

# Family Reunion: Non-Refugees with Indefinite Leave to Remain

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**The following information will help you gather as much information and evidence as possible before you approach a legal advisor or solicitor to discuss family reunion.**

If you have **Indefinite Leave to Remain** but are **not a refugee** and you want a family member to come and live with you in the UK, you will need to be able to prove the following:

- That you have indefinite leave to remain. For example your Immigration Status Document.
- That they are related to you. For example a marriage or birth/adoption certificate, wedding or family photographs.
- That you still regularly contact them. For example phone cards, letters, money transfer receipts.
- That you and your family will be able to live in the UK without receiving any more money from benefits than you are now. Generally, this means that you must have a house big enough to accommodate the people joining you and a job. For example bank statements, job contracts and pay slips, a housing tenancy agreement or a letter from your landlord.

## **Your family member abroad must also prove to the UK Embassy:**

- 1) In the case of a husband/wife/civil partner<sup>1</sup> :
  - That both they and you are aged 21 or over.
  - That you have met each other and intend to live together permanently as husband and wife, civil partners, or as partners<sup>2</sup> (including same-sex).
- 2) In the case of a child (including adopted):
  - That s(he) is aged under 18 and is not married or living independently.
  - Either that:
    - o both parents are in the UK; or
    - o you alone are responsible for the child's care and upbringing (by sending money or making important decisions or through regular contact with the child).
- 3) In the case of other relatives:
  - That they are your parent or grandparent; son, daughter, sister, brother, aunt, or uncle; and
  - If not a parent or grandparent over the age of 65, that they are living alone in 'the most exceptional compassionate circumstances'<sup>3</sup> for example suffering illness or very poor and unable to manage without you; and

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1 Legal recognition of a same-sex relationship.

2 Unmarried partners must have lived in a relationship like marriage for 2 years.

3 Immigration Rules, paragraph 317.

- That they are mainly financially dependent on you; and
- That there are no other close relatives to support them.

**Other important information:**

- Any original documents should be translated into English.
- If your family member has a passport or identity document this would be a great help to your application.
- In what circumstances are they living now? Who with? Who supports them? Why can they not live there any longer?

**Caution:** an application fee must be paid to the UK embassy abroad.

**Useful evidence you could gather to satisfy the Rules**

| <b>Requirement of Rules</b> | <b>Examples of Evidence</b>   |
|-----------------------------|---|
| Indefinite Leave to Remain  | Your Immigration Status Document<br>Your Travel Document  |
| Relationship/part of family | Your marriage certificate<br>Birth/adoption certificate for a child<br>Your wedding or family photographs |
| Regular Contact             | Phone cards or records<br>Letters<br>Money transfer receipts  |
| Sufficient support money    | Job contract<br>Pay slips<br>Bank statements  |
| Adequate accommodation      | Housing tenancy agreement<br>Letter from landlord   |

**Who can help?**

Scottish Refugee Council no longer provides a family reunion service. However, your legal representative may be able to help you. If you do not have one or would like to change your representative, we can provide names and addresses of legal representatives.

As noted above, if you wish to explore this, please ensure that you have considered the requirements and necessary evidence that this will involve before you apply.



**Scottish Refugee Council** 5 Cadogan Square,  
 (170 Blythswood Court) Glasgow G2 7PH  
**Free telephone advice: 0800 085 6087**  
**Email:** [info@scottishrefugeecouncil.org.uk](mailto:info@scottishrefugeecouncil.org.uk)  
**Web:** [www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk)  
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