5 category or sub-category you are applying for.

### **L9. Certificate of Sponsorship reference number**

This is a reference number which is unique to you. If you do not know your Certificate of Sponsorship reference number, please contact your sponsor.

### **L10. Date assigned**

You must give us the date on which your sponsor assigned the Certificate of Sponsorship to you. If you do not know this, please contact your sponsor.

### **L11. What is your Sponsor's Licence Number?**

Your sponsor will be able to provide you with their Sponsor licence number which will be unique to them.

### **L13. Address**

You must give us the full address of your sponsor, including the postcode.

### **L14. What is the rating of your sponsor?**

Sponsors are given either an A or B rating. You can check your sponsor's rating on the Tier 2 and Tier 5 Sponsor Register on the UK Border Agency website at [www.ukba.homeoffice.gov.uk/business-sponsors/points/sponsoringmigrants/registerofsponsors/](http://www.ukba.homeoffice.gov.uk/business-sponsors/points/sponsoringmigrants/registerofsponsors/)

### **L15. Is your sponsor willing to certify Maintenance for you?**

Your Certificate of Sponsorship will confirm if the sponsor has certified that you will not claim public funds during your period of leave as a Tier 5 (Temporary Worker) Migrant. Please contact your sponsor if you are unsure whether they are certifying maintenance for you.

You should note, sponsors cannot certify maintenance for dependants of Tier 5 (Temporary Worker) Migrants.

### **L16. Can you show that you meet the maintenance requirement?**

'Maintenance' is the money available to support you while you are in the UK. Please select the way you will show that you meet the maintenance requirement.

You meet the maintenance requirement if you have personal savings of at least £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012), which you have held for a consecutive 90-day period, ending no more than one calendar month before the date of this application.

### **L17. What supporting evidence have you sent in order to prove you have access to £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012) available funds?**

**Evidence of finances. You must submit one or more of the following documents.**

- Your personal bank or building society statement
- Your building society pass book
- Letter from your bank or building society
- Letter from a regulated financial institution confirming funds held
- Please also see the section of this document entitled 'Supporting Evidence' for more information about the specific nature of the evidence you must provide.

You must give us the date on which your sponsor assigned the Certificate of Sponsorship to you. If you do not know this, please contact your sponsor.

**L18. Your job title**

Please give your full job title.

**L19. Gross annual salary (not including allowances)**

You must give your gross annual salary (salary before tax) in pounds sterling.

Your sponsor must also put your salary on your Certificate of Sponsorship. The salary you give here must match the one on the Certificate of Sponsorship.

If your salary is being paid in another country, the amount in pounds sterling should be calculated using the exchange rate published at [www.oanda.com](http://www.oanda.com). You must use the exchange rate on the date that your Certificate of Sponsorship was assigned.

**L20. Annual allowances (if any)**

You must state what allowances you will be paid, if any.

Your sponsor should include your allowances on your certificate of sponsorship and also give a breakdown of what these allowances are for. The allowances you give us here must match the allowances on your certificate of sponsorship.

If your allowances are being paid in another country, the amount in pounds sterling should be calculated using the exchange rate published at [www.oanda.com](http://www.oanda.com). You must use the exchange rate on the date that your certificate of sponsorship was assigned.

Allowances do not include benefits such as overtime; bonuses that are not guaranteed; incentive pay; or travel and subsistence, including travel to and from your country of residence or home country.

**N2. Name of the representative's organisation**

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.

**N3. Contact name of representative**

If you have authorised someone to represent you in relation to this application please provide the name of the person who is representing you.

If you have a representative acting on your behalf then we will correspond with them rather than directly with you. If your representative is not permitted to provide advice and immigration services in the UK the UK Border Agency will inform you and your representative that we will correspond only with you and not with your representative.

**N8. Who is your representative regulated or approved by?**

Your representative should tell you whether they are regulated by the Office of the Immigration Services Commissioner (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 advice or services unless they are a qualified person. Information about the provision of immigration services and who can provide them can be found at <http://ois.sc.homeoffice.gov.uk>) Information about who is registered with OISC can also be found here.

If the representative is regulated by a designated legal professional body, listed below, or if he/she works under the supervision of such a person, they will not be required to be regulated by the OISC.

Designated bodies are:

- The Law Society;
- The Law Society of Scotland;
- The Law Society of Northern Ireland;
- The Institute of Legal Executives;
- The General Council of the Bar;

- The Faculty of Advocates;
- The General Council of the Bar of Northern Ireland.

The representative should indicate of which organisation they are a member. The representative should indicate whether they are personally a member of this organisation or whether they are working under the authorisation of another registered member.

Where the representative is not a direct registration holder and is working under the supervision of another registered person, the representative should name the registered supervisor under whom they are working.

The representative should indicate whether they are registered with or authorised by an EEA body responsible for the regulation of the provision of legal advice in that EEA state; or employed or supervised by the person regulated as defined in Section 84(2) (c) (d), and (e) of the Immigration and Asylum Act 1999.

**O8. What is your representative's OISC registration number?**

Your representative will be able to provide you with this number if it is not on their notepaper.

**O10. Do you want your representative to use the premium service to book a public enquiry office appointment through the Third Party Representative Service?**

To be able to use the third-party representatives' same-day service, your representative must be registered to submit applications at public enquiry offices on behalf of clients.

**SECTION 4 – SUPPORTING DOCUMENTS**

**You should ensure that you list all the supporting documentation you have submitted with this application.**

**Evidence of identity**

Your current passport(s) or travel document(s) are **mandatory** documents. If you do not submit it/them your application will be rejected as invalid.

- Your BRP is a mandatory document, if you do not submit it, your application will be rejected as invalid.
- Your passport photographs are mandatory documents. If they are not submitted, or are not in the right format, the application will be rejected as invalid. Please make sure you read our photograph guidance to be found at: <http://www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/flr/photoguidance0409.pdf>.

**Evidence of Police Registration**

The Police Registration Certificate is a mandatory document if you were required to register with the police. If you do not submit it your application will be rejected as invalid. For detailed guidance about Police Registration Certificates, visit our website at: <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/police-registration/police-registration.pdf?view=Binary>

**Evidence of agreement on housing**

Evidence of agreement between employer and housing authority. Please submit an original letter from a housing authority if your housing is provided as part of an agreement between your employer and a housing authority.

**Evidence of eligibility for religious workers**

You should provide a letter from a senior representative of your sponsoring organisation. This must be signed by someone with authority within the sponsor organisation. The letter must give an outline of your duties, details of

remuneration, and an explanation of how the job passes the resident labour market test. Your duties may include preaching, whether regularly or on a one off occasion, and/or other pastoral duties.

**Evidence of your finances**

- **Your personal bank or building society statement.**

Your bank or building society statement must meet certain requirements. The personal bank or building society statement(s) that you send us must cover a consecutive 90 day period ending no more than 31 days before the date this application is submitted. The bank or building society statement(s) must be the original (not a copy) and must clearly show:

- your name; and
- your account number; and
- the date of the statement; and
- the financial institution's name and logo; and
- any transactions during the 90 day period; and
- that there have been enough funds in your account (the balance must always be at least £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012)) throughout the consecutive 90 day period ending no more than 31 days before the date of this application.

Ad hoc bank statements printed on the bank's letterhead are acceptable as evidence (this excludes mini-statements from cash machines).

If you wish to submit electronic bank statements from an online account these must contain all of the details listed above. In addition, you will need to provide a supporting letter from your bank, on company headed paper, confirming the authenticity of the statements provided.

Alternatively an electronic bank statement bearing the official stamp of the bank in question will be accepted. This stamp

must appear on every page of the statement.

We will not accept statements which only show the balance in the account on a particular day as these documents do not show that you hold enough funds for the full period needed.

If you want to use a joint account as evidence of funds, you must be named on the account along with one or more other person.

- **Your building society pass book**

The building society passbook that you send us must cover a consecutive 90 day period ending no more than 1 calendar month before the date of this application. The passbook must be original (not a copy) and must clearly show:

- your name; and
- your account number; and
- the financial institution's name and logo; and
- any transactions during the consecutive 90 day period; and
- that there have been enough funds in your account (the balance must always be at least £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012)) throughout the consecutive 90 day period ending no more than one calendar month before the date of this application.

- **Letter from your bank or building society**

The letter(s) from your bank or building society that you send us must cover a consecutive 90 day period ending no more than 31 days before the date of this application. The letter(s) must be original (not a copy) and must clearly show:

- your name; and
- your account number; and
- the date of the letter (which must be no more than one calendar month before the date of your application); and

- the financial institution's name and logo; and
- the funds held in your account; and
- confirmation that funds of £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012) have been in the bank for at least a consecutive 90 day period on and before the date of the letter.

The letter must be dated no more than 31 days before the date of this application.

We will not accept letters which show the balance in your account on a particular day as these documents do not show that you hold enough funds for the full period needed.

All statements must be on the bank's or building society's letterhead/official stationery.

- **Letter from a regulated financial institution confirming funds held**

The letter(s) from a regulated financial institution that you send us must cover a consecutive 90 day period ending no more than 31 days before the date of this application. The letter(s) must be original (not a copy) and must clearly show:

- your name; and
- your account number; and
- the date of the letter (which must be no more than 31 days before the date of your application); and
- the financial institution's name and logo; and
- the funds held in your account; and
- confirmation that funds of £800 (for applications submitted before 14 June 2012) or £900 (for applications submitted on or after 14 June 2012) have been in the bank for at least a consecutive 90 day period on and before the date of the letter.

The letter must be dated no more than 31 days before the date of this application.

We will not accept letters which only show the balance in your account on a particular day as these documents do not show that you hold enough funds for the full period needed.

All statements must be on the bank's or building society's letterhead/official stationery.

### **Evidence of care arrangements for children**

#### **Letter of consent from your parent(s) or legal guardian**

You must submit a letter from your parent or legal guardian giving their consent to you making this application and to the arrangements for your care in the UK. The letter must be the original (not a copy) and must clearly show:

- the relationship between the parent(s) or legal guardian(s) and you
- that your parent(s) or legal guardian have given their consent to this application;
- that your parent(s) or legal guardian agrees to the applicant's living arrangements in the UK;
- your parent(s) or legal guardian's full name and address.

The letter must confirm if your parent(s) or legal guardian have legal custody or sole responsibility for you. If they have sole custody they must sign the letter. If they do not, the letter must confirm that each parent or legal guardian agrees to the contents of the letter and must be signed by each parent or legal guardian.

### **Evidence relating to children in local authority care**

You must provide a letter from the local authority that is caring for you confirming that you are in local authority care. This document must be original (not a copy) and be on official headed paper.

### **Evidence of sponsor giving consent to application.**

You must provide us with the Government or international scholarship agency's unconditional consent in writing, giving you permission to remain in the United Kingdom. The letter must be original, on the official letter-headed paper or stationery of the organisation. It must have been issued by an authorised official of that organisation.

### **Evidence of completion of previous studies.**

You should provide a degree certificate from your place of study.

This must be an original certificate and must clearly show:

- your name; and
- the course title/award; and
- the course duration; and
- date of course completion.

Or

You should provide documentary evidence from your place of study which shows completion of study.

This must be an original academic reference on official headed paper of the institution and must clearly show:

- your name; and
- the course title/award; and
- the course duration
- date of course completion unless you are still studying a PhD