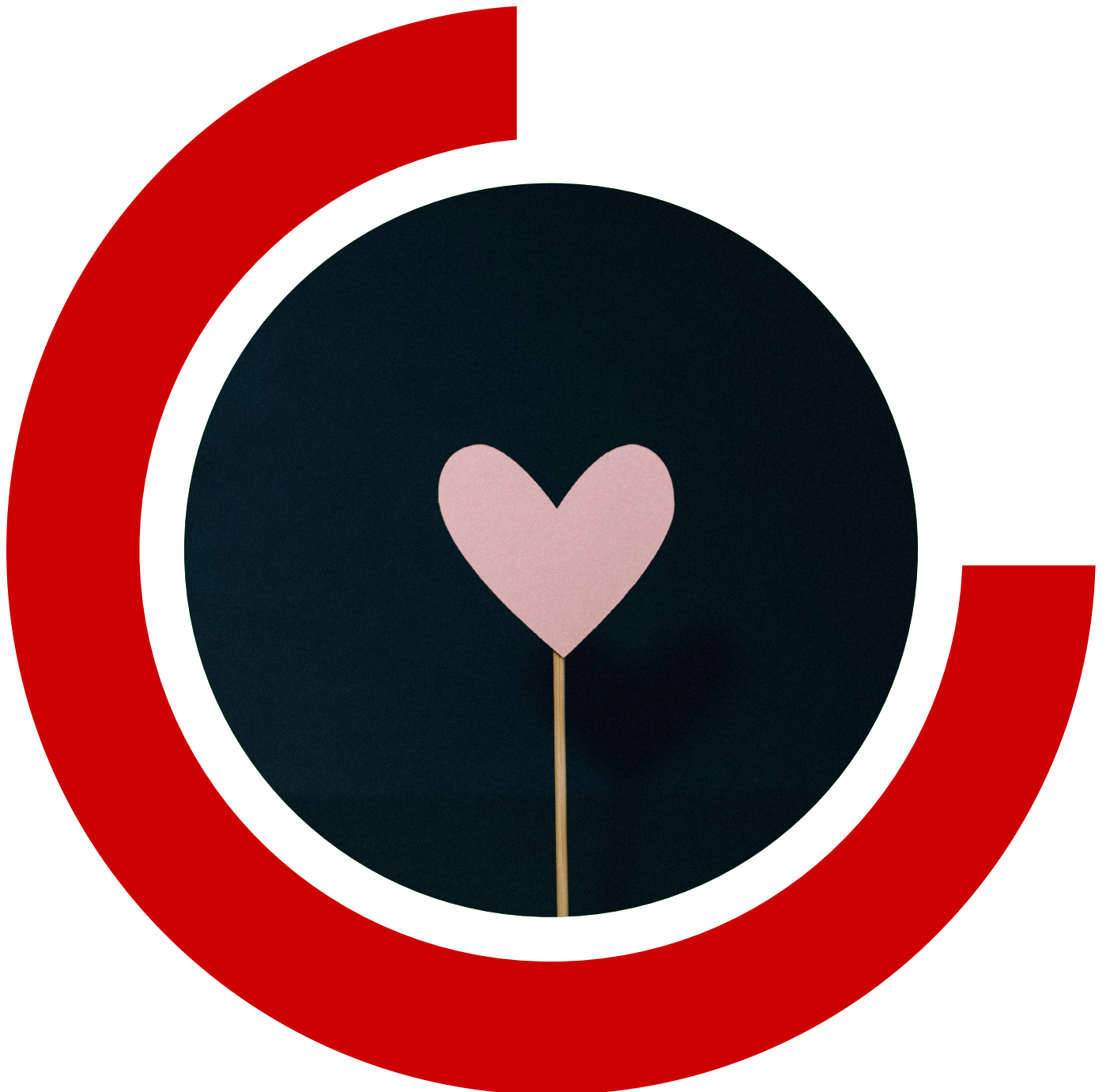


SPOUSE VISA UK GUIDE 2024

Immigration



The UK's Partner visa, a subcategory of the Family visa, offers a pathway for eligible foreign nationals to join and live with their British or settled partner in the UK.

This publication provides an in-depth overview of the UK Partner Visa, including its requirements, application process, and potential outcomes.

- Eligibility criteria for Spouse Visa
- Financial Requirement
- Genuine relationship requirement
- English Language Requirement
- Spouse Visa Fees in 2024
- Partner Visa Extension
- Legal Advice

ELIGIBILITY CRITERIA FOR SPOUSE VISA

As with the [Fiancé](#) and [Unmarried Partner](#) visas, to obtain a Partner Visa, the following requirements must be met:

- The applicant and their partner must be at least 18 years old
- The partner is either a British or Irish citizen or has obtained Settlement in the UK
- The relationship is genuine and subsisting
- They intend to live together permanently in the UK
- Any previous relationship has broken down permanently
- They satisfy the 'financial requirement'
- There is adequate accommodation for both the applicant and the partner
- The applicant speaks and understands English to the required level

FINANCIAL REQUIREMENT

If relying on income, the UK Partner visa application mandates that the applicant's UK-based partner evidence a minimum gross annual income of **£18,600**. However, in the latest update outlined by the Home Office, this income requirement is set to undergo incremental increases. Specifically, it is expected to rise to **£29,000** in Spring 2024, subsequently to **£34,500** and eventually reaching **£38,700** per year.

For applicants with children, an additional financial commitment is necessary. At present, an extra **£3,800** per year is required for the first child, and an additional **£2,400** per year for each subsequent child.

The acceptable sources of income considered for meeting these [financial requirements for spouse visa](#) include earnings from employment or self-

employment, money from pension, cash savings, and non-employment income.

Exemptions from the financial requirement are available if the sponsor receives income from specific sources, including disability living allowance, Severe Disablement allowance, Armed Forces Independence Payment, or Guaranteed Income Payment under the Armed Forces Compensation Scheme, among others. In such cases, sponsors are not obligated to demonstrate an annual income of **£18,600** or more. However, it is crucial to note that even if a partner qualifies for exemption, the applicant must still exhibit sufficient funds to support themselves in the UK and provide suitable accommodation without recourse to public funds.

GENUINE RELATIONSHIP REQUIREMENT

Demonstrating that you are in an eligible relationship is a pivotal aspect of the UK Partner Visa application process. The acceptable forms of eligible relationships include being in a legally recognized civil partnership or marriage. Alternatively, there is the Unmarried Partner visa, which requires satisfactory evidence of cohabiting continuously for a minimum period of two years.

UK Visas and Immigration (UKVI) places significant importance on ensuring the authenticity of relationships. This vigilance is essential to prevent instances of "sham" marriages or relationships, where applicants falsely assert their eligibility. These deceptive practices can undermine the integrity of the UK's immigration system, prompting UKVI to scrutinize applications more closely.

To ascertain the genuineness of your relationship, UKVI assesses factors such as shared financial responsibilities, joint living arrangements, and emotional ties. They are particularly attentive to instances where applicants attempt to misrepresent their relationships for immigration purposes.

ENGLISH LANGUAGE REQUIREMENT

The foreign applicant must demonstrate sufficient proficiency in the English language, which can be established in 3 ways:

1. English Language Test

Successfully passing an approved Common European Framework of Reference for Languages (CEFR) English test. This test, conducted at approved testing centres, should attain a minimum level of A1 in both speaking and writing. Should you seek to prolong your stay in the UK later on, a subsequent achievement of at least CEFR level A2 is essential, indicating ongoing improvement aligned with the duration of your residency.

2. Academic Qualification

Possessing a Bachelor degree or other suitable academic qualification taught in English. Such educational credentials serve as evidence of your English language proficiency.

3. Exemption

Exemptions from meeting the English language requirements include:

- You are over the age of 65
- A physical or mental impedes your ability to fulfil the language requirement
- You are a national from any of the specified countries: Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, Canada, Dominica, Grenada, Guyana, Jamaica, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago or the USA

These exemptions are designed to accommodate diverse situations, recognising that various factors may hinder individuals from satisfying the English language criteria. It is important to note that these provisions offer a fair and inclusive approach to visa applications.

SPOUSE VISA FEES IN 2024

The application fee for the UK Partner visa varies depending on whether the application is submitted within the UK or outside the UK. For applications made within the UK as of January 2024, the fee stands at **£1,048**, while applications submitted from outside the UK incur a fee of **£1,846**. Additionally, applicants must cover supplementary expenses, including the Immigration Healthcare Surcharge, amounting to **£1,035** for each year of the visa's duration. Furthermore, a biometric appointment attendance fee is applicable to all applicants.

For individuals seeking an expedited decision, the Super Priority visa service offers a swift resolution at a cost of **£1,000**. Opting for this service ensures a decision on the application is reached by the end of the next working day. It is essential to consider these fees comprehensively and plan accordingly when preparing for the visa application process.

PARTNER VISA EXTENSION

Following the initial period of 2 years and 9 months, applicants can extend their visa for an additional 2 years and 6 months. To qualify for this extension, it is imperative to maintain the continuity of the eligible relationship with the UK-based partner, ensuring that the dynamics of the relationship remain consistent. It is essential to initiate the extension process before the expiration of the current visa.

The extension period serves as a crucial phase in the progression toward potential Indefinite Leave to Remain (ILR) and, subsequently, British citizenship. During this time, individuals must adhere to the eligibility criteria, emphasizing the ongoing genuineness and subsistence of the relationship.

The extension process involves a comprehensive evaluation of the relationship, financial stability, and accommodation arrangements. Meeting the English language requirement and other specified criteria remain integral components of a successful extension application. Successfully navigating this

stage not only allows individuals to prolong their stay in the UK but also positions them strategically for the subsequent transition to ILR.

It is advisable for applicants to commence preparations well in advance of their current visa expiration date, allowing ample time for document gathering and compliance with all necessary requirements. Seeking guidance from immigration professionals or solicitors during the extension process can provide valuable insight and assistance in ensuring a smooth and successful continuation of your UK Partner visa.

LEGAL ADVICE

Our immigration solicitors have a proven track record of obtaining fiancé, spouse and unmarried partner visa for applicants wishing to come to the UK as the partner of a British/ Irish citizen or person present and settled in the UK.



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