

If you wish to apply for a certificate of approval for marriage or civil partnership in the UK, please read these guidance notes and the UKBA photograph guidance (version 04/2009) before making your application.

CONTACTING US

Our main website address and telephone numbers for contacting us are given below.

OUR WEBSITE	IMMIGRATION ENQUIRY BUREAU	APPLICATION FORMS UNIT
www.ukba.homeoffice.gov.uk	0870 606 7766	0870 241 0645
For information about immigration law and policy, and to see and download application forms and related guidance	Monday to Thursday 9.00 - 4.45 Friday 9.00 - 4.30 For immigration enquiries and information	Monday to Thursday 9.00 - 4.45 Friday 9.00 - 4.30 For application forms, guidance notes and photograph guidance only

The premium service at our Public Enquiry Offices is not available for COA applications.

GUIDANCE NOTES

1 FOR WHICH APPLICATIONS MUST YOU USE FORM COA?

Form COA must be used only if you are applying for a certificate of approval (COA) for marriage or civil partnership in the UK.

People who are subject to immigration control and who do not have indefinite leave to enter or remain in the UK must have such a document in order to be able to give notice to a registrar of their intention to marry or to enter into a civil partnership, unless they entered the UK with a visa for this purpose and the visa is still valid.

You must be in the UK to apply.

You do not need a COA if you are getting married in an Anglican church.

2 QUALIFYING FOR A CERTIFICATE OF APPROVAL

One of the criteria for being issued with a COA is that your current permitted stay (otherwise known as leave to enter or remain) in the UK must be for more than 6 months and you must have at least 3 months of your permitted stay remaining when you apply for a COA.

You may still apply if you have permission to stay but it is not as described above, or even if your permitted stay has expired. However, to comply with High Court and Court of Appeal judgments, we may write to you for fur-

ther information to enable us to be satisfied that your proposed marriage or civil partnership is genuine - see page 4 of these guidance notes.

An application on this form is not an application to remain in the UK. If your COA application is successful, it does not mean that a subsequent application for leave to remain on the basis of the marriage or civil partnership will automatically be granted. Any such application will be decided on its merits.

Under the Immigration Rules which have been in force since 27 November 2008, leave to remain as the spouse or civil partner of a person present and settled in the UK will not be granted if the applicant is under the age of 21 when the application is decided.

3 WHO MAY APPLY ON THIS FORM?

Only the person applying for a COA. If your fiancé(e) or proposed civil partner also needs a COA, he or she must apply separately.

4 THE FEE

The current specified fee for an application on form COA is suspended with effect from 9 April 2009. If you apply for a certificate of approval (COA) for marriage or civil partnership on or after that date, you are not required to pay any application fee while the specified fee is suspended.

5 WHEN TO APPLY

You should apply at least 3 months before your permitted stay in the UK expires, and you need to have been given permission to stay for more than 6 months - but see part 2 and page 4 of these notes.

6 MAKING SURE YOUR APPLICATION IS COMPLETE

Your application could be delayed or even refused if it is incomplete. To avoid that, please ensure that you do the following:

- apply on the current version of form COA
- provide photographs of yourself and your fiancé(e) or proposed civil partner as specified in the application form and in the format specified in the separate photograph guidance
- provide all relevant documents specified in the form
- complete every section of the form as required
- make sure that you and your fiancé(e) or proposed civil partner sign and date the declarations in the form.
- send the application by prepaid post to the UK Border Agency address given on the form.

We reserve the right to decide your application on the basis of the information and documents provided. It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

If your fiancé(e) or proposed civil partner is abroad, they must still sign and date the form, and provide photographs of themselves. We also need evidence that they have a fiancé(e) or proposed civil partner visa.

7 COMPLETING THE FORM

Please use a black pen to complete the form; write names, addresses and similar details in capital letters.

In the applicant's details and other sections where you give personal details and addresses, leave an empty box between each part of the name and of the address. Read the notes in various sections.

Please note that we always use the personal details in your passport or travel document for official purposes, including when issuing a COA.

If you need help with any of the questions, you can seek advice by telephoning **0870 606 7766**.

As already emphasised in part 7 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

8 PHOTOGRAPHS

You must provide the following photographs:

- *Two identical passport-size photographs of yourself with your full name written on the back of each one.*
- *Two identical passport-size photographs of your fiancé(e) or proposed civil partner, with their full name written on the back of each one.*

The photographs you provide must be in the format specified in the separate photograph guidance. Please ensure that you place them in a small sealed envelope attached to section 1 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

If your application is successful, the photograph which you provide will be reproduced in the certificate of approval issued to you.

9 DOCUMENTS

The documents provided with the application **must be originals**. Copies of any kind are not acceptable unless there are valid reasons for not being able to provide the original document. In such circumstances, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary.

The reasons for not being able to provide the original document must be explained in a covering letter. As a rule, we are unlikely to be able to grant your application without the original document.

Any documents which are not in English must be accompanied by a reliable English translation. Make sure that your passport or travel document is signed.

10 APPLYING BY POST - THE ADDRESS

The address to which you must post an application on form COA is:

**UK Border Agency
Leave to Remain - COA
PO Box 504
Durham
DH99 1WE**

Posting it to any other address will delay it. This address

is only to be used when sending your application. Please use the address given in part 12 for any other correspondence about your application.

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough.

11 DECISION TIMES

For the latest information on our service standards for deciding charged applications in the 2009/10 business year, please go to our website

As we can't tell in advance how long it will take to decide particular cases, our general advice to applicants is not to make any non-urgent travel arrangements until their passport(s) or travel document(s) are returned to them.

12 CONTACTING US AFTER YOU HAVE APPLIED

If you need to contact us after you have applied, please do so as follows.

To send us more information about your application, write to the following address (not the address to which you posted your application):

**Initial Consideration Unit - COA
UK Border Agency
Lunar House
40 Wellesley Road
Croydon
CR9 2BY**

and give the following details in your letter:

- *the applicant's full name, date of birth and nationality*
- *any Recorded or Special Delivery number*
- *the date on which the application was posted*
- *the Home Office reference number, if you have one.*

If you need your passport to travel urgently and unexpectedly, call **0870 606 7766** and give the personal and other details listed above.

Your application will not be treated as withdrawn if your passport is returned for travel before it is decided.

However, on your return, you will need to satisfy an immigration officer that you are entitled to be readmitted to the UK. You will also need to be here in person in order to give notice of your intended marriage or civil partnership to a registrar in England and Wales.

13 OBTAINING APPLICATION FORMS

You can obtain application forms, the accompanying guidance notes and the UKBA photograph guidance from our website at **www.ukba.homeoffice.gov.uk** or by calling our Application Forms Unit on **0870 241 0645**.

14 OTHER ENQUIRIES

For enquiries other than obtaining an application form, consult our website or call **0870 606 7766**.

We also have the following freephone textphone number: **0800 38 98 28 9**.

15 CHOOSING AN IMMIGRATION ADVISER

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC). Their website at **www.oisc.gov.uk** contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives.

If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

**Office of the Immigration Services Commissioner
5th Floor,
Counting House
53 Tooley Street
London
SE1 2QN**

Telephone: **0845 000 0046**

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on **0870 606 2555** or visit their website at **www.sra.org.uk**

The address and telephone number for any complaints about a solicitor are:

**Legal Complaints Service
Victoria Court
8 Dormer Place
Leamington Spa
Warwickshire
CV32 5AE**

Telephone: **0845 608 6565**

16 COMPLAINTS ABOUT OUR SERVICE

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information on how to do so.

If you are unable to access the website or if you need further advice after reading the information on the complaints page, please telephone our Immigration Enquiry Bureau on **0870 606 7766**.

17 DATA PROTECTION NOTICE

We will treat all information provided by you in confidence but may disclose it to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

We may also use the information provided by you for training purposes.

IMPORTANT INFORMATION FOR APPLICANTS WHO DO NOT HAVE LEAVE TO ENTER OR REMAIN IN THE UK WHICH MEETS THE CRITERIA FOR A CERTIFICATE OF APPROVAL (COA)

Following High Court and Court of Appeal judgments, changes were made to the COA scheme. In 2006 procedures were introduced for applicants who have valid leave to enter or remain in the UK when applying for a COA but not leave which meets the published COA criteria. Further procedures were introduced in 2007 for applicants with no valid leave at the time of application. If you are such an applicant, we may write to you after receiving your application in order to obtain information and supporting evidence to enable us to be satisfied that your proposed marriage or civil partnership is genuine. Any such letter will ask for information about the following:

When, where and how you and your fiancé(e)/proposed civil partner met

When you decided to marry or enter into a civil partnership

Where you intend to live if permitted to marry or to enter into a civil partnership in the UK

Arrangements for any religious ceremony, including the nature of the ceremony, the person conducting it and relevant contact details

Arrangements for any reception or celebration, including location, proof of booking and relevant contact details

Your relationship with your fiancé(e)/proposed civil partner if you are not living together (for example, letters and photographs as evidence of the relationship)

Your life with your fiancé(e)/proposed civil partner if you are living together, including the address(es), how long you have lived together, and documentary evidence in the form of correspondence addressed to both of you at the same address from gas/electricity/water companies, government bodies, local authorities, financial institutions etc

Any children from your and your fiancé(e)/proposed civil partner's present or previous relationships, including where they now live, the length of time any of them have lived with you, the names of their natural parents and who supports them

Contact telephone numbers for yourself and your fiancé(e)/proposed civil partner in case we need to contact either of you

Any additional information about yourself and your fiancé(e)/proposed civil partner which you would like us to know about, and/or any additional supporting evidence or documentation which might help your application.

The letter asking for this information will explain that your answers will have to be provided in separate affidavits signed and dated by you and your fiancé(e) or proposed civil partner. An affidavit is a written statement signed on oath and witnessed by a qualified solicitor or notary public.