

ILPA immigration update 43

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Marriage Age Requirement

In October, the Supreme Court decided against the Government in relation to the minimum age requirement of 21 years, imposed from November 2008 for cases where a person was applying to join (or was seeking to be joined by) his or her partner (spouse or civil partner) in the UK under the Immigration Rules. The Government has now conceded that it will return to the previous 18 years age requirement. More information is available from the “Marriage Age Judgment 3” information sheet.

Legacy Cases

The Home Affairs Committee has, this month, strongly criticised the UK Border Agency for failing to resolve the legacy of asylum cases (announced in 2006) within the 5 years period it had set itself. The Committee’s report (which addresses several other aspects of the work of the UK Border Agency) is available at:

<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmhaff/1497/149702.htm>

Legal Aid

The Legal Aid, Sentencing and Punishment of Offenders Bill has completed its passage through the House of Commons. It has now moved to the House of Lords. Further updates on the progress of this Bill are available from the “Legal Aid Bill 5 – Children” and “Legal Aid Bill 6 – Update” information sheets.

Tier 2 Workers

On 28 October 2011, the UK Border Agency announced changes to the process for migrant workers under Tier 2 of the Points Based System to make settlement applications, see:

<http://www.ind.homeoffice.gov.uk/sitecontent/newsfragments/56-settlement-t2-wp>

Students from India, Pakistan and the Philippines

In October, the UK Border Agency published details of financial institutions in India, Pakistan and the Philippines. This set out those institutions from which the UK Border Agency says it will or will not accept information as satisfactory for establishing maintenance requirements for migrant students under Tier 4 of the Points Based System. See:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/studying/financial-institutions/>

NHS charges

The Immigration Rules have been changed so that applications to come to or stay in the UK may be refused if the person has outstanding NHS charges of £1,000 or more. More information is available at:

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/2011/october/19health-tourists-nhs>

This change was anticipated in the March 2011 “Access to Healthcare 4” information sheet.