

form
BUS

Version 11/2002



Home Office

Immigration and Nationality
Directorate

form
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Version 11/2002

This form is provided free of charge by IND

Application for an extension of stay or for indefinite leave to remain in the United Kingdom as a business person, sole representative, retired person of independent means, investor or an innovator

This form is valid only for applications made on or before 14 November 2002

For which types of application must you use this form?

Only to apply for an extension of stay or indefinite leave to remain in one of the categories listed on page 4 of this form.

What you must do for your application to be valid

- Complete this form, if it is appropriate for your application, answering all the questions, providing all the information and completing, or ticking where appropriate, all the boxes that apply to you. If you are completing the form by hand it would be helpful if you could write in BLOCK letters and in black ink.
- Provide all the documents and photographs specified in Section 7 of this form. **All documents must be originals or photocopies certified as true copies by the issuing authority** (such as a photocopy of a building society passbook certified by a branch of the building society).
- Give a satisfactory explanation if you are unable at present to provide any of the documents or photographs with this form, and a reasonable timescale for their submission.
- Sign and date Section 8 as specified.

An invalid application will be returned to you or your representative, reducing the time available to make a valid application before your current leave to enter or remain runs out. To help avoid this, use the checklist on page 12.

Posting your application

Post the completed form to:

**Business Case Unit – BUS
Immigration and Nationality Directorate
Lunar House, 40 Wellesley Road,
Croydon, CR9 2BY**

It is in your interests to apply **4-5 weeks** before the last day of your leave to be in the UK. If you apply earlier than that, please note that your application may be delayed or refused if you are applying in a category that requires a specified period of time to be completed in order to qualify for further leave to remain. **Recorded Delivery** post helps us to record the receipt of your application; we recommend that you use it.

How to obtain another form

By telephoning the Application Forms Unit on **0870 241 0645**. **This number is for application form requests only**. For any other enquiries or assistance, the telephone number is **0870 606 7766**. You can also download application forms from the following Home Office website:

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

How long will it take to process your application?

In the first 3 months of 2002, the initial consideration of new applications took 6 weeks on average. We are working hard to reduce this to 3 weeks or less. **For current processing times, please see the information sheet enclosed with this form if you received it from the Application Forms Unit; or the "making an application" page on the Home Office website if you have access to the internet (see address on the front page).** We aim to decide most cases (at least 65%) on initial consideration. But if your case needs further consideration or enquiries, we will send you a letter informing you of this and telling you how long it may take. Any further enquiries needed could include visits by the Immigration Service.

How will your passport (s) and other documents be returned?

By Recorded Delivery (RD) in all cases, so there is no need to enclose your own postage.

Croydon and regional Public Enquiry Offices

Please note that applications in the categories covered by this particular form cannot be dealt with in any of the public enquiry offices. The position generally is that urgent applications may be taken to the **Public Enquiry Office (PEO), Lunar House, 40 Wellesley Road, Croydon** (opening hours 9.00 to 4.00 Monday to Friday, excluding public holidays). If possible, PEO will complete a straightforward application with all necessary supporting documents/evidence on the day of your visit. If not, the application may be taken in for completion by post. **Please note that PEO will not deal with your application if it is made more than 4 weeks before the last day of your leave to enter or remain.** PEO accommodation is limited, so only applicants and any family members included in the application will be allowed into the building. Interpreters are available. **PEO deals only with personal callers.** It does not deal with third parties (eg advisers or representatives).

There are also 3 regional Public Enquiry Offices for personal callers only. Details are given below. The telephone numbers usually give only general information in a recorded message; they will not normally be able to advise you on whether your particular application can be dealt with by the PEO concerned.

Glasgow	Liverpool	Birmingham
Immigration Office Festival Court 200 Brand Street Govan Glasgow G51 1AR	Immigration Office Reliance House 20 Water Street Liverpool L2 8XU	Immigration Office Dominion Court 41 Station Road Solihull Birmingham B91 3RT
Monday to Friday 9.30am to 12.30pm 2pm to 4pm	Monday to Friday 9.00am to 4.00pm	Monday to Friday 9am to 3pm
Tel: 0141 419 1256	Tel: 0151 237 0473	Tel: 0121 606 7345

Immigration advisers

This form is designed to enable you to make your own application. If you consider it necessary to seek advice in completing it or in dealing with any other aspect of your application, you should take care when choosing an adviser. The Office of the Immigration Services Commissioner (OISC) regulates immigration advisers. Generally, only solicitors, barristers and legal executives who hold a practising certificate do not need OISC authorisation. Anyone else could be committing a criminal offence if they act on your behalf without being OISC authorised or otherwise exempted. If your adviser is not a solicitor, barrister or legal executive you should ask if they are OISC authorised. A list of OISC authorised advisers is on their website at www.oisc.gov.uk which has links to websites for solicitors, barristers and legal executives. To complain about an immigration adviser, call the OISC (tel 0845 000 0046 - calls charged at local rate) or write to OISC, 6th Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

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**Immigration and Nationality
Directorate**

It would be helpful if
you could staple
photographs here.

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Application for an extension of stay or for indefinite leave to remain in the United Kingdom as a business person, sole representative, retired person of independent means, investor or an innovator

➤ Section 1 ~ About the Applicant

- Tell us your:

1.1 Full name	1.2 Family name
1.3 Nationality	1.4 Date of birth (e.g. 01/Jan/1999)
1.5 Name at birth if different, and any other names by which you have been known	
1.6 Full address where you live in the UK (Please let us know if this changes)	
Postcode: <input type="text"/>	

- You do not have to provide the information requested in questions 1.7 to 1.10. But if you do, it will help us to process your application.

1.7 Your title Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other: _____	1.8 Your daytime telephone number (if you have one but not mobile numbers)
1.9 Your Home Office reference number if you have one (normally a letter followed by several numbers e.g. A999999)	
1.10 The address to which you would like us to return your passport(s)/documents and send any correspondence about your application if different from that in 1.6 (Please let us know of any change of address or representative)	
Postcode: <input type="text"/>	

➤ **Section 2 ~ Basis of Application**

- Tell us, by placing ticks in the appropriate boxes (i) the category under which you are applying and (ii) whether you are applying for an extension of stay or for indefinite leave to remain in the UK. You must tick 2 boxes only. You should then complete those sections specified directly to the right of the box which you have ticked. If you wish to apply in more than one category you must fill in a separate form for each category.

A Business Person

- An extension** *Complete Sections 4,5,6,7 and 8*
- Indefinite leave** *Complete Sections 3,4,5,6,7 and 8*

A Sole Representative

- An extension** *Complete Sections 4,5,6,7 and 8*
- Indefinite leave** *Complete Sections 3,4,5,6,7 and 8*

A Retired Person of Independent Means

- Indefinite leave** *Complete Sections 3,4,5,6,7 and 8*

An Investor

- An extension** *Complete Sections 4,5,6,7 and 8*
- Indefinite leave** *Complete Sections 3,4,5,6,7 and 8*

An Innovator

- An extension** *Complete Sections 4,5,6,7 and 8*

➤ **Section 3 ~ For applicants applying for Indefinite Leave to Remain**

3.1 When did you first enter the UK?

3.2 Since that date have you spent any long absences (3 months or more) outside the UK?

Yes No

*If you have answered **yes** to question 3.2 you must list these absences in the box below and explain why you needed to travel*

Dates of absence	Reasons for travelling

➤ **Section 4 ~ Your Family**

4.1 Do you have a spouse (husband or wife) and/or children living with you in the UK? Yes No

If you have answered yes to question 4.1 and they are applying for an extension of stay or indefinite leave to remain as your dependants, you must fill in their details below. Please continue on another sheet and submit it with your application if you need more space.

Name	Date of Birth	Relationship to you	Nationality

➤ **Section 5 ~ Your Home and Your Finances**

5.1 Is your home in the UK:

- a) Owned by you?
- b) Rented from a local authority by you?
- c) Privately rented by you?
- d) Owned or rented by a relative or friend?
- e) A hotel or boarding house?
- f) Other (please give details) _____

5.2 Do you pay any mortgage or rent for your home? Yes No

If you have answered yes to question 5.2, how much do you pay each month?

£

5.3 Are you receiving any public funds? (see **Note 1**) Yes No

Note 1: Under the Immigration Rules, “public funds” includes the following:

Housing and homelessness assistance, attendance allowance, severe disablement allowance, invalid care allowance, disability living allowance, income support, working families’ tax credit, disabled person’s tax credit, a social fund payment, council tax benefit, child benefit, income-based job seekers allowance and housing benefit.

A British Citizen or a person settled in the United Kingdom is entitled to claim benefits in their own right. If your sponsor is claiming benefits that he or she is entitled to, your application will not be affected **unless** your sponsor claims additional benefits as a result of your arrival in the UK.

Although child benefit is included in the list of public funds, if your claim to child benefit began before 7th October 1996 we will not consider that you have had recourse to public funds, if this is the only benefit that you are receiving.

If you have answered **yes** to question 5.3, which of these are you receiving?

--

5.4 Are you working in the UK?

Yes No

If you have answered **yes** to question 5.4 what is your net pay each month?

£

5.5 Does a relative or friend regularly give you money?

Yes No

If you have answered **yes** to question 5.5 how much money do you receive each month?

£

➤ **Section 6 ~ Additional Question(s)**

6.1 Have you received a prison sentence in the UK or elsewhere?

Yes No

If you have answered **yes** to question 6.1, give details as required below for each prison sentence if more than one.

	First Sentence	Second Sentence	Third Sentence
Nature of offence			
Date sentenced			
Length of sentence			
Country where sentenced			

➤ Section 7 ~ Documentary Evidence

- You must provide all the documents and photographs listed below. It would be helpful if all photographs could be stapled to page 3 of the form in the space provided. If you are unable to provide any of the documents with this form you must give a satisfactory explanation and a reasonable timescale for their submission.
- All documents must be originals or certified photocopies. Certified photocopies of documents must be certified as true copies by the issuing authority (such as a photocopy of a building society passbook that has been certified by a branch of the building society).
- It would be helpful if you could place a tick next to the relevant items to show which documents you are sending.

- ▶ A recent passport sized photograph of yourself, with your name written on the back of the photograph.
- ▶ A recent passport sized photograph of each dependant aged 16 or over who is applying for an extension of stay or indefinite leave to remain the UK with you (*see question 4.1*), with each dependant's name written on the back of the photograph.
- ▶ Your unexpired passport or travel document.
- ▶ Unexpired passport(s) or travel document(s) for each dependant who is applying for an extension of stay or indefinite leave to remain in the UK with you (*see question 4.1*).
- ▶ Your police registration certificate (if you are required to register with the police).
- ▶ The police registration certificate(s) for each dependant who is applying for an extension of stay or indefinite leave to remain in the UK with you (if they are required to register with the police).
- ▶ A document (or documents) showing that you have the financial resources to maintain and accommodate yourself and any dependants without recourse to public funds. The document(s) must be formal documents such as bank statements, a building society passbook, or wage slips. **Please do not send us cheques, travellers cheques or credit cards.** If a relative or friend is supporting you, then you may provide a letter from them confirming this together with formal documents showing their financial resources (see **Note 2**).

Note 2: We are unlikely to grant your application unless the documents establishing the financial resources available to you cover the last three months.

➤ **Business Person (extension of stay)**

If you have previously been given permission to stay in the UK as a business person and you are applying for an extension of stay you must provide:

- (a) audited accounts for the period of your leave so far. These should show the precise financial position of the business and should confirm that you have directly and personally invested at least £200,000 of your own money in the business and maintained that investment (see **Note 3**);
- (b) if the amount of your investment is unclear from your accounts, other evidence that you have directly and personally invested at least £200,000 of your own money in the business and maintained that investment;
- (c) evidence that you have created new, paid, full-time employment for at least two people settled in the UK throughout the last year. In each case please provide their name, position, salary, hours of work, date they started/ended (where applicable) and evidence of their immigration status, i.e. a copy of their birth certificate or passport (uncertified copies are acceptable in this instance);
- (d) Evidence that your share of the profits of the business is sufficient to maintain and accommodate yourself and any dependants without recourse to public funds.

Note 3: Audited accounts are required by the Immigration Rules in all cases, regardless of the size of a business. If you are unable to provide audited accounts at this stage, draft or management accounts should be provided along with an explanation as to why audited accounts are not yet available.

➤ **Business Person (indefinite leave to remain)**

If you have completed, or are nearing completion of, four years continuous leave to remain in the UK as a business person and you are applying for indefinite leave you must provide:

- (a) audited accounts for the first three years of trading and management accounts for the fourth year (see **Note 4**);
- (b) evidence that you have maintained a direct personal investment of at least £200,000 of your own money in the business throughout the four year period;
- (c) evidence that you have maintained new, full-time, paid employment for at least two people settled in the UK throughout the four year period. In each case please provide their name, position, salary, hours of work, date they started/ended (where applicable) and evidence of their immigration status, i.e. a copy of their birth certificate or passport (uncertified copies are acceptable in this instance);
- (d) evidence that your share of the profits of the business is sufficient to maintain and accommodate yourself and any dependants without recourse to public funds.

It will help us to process your application faster if you also provide all the passports you have held during the four year period together with a list of your movements in and out of the UK since you first entered as a business person.

Note 4. If you are unable to provide management accounts for the fourth year as required by the Immigration Rules, draft accounts should be submitted along with an explanation as to why management accounts are not available.

➤ **Sole Representative (extension of stay)**

If you have previously been given permission to stay in the UK as a sole representative and you are applying for an extension of stay you must provide:

- (a) confirmation from the parent company that their centre of operations remains outside the UK and that they wish to continue to employ you as previously;
- (b) evidence that either a registered branch or wholly-owned subsidiary has been established. In the case of a registered branch this should be provided by means of a Companies House Certificate of Registration. In the case of a wholly-owned subsidiary this should be provided by means of a Companies House Certificate of Incorporation, together with either a copy of the share register or a letter from the company accountants confirming that all shares are held by the parent company.
- (c) evidence that you are employed full-time as a sole representative. This is best provided in the form of documents such as a P60 and wage slips.

It would be helpful if you could also provide evidence that the UK operation is active. Such evidence may take different forms according to the nature of the business. If there are accounts for the business it would be helpful if you could provide these; you could also provide copy invoices, contracts and business letters.

➤ **Sole Representative (indefinite leave to remain)**

If you have completed, or are nearing completion of, four years continuous leave to remain in the UK as a sole representative and you are applying for indefinite leave to remain you must provide:

- (a) confirmation from the parent company that their centre of operations remains outside the UK and that they wish to continue to employ you as previously;
- (b) evidence that a registered branch or wholly-owned subsidiary is still in existence. This is best provided in the form of a letter or documents from Companies House confirming that the structure of the UK operation has not changed;
- (c) evidence that you have been employed, full-time, as a sole representative for a continuous period of four years. This is best provided in the form of documentation such as P60s for the past four years and recent wage slips.

It will help us to process your application faster if you also provide all the passports you have held during the four year period together with a list of your movements in and out of the UK since you first entered as a sole representative.

It would also be helpful if you could provide evidence that the UK operation is active. Such evidence may take different forms according to the nature of the business. If there are accounts for the business it would be helpful if you could provide these; you could also provide copy invoices, contracts and business letters.

➤ **Retired Person of Independent Means**

If you have completed, or are nearing completion of, four years continuous leave to remain in the UK as a retired person of independent means you must provide:

- (a) proof that you have made the UK your main home since you were given permission to stay in the UK as a retired person of independent means. This is best provided in the form of all the passports that you have held during the four year period. You could also provide proof that you own and occupy a property in the UK. It would be helpful if you could also provide a list of your movements in and out of the country during this period, although this is not compulsory;
- (b) evidence that you have – for a continuous period of four years – had under your control and disposable in the UK an income of your own of not less than £25,000 each year.

➤ **Investor (extension of stay)**

If you have previously been given permission to stay in the UK as an investor and you are applying for an extension of stay you must provide:

- (a) evidence that you have not less than £1 million of your own money under your control in the UK;
- (b) evidence that you have invested not less than £750,000 of your capital in the UK in accordance with the requirements of the Immigration Rules.

➤ **Investor (indefinite leave to remain)**

If you have completed, or are nearing completion of, four years continuous leave to remain in the UK as an investor you must provide:

- (a) proof that you have made the UK your main home since you were given permission to stay in the UK as an investor. This is best provided in the form of all the passports that you have held during the four year period. You could also provide proof that you own and occupy a property in the UK. It would be helpful if you could also provide a list of your movements in and out of the country during this period, although this is not compulsory;
- (b) evidence that you have maintained not less than £1 million of your own money under your control in the UK for a continuous period of four years;
- (c) evidence that you have invested not less than £750,000 of your capital in the UK in accordance with the requirements of the Immigration Rules for a continuous period of four years.

➤ **Innovator (extension of stay)**

To apply for an extension of stay in the UK as an innovator:

- Please make sure you have read the ‘Innovator – Guide to Applicants’ booklet first, as this contains important information about the innovator pilot scheme, details of how to qualify and examples of the documents which you will need to provide with the application.
- Applications under the innovator pilot scheme are considered using a points-based system. There is an innovator’s Self Assessment Form available to help an applicant present their proposal in a clear and concise way and to help us to process applications. You do not have to provide a completed Self Assessment Form, but if you do this will help us to make a quick decision on your case based on all the relevant information.
- The Guide to Applicants and the Self Assessment Form are available from the Application Forms Unit (telephone 0870 241 0645). You can also download all the information from our website (address given on the front page of this form).

You must now complete Section 8

➤ **Section 8 ~ What To Do Now**

- **You must now read the declaration below and sign it. This must be signed by the applicant personally and not by a representative or other person acting on his/her behalf. An application for a person under the age of 18 may be completed by the parent or legal guardian.**

I hereby apply for an extension of stay*/indefinite leave to remain*(***please delete as applicable**) in the UK for myself and any dependants listed in this form. The information I have given is complete and is true to the best of my knowledge. I also declare that the photograph(s) submitted with this form is/are a true likeness of myself and any dependants included in the application, as named on the back of each photograph.

I confirm that if, before this application is decided, there is a material change in my circumstances or new information relevant to this application becomes available I will inform the Home Office.

I understand that all information given by me will be treated in confidence but may be disclosed to other government departments, agencies, local authorities and other bodies to enable them to carry out their functions.

I am aware that it is an offence under the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999, to make to a person acting in execution of the Act a statement or representation which the maker knows to be false or does not believe to be true, and to obtain or to seek to obtain leave to remain in the United Kingdom by means which include deception.

Signed: _____ **Date:** _____

Checklist for application form BUS

Please make the following checks before sending off your application. They should help to ensure that your application is valid.

- Are you sure that form BUS is the right form for your application? See Section 2 (page 4).
- Is the form still valid? See the date on the front page.
- Have you completed all applicable sections of the form correctly as specified?
- Have you provided the following documents specified in Section 7 (pages 7 - 10)?
 - unexpired passport(s) or travel document(s) and photograph(s)
 - police registration certificate(s) (if applicable)
 - evidence of financial resources
 - and any other documentary evidence specified in Section 7 which is required for your particular application
- If you are unable at present to provide any of the documents or photographs specified in Section 7, have you given an explanation and said when you will be able to provide them?
- Have you signed and dated the declaration in Section 8 of the form (page 11)?

Now make sure that you send the application to the correct address:

**Initial Consideration Unit - BUS
Immigration and Nationality Directorate
Lunar House
40 Wellesley Road
Croydon CR9 2BY**