

UK immigration law

Spouse

Individuals wishing to enter the UK on the basis of their marriage or civil partnership with a British national or a person present and settled in the UK do not have an automatic right of entry. Instead it is necessary to apply for a visa to enter the UK in the correct capacity.

In order to qualify for entry to the UK as a spouse husband /or wife, you must show:

- You are seeking to enter or remain in the UK as a spouse of a British citizen or a person present and settled in the UK or, if the person you are married to is living overseas, s/he arrives in the UK at the same time as you;
- You are legally married to each other or are in a civil partnership recognised in the UK;
- You both intend to live together permanently as husband and wife or as civil partners;
- You have met each other before;
- You can support yourselves and any dependants without any help from public funds;
- You have suitable accommodation for yourself and any dependants which is owned/rented by yourselves without assistance from UK public funds, and which will be occupied exclusively by the two of you;
- Your British or settled husband, wife or civil partner in the UK is not under 21;
- You are not under 21 at the date of arrival in the UK;
- You have passed the acceptable English language test; and
- You hold a valid UK entry clearance (visa) for entry in this capacity, (if not already in the UK as a fiancé or in a long stay category).

Duration of a spouse visa

Spouse visas are normally granted for a period of 2 years during which time you can work.

Settlement in the uk

If you continue to remain married for 2 years, you will be able to apply for indefinite leave to remain (permanent residence) in the UK.

British nationality

You will be able apply for British nationality 12 months from the time you were granted indefinite leave to remain 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