

# UK immigration law

## Indefinite Leave to Remain

**Notice: On 6 April 2011 new immigration legislation came into effect making further changes to this category. To read these changes please go to [Immigration news and updates](#).**

You can obtain indefinite leave to remain "ILR" (permanent residence) in any of the categories listed below.

The table below confirms the number of years you are required to stay in the UK before you qualify for settlement.

IMMIGRATION CATEGORY	NUMBER OF YEARS REQUIRED TO BE SPENT IN THE UK
ACCESS TO A CHILD	1 YEAR
SPOUSE OF UK NATIONAL OR PERSON PRESENT AND SETTLED IN THE UK	2 YEARS
UNMARRIED PARTNERS OF A UK NATIONAL OR PERSON SETTLED IN THE UK	2 YEARS
TIER 1 GENERAL	5 YEARS
TIER 1 ENTREPRENEUR	5 YEARS
TIER 1 INVESTOR	5 YEARS
SOLE REPRESENTATIVE	5 YEARS
EEA NATIONALS AND FAMILY MEMBERS	5 YEARS
COMPOSER	5 YEARS
ARTIST	5 YEARS
UK ANCESTRY	5 YEARS
TIER 2 GENERAL	5 YEARS
LAWFUL RESIDENCE (UNDER ANY COMBINATION OF CATEGORIES)	10 YEARS
MIXTURE OF LAWFUL AND UNLAWFUL RESIDENCE	14 YEARS

### Requirements

In order to qualify you must:

- Take the life in the UK test – you will be required to take this before applying for Permanent Residence;
- Be in the UK when you apply for settlement. The only migrants who can apply for settled status from outside the UK are certain partners and family members of British citizens and settled persons;
- Make your application **before** your current permission to stay in the UK expires;
- Show that you will continue to meet the requirements of your current visa to be eligible for ILR;
- Have stayed in the UK for most of the time that you have held your visa. You are allowed to have travelled abroad during this period, as long as this was not for extended periods. If you have spent large periods of time outside of the UK, it may be difficult to obtain ILR approval; and
- Plan to remain present and settled in the UK.

### Retaining ILR

Once you have been granted ILR you should not spend more than two years outside of the UK at a time. Living outside of the UK for an extended period may result in your ILR being cancelled.

### British nationality

You will be able apply for British nationality 12 months from the time you were granted ILR in the UK, provided you meet the additional criteria for naturalisation in the UK as a British citizen.

### Disclaimer

The information provided on this page is designed to provide general guidance. Nothing in this page constitutes legal advice.

**For detailed advice please contact Laya by telephone on 020 7105 6178 or 020 7357 9494 or e-mail: [Laya Falsafi lf@lzwlaw.co.uk](mailto:Laya.Falsafi@lzwlaw.co.uk)**