

**APPLICATION BY A
BULGARIAN OR ROMANIAN NATIONAL
FOR INDEFINITE LEAVE
TO REMAIN IN THE UK
AS A
SELF-EMPLOYED BUSINESSPERSON
UNDER THE PROVISIONS OF THE
FORMER EUROPEAN COMMUNITY
ASSOCIATION AGREEMENTS (ECAAs)
WITH
BULGARIA AND ROMANIA**

Before making your application, please read the following:

- *the guidance notes on pages 2-4 of this form*
- *the separate UKBA photograph guidance (version 04/2009)*

If you do not already have the photograph guidance, you can get it from our website at www.ukba.homeoffice.gov.uk or by calling 0870 241 0645.

There is no fee for an application on this form.

Applications on this form may only be made by post.

You must send your application to the following address:

**UK Border Agency
Bulgarian & Romanian ECAA OPS 1
PO Box 4160
Sheffield
S1 9DZ**

APPLYING ON FORM ECAA 4: GUIDANCE NOTES

1 FOR WHICH APPLICATIONS MUST YOU USE FORM ECAA 4?

Form ECAA 4 must be used if you are applying for indefinite leave to remain in the UK as a self-employed businessperson under the provisions contained in the former European Community Association Agreements (ECAAs) with Bulgaria and Romania.

You and any dependants applying with you must be in the UK to apply.

2 QUALIFYING FOR INDEFINITE LEAVE TO REMAIN

To qualify for indefinite leave to remain, you must be a Bulgarian or Romanian national and meet the requirements of paragraph 222 of the Immigration Rules (HC395 as amended). The full Immigration Rules are on our website. You must also show that you have sufficient knowledge of the English language and life in the UK - see part 19 of these guidance notes.

3 WHO MAY APPLY ON THIS FORM?

You and your partner and/or children under 18 if they are applying as your dependants. "Partner" in these guidance notes means a spouse, civil partner, unmarried or same-sex partner.

4 WHEN TO APPLY

You and any dependants applying with you should do so before the end of your/their permitted stay in the UK.

There is a qualifying period of 5 years' continuous residence in the UK for applications made on this form. That period runs from the date on which you were first granted leave to enter or remain as a self-employed businessperson under the relevant ECAA. **Please do not apply more than 28 days before completing that period.** If you apply earlier than that, your application may be refused.

5 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 ECAA 4*
- *provide photographs of yourself and any dependants applying with you in the format specified in the separate UKBA photograph guidance*
- *provide all relevant documents specified in the form*
- *complete every section of the form as required*
- *sign and date the declaration at section 11*
- *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 and/or documents when making your application.**

6 COMPLETING THE FORM

Please use a black pen to complete the form, and 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 name and each part of the address.

Please note that we always use the personal details in an applicant's passport for official purposes, including any documents certifying the grant of indefinite leave to remain if the application is successful.

Take care to complete all sections as required, including the Personal History section. You must enclose a letter of explanation if you are unable to complete any part of the form because you do not have the required information.

7 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 any dependants applying with you with their full name written on the back of each one.*

The photographs you provide **must be in the format specified in the separate UKBA photograph guidance.**

Please ensure that you place the photographs in a small sealed envelope and attach it 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 photographs you provide will be reproduced in the residence permit(s) issued to you and any dependant(s) applying with you.

8 DOCUMENTS

Unless stated otherwise in the form, 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. 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 passports are signed.

9 APPLYING BY POST - THE ADDRESS

The postal address for an application on form ECAA 4 is:

**UK Border Agency
Bulgarian and Romanian ECAA OPS 1
PO Box 4160
Sheffield
S1 9DZ**

Posting it to any other address will delay it. This is also the address for any other correspondence about your application.

Applications on this form must be made by post. 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.

10 APPLYING IN PERSON

The premium service at our Public Enquiry Offices is not available for applications on form ECAA 4.

11 DECISION TIMES

We aim to decide applications as soon as possible. For our service standards for 2009/10, please see our website.

12 YOUR STATUS WHILE YOUR APPLICATION IS DECIDED

If you and any dependants apply before the end of your/their permitted stay in the UK, your/their existing immigration status, including any permission to work, will continue until your/their application(s) is/are decided.

13 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 address to which you posted your application as given in part 9 of these notes 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, please call **0870 606 7766** and provide the personal and other details listed immediately above.

14 OBTAINING APPLICATION FORMS

You can obtain application forms, any accompanying guidance notes and the UKBA photograph guidance from our website at www.ukba.homeoffice.gov.uk If you are unable to obtain the form and accompanying guidance from our website, our Application Forms Unit on **0870 241 0645** will be able to help but it will take longer.

15 OTHER ENQUIRIES

For enquiries other than obtaining an application form, call **0870 606 7766**. We also have the following freephone textphone number: **0800 38 98 28 9**.

16 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 and 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**

17 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 about how to do so.

18 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.

19 KNOWLEDGE OF THE ENGLISH LANGUAGE AND LIFE IN THE UK

a. Background

Following changes introduced in April 2007, people aged 18 to 64 must have sufficient knowledge of the English language and life in the UK in order to qualify for indefinite leave to remain.

This change in the Immigration Rules was introduced to ensure that migrants wishing to settle here have an understanding of life in the UK and the skills to allow them to integrate fully.

b. What must you do to show that you have sufficient knowledge of English and life in the UK?

If your English is already at or above ESOL (English for speakers of other languages) Entry Level 3, you can take the test known as the **Life in the UK test**. If your English is below ESOL Entry Level 3, you will need one of the following accredited qualifications:

- **an ESOL "Skills for Life" qualification in speaking and listening at Entry 1, Entry 2 or Entry 3 level** approved by the Qualifications and Curriculum Authority and taught with **citizenship materials**; or
- **one ESOL Unit at Access 2, Access 3 or Intermediate 1 level** approved by the Scottish Qualifications Authority and which contains **citizenship materials**.

c. Does this requirement apply to everyone?

It does not apply to anyone under the age of 18 or aged 65 or over at the time the application is made.

Anyone with a significant physical and/or mental health condition(s) or incapacity may be exempt if it prevents them from studying for and taking the Life in the UK test, or from studying for an ESOL qualification. Exemption on these grounds will only be given in exceptional cases.

d. What is the Life in the UK test?

The test consists of questions based on information in the handbook *Life in the United Kingdom: A Journey to Citizenship*. The standard of English required to pass the test is ESOL Entry 3 level or above. If you are not sure whether your English is good enough to take the test, you can work through the tutorial on the Life in the UK Test website at www.lifeintheuktest.gov.uk to help you decide.

You will need to study the relevant edition of the handbook before taking the test. It is published on behalf of the Life in the United Kingdom Advisory Group by The Stationery Office (TSO) for **£9.99**. You can order it from www.tso.co.uk/bookshop or by telephoning **0870 243 0123** or faxing **0870 600 5533**. It is also available from Waterstone's, W H Smith and other large booksellers.

The test is taken on a computer. The Life in the UK test website at www.lifeintheuktest.gov.uk has a section to help with the practical skills needed to take the test, including training in the use of a mouse and keyboard. Staff at the test centres also specialise in supporting learners new to computers.

e. What if you don't have a computer or access to the internet?

If you live in England you can contact **UK online** on **0800 77 1234** for details of local centres providing computer and internet access. In other parts of the UK, as well as in England, you can contact your local library or Citizen's Advice Bureau for information on free or low cost access to computers and the internet.

f. Where can you take the test?

At one of around 75 Life in the UK test centres throughout the UK.

You can find your nearest test centre via the [Find a test centre](#) link on the Life in the UK test website at www.lifeintheuktest.gov.uk or by calling their helpline on **0800 0154245**.

g. Booking the test

To book the test, contact the test centre by telephone or in person. If you have a disability, the test centre can provide the test in a format to meet your particular needs. Tell the centre about any such needs when you book the test - and also about any medical condition in case it affects the amount of time you need for the test.

h. Is there a charge for the test?

Yes. The current charge is **£33.28**. It has to be paid before you take the test. The [Find a test centre](#) page mentioned above gives information on the methods of payment at individual test centres.

i. Taking the test

At the test centre you will be asked to confirm your identity by producing one of the following:

- your passport
- a UK photocard driving licence (full or provisional) if you have one
- an Immigration Status Document endorsed with a UK residence permit bearing your photograph.

You will also be asked for your postcode, so you should take a letter or other document containing it.

j. The test result

You will be told the result of the test at the test centre on the day. If you pass, you will be given a pass notification letter, which you must include with your application for indefinite leave to remain. The test result will also be sent to us.

k. What if you fail the test?

If you fail the test, you can retake it any number of times. You will have to pay the current fee every time you take it. Since the questions are drawn randomly from a large number, they will be different every time you take the test.

l. English for Speakers of Other Languages (ESOL) courses with citizenship material

If your English is not good enough to take the Life in the UK test, you will need to obtain a recognised ESOL qualification of the kind described in paragraph **19b** above. ESOL courses are available at many further education, adult and community colleges across the UK.

The course must be one approved by a recognised awarding body - the Scottish Qualifications Authority for courses in Scotland, and the bodies listed in Note 2 in section 3 of this application form for courses in England, Wales and Northern Ireland.

m. Will you have to pay for ESOL courses?

The Department for Business Innovation and Skills has decided that people doing an ESOL course should make a contribution to the cost of the course in accordance with their ability to pay. You should contact your local college to find out about the fee and whether you will be required to pay.

For more information about this, please see the Learning and Skills Council's funding guidance on their website at www.lsc.gov.uk

n. How long will the ESOL course take?

This may vary according to the particular college and course, as well as the ability of the individual. You should ask the college at which you are planning to take the course about this.

o. What if you can't pass the Life in the UK test or gain an ESOL qualification before the end of your permission to stay in the UK?

If you cannot pass the test or obtain the necessary qualification, your application will be refused and you will be informed in the refusal letter of what to do in this situation.

p. What about dependants?

Unless they qualify for exemption from the requirement, anyone aged 18-64 who is applying with you as your dependant must also pass the Life in the UK test or obtain a relevant ESOL with citizenship materials qualification. But they will only be granted indefinite leave to remain if your application is granted.

If you have a partner aged 18-64 who is applying with you on form ECAA 4 and your application is granted but your partner has not yet been able to obtain the relevant pass or qualification, their application will be refused.

q. Where can you get more information about these requirements?

You can find more information in the Questions and Answers pages on our website at www.ukba.homeoffice.gov.uk

SECTION 2 - DEPENDANTS APPLYING WITH YOU

2.9 Have you provided a letter with the original envelope and postmark from the other parent of the child(ren) declaring their agreement to the child(ren) residing in the UK with you? Yes No

If yes, please label this letter as Annex D. If no, please explain below why you have not been able to provide such a letter.

2.10 If you have a child/children residing with you in the UK please send us the birth certificate for each child together with a reliable English translation, if appropriate. **Please label these Annex E**

2.11 If you have a partner and/or any children remaining abroad, do you provide them with financial support?

If yes, please enter the amount on the table at Section 7bb line 16. If you do not provide such support, please state why and explain how they are being looked after financially.

SECTION 3 - KNOWLEDGE OF LANGUAGE AND LIFE IN THE UK

To qualify for indefinite leave to remain, applicants aged 18-64 must show that they have a sufficient knowledge of language and life in the UK. The guidance notes at the front of the form provide detailed information about this requirement.

3.1 Are you aged 18--64? Yes No 3.2 If your partner is applying with you, is he or she aged 18-64? Yes No

If you have answered yes to 3.1 and/or 3.2, continue below. If you answered no to 3.1 and 3.2, or your partner is not applying with you, go to section 4.

	You	Your partner
3.3 Have you and/or your partner obtained one of the relevant qualifications listed in Note 2 to show that you have sufficient knowledge of the English language and life in the UK? If so, show which qualification(s) by ticking one or more of the boxes opposite.	Life in the UK test <input type="checkbox"/>	Life in the UK test <input type="checkbox"/>
	ESOL qualification <input type="checkbox"/>	ESOL qualification <input type="checkbox"/>

Note 2 Relevant qualifications are either:

- a pass in the test known as the "Life in the UK" test (aimed at those with English language ability at or above ESOL Entry Level 3); or
- an English for Speakers of Other Languages (ESOL) "Skills for Life" qualification in speaking and listening at Entry 1, Entry 2 or Entry 3 level from an approved awarding body*, or one ESOL unit at Access 2, Access 3 or Intermediate 1 level approved by the Scottish Qualifications Authority.

You must also include a letter from your college stating that the ESOL course included citizenship materials.

** Approved awarding bodies. In England, Wales and Northern Ireland, the awarding bodies approved by the Qualifications and Curriculum Authority are: Cambridge ESOL; City and Guilds (Pitmans); Edexcel; Education Development International (EDI); English Speaking Board (International) Ltd; National Open College Network; Open College of the Northwest and Trinity College, London.*

3.4 If you and/or your partner have not obtained one of the relevant qualifications, are you claiming exemption from this requirement because a physical or other condition prevents you from taking the Life in the UK test or doing an ESOL course? See **Note 3**.

	You	Your partner
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Note 3 *If you and/or your partner are claiming exemption, you must provide a doctor's letter or similar evidence confirming that you and/or your partner are unable to take the test or do an ESOL course. An exemption will only be agreed exceptionally.*

SECTION 5 - YOUR BUSINESS

- 5.11 If you do not work as a domestic or general worker, how many regular clients do you currently have on your contact list?

*Please provide letters from at least 2 clients confirming details of the work that you completed for them, along with their names, addresses, home and mobile telephone numbers. **Please label as Annex P.***

- 5.12 In all cases, please describe how your business has developed and provide invoices for the work undertaken during the last 5 years. **Please label all these enclosures as Annex P1.**

- 5.13 Have you been out of the UK for any reason other than business trips in the last 5 years? Yes No

*If **yes**, you should explain the reasons for these trips out of the UK, and show the dates you were absent. **Please label as Annex Q.***

- 5.14 Have you set up a business bank account in the UK? Yes No

*If **yes**, please provide bank statements for the last 5 years. **Please label as Annex R.**
If you are unable to provide these statements please give your reasons below.*

- 5.15 If your self-employment such as gardening, building, roofing etc is affected by seasonal variations, please describe what steps you have taken to ensure you have sufficient income to cover the periods when you are not able to undertake this type of work?

- 5.16 Do you own a motor vehicle in the UK? Yes No

*If **yes**, please provide copies of your MOT certificate, vehicle registration document and certificate of insurance. **These should be labelled as Annex S.***

- 5.17 If you do not have your own transport, how do you travel to your place of self-employment and transport your work equipment and materials? Please explain below.

- 5.18 Do you employ any staff? Yes No

*If **yes**, you should provide a full staff list showing names and addresses of your employees and the date(s) they started working for you. **Please label as Annex T.***

*If you have answered **no**, please go to question **5.20.***

SECTION 5 - YOUR BUSINESS

- 5.19 Have you paid any employer's liability tax and national insurance in respect of of your employees? Yes No

*If yes, please provide documentary evidence for each employee and label as Annex U.
If no, please explain why not in the space below.*

- 5.20 Please submit business accounts certified by a qualified accountant for the last 5 accounting years. **Please label these as Annex V.**

- 5.21 You should also submit evidence of your qualifications to undertake the work you are doing, including certified translations if necessary. **Please label these as Annex W.**

- 5.22 If you are trading in the catering industry please submit documentary evidence that your premises have been inspected by Environmental Health Inspectors and that you have the appropriate health and hygiene qualifications. **Please label these as Annex X.**

- 5.23 Do you have public liability insurance? Yes No

If yes, please provide your policy and label this as Annex Y. If no, please explain why not in the space below.

- 5.24 If you are providing a childminding service from your own premises you should provide details of your certification to do so with the relevant Social Services department. **Please label as Annex Z.**

- 5.25 Are you a sole trader, in a partnership, or a director of a limited company? Please state which by ticking one of the boxes below.

Sole trader Partnership Director

If you are in a partnership or are a director of a limited company, you should provide either your partnership agreement or Articles of Memorandum and Certificate of Incorporation for the business, as appropriate. **Please label these as Annex AA.**

- 5.26 If you have employees, do you have employer's liability insurance? Yes No

If yes, please provide your policy and label as Annex AB. If no, please explain why not in the space below.

- 5.27 Please provide a copy of the tax returns which you have submitted to the Inland Revenue for the last 5 financial years. **Please label these as Annex AC.**

SECTION 6 - YOUR FINANCES

6.1 Are you receiving any public funds? Yes No If no, go to question 6.2

If yes, please state which public funds you receive and how much you get each week.
See Note 4.

Type of public fund	Amount received
	£
	£
	£

Note 4 For immigration purposes, public funds are any of the following: attendance allowance; carer's allowance; child benefit; child tax credit; council tax benefit; disability living allowance; employment and support allowance; health in pregnancy grant; housing benefit; housing or homelessness assistance; income-based jobseeker's allowance; local authority accommodation; severe disablement allowance; social fund payment; state pension credit; working tax credit.

6.2 If you are not claiming public funds, are you thinking of claiming any in the near future? Yes No
If yes, please explain which funds you intend to claim and why.

6.3 Are you receiving income from any other source such as friends and family? Yes No

If yes, please explain below what income you are receiving, from where, how much and how often the money is received. You will need to provide documentary evidence that this money has been received.
Please label as Annex AD and transfer the figure to the table at section 7aa.

6.4 Are you working apart from your self-employment? Yes No

If yes, please provide details of this employment and evidence of your income from it such as wage slips or a letter from your employer(s). **Please label as Annex AE and transfer the figure to the table at 7aa.**

6.5 Do you intend to take or seek employment in the UK other than work for your business? Yes No
If yes, please explain below what you intend to do.

6.6 Have you taken out a bank loan or other credit either for personal or business use? Yes No

If yes, please provide your loan/credit agreement. **Please label as Annex AF and enter the loan amount in section 7a line 3 or 7aa, and the repayments in section 7b line 18 or section 7bb line 17.**

6.7 Do you have a personal bank account in the UK? Yes No
If yes, please provide bank statements covering the last 5 years. **Please label as Annex AG.**

6.8 Please provide a breakdown of your monthly spending on personal items if these are not covered elsewhere in this form by entering the figures in the relevant columns of 7bb.

6.9 Do you pay for business premises? Yes No
If yes, please provide a copy of your tenancy agreement for these premises. **Please label as Annex AH.**

SECTION 6 - YOUR FINANCES

6.10 Please provide documentary evidence that you have paid national insurance contributions for the work you have done over the last 5 years. **Please label these as Annex AI. Enter the figures for these contributions during the last 12 months at section 7b line 3.**

6.11 Please provide documentary evidence of your registration for, and payment of, income tax for the last 5 years. **Please label this as Annex AJ.**

6.12 Have you ever been, or are you currently, bankrupt in the UK? Yes No

If **yes**, please provide details and dates and, if relevant, evidence of discharge(s). **Please label as Annex AK.**

6.13 Do you have any income from sources other than your employment ie the income referred to at 7a? Yes No

If **yes**, please provide documentary evidence of this income. **Please label as Annex AL and enter the figure(s) at section 7aa.**

SECTION 7a - EVIDENCE OF INCOME IN LAST TRADING YEAR

Income received for the period to

Please give details below of all your income as a self-employed person in the last trading year. Enter the total amount for each type of income and, where appropriate, the date(s) of receipt.

Line number	Type of income	£ Amount	Date(s) received
1.	Earnings from self-employment		
2.	Earnings from CIS employment		
3.	Receipt of loan(s)		
4.	Dividends		
5.	Earnings as company director		

SECTION 7aa - EVIDENCE OF INCOME OTHER THAN THROUGH SELF-EMPLOYMENT

Income received for the period to

Please give details below of any income received other than from your self-employment in the last 12 months.

Source of income	£ Amount	Date(s) received

SECTION 7b - EVIDENCE OF EXPENDITURE FOR LAST TRADING YEAR

Please give details below of your business expenditure for the last 12 months.

	£ per week	£ per month	£ per year	For official use only
Business premises rent				
Business rates				
Class 2 NI contributions				
Employer's tax & NI liability				
Employer's liability insurance				
Public liability				
Corporation tax				
VAT				
Tax put aside				
Bank interest				
Payments to suppliers				
Employee(s) salaries/wages				
Your own salary/wages				
Accountant				
Payment for business plan				
Stationery				
Advertising				
Repayment of loan/credit agreements				

SECTION 7bb - EVIDENCE OF PERSONAL EXPENDITURE

Please give details below of your personal expenditure and living expenses for yourself and, if applicable, your family unit in the UK for the last 12 months.

	£ per week	£ per month	£ per year	For official use only
Rent				
Mortgage				
Council tax				
Gas				
Electricity				
Water				
Telephone				
Food				
Personal clothing				
Car purchase				
Car insurance				
MOT				
Road tax				
Petrol/diesel				
Bus/rail travel				
Money sent to family abroad				
Repayment of loan/credit agreements				

SECTION 8 - PERSONAL HISTORY

If you have answered **yes** to question **8.2, 8.3, 8.4, 8.5, 8.6** or **8.7** above please give further details in the space provided below. If you need more space, continue on a separate sheet.

REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed. Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline on **020 7840 6464** or by obtaining a free copy of their leaflet on **020 7840 6427**.

DEFINITIONS

For the purposes of answering questions **8.3** to **8.7**, the following information provides guidance on actions which may constitute war crimes, crimes against humanity, genocide, or terrorist activities.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 8 of the International Criminal Court Act 2001 at www.opsi.gov.uk/acts/acts2001/20010017.htm or purchased from The Stationery Office (telephone **0870 600 5522**). It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately on behalf of yourself and any dependants who are applying with you.

War crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Terrorist activities

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purposes of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

Organisations concerned in terrorism

An organisation is concerned in terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

SECTION 9 - PHOTOGRAPHS

You must provide the relevant photographs specified below. They must be in the format specified in the separate UKBA photograph guidance provided with this form. If they are not, they may be rejected as unacceptable and you will have to provide others which are acceptable. This will delay consideration of your application.

Tick the relevant box(es) to confirm the photographs you are providing and enclose them in a small sealed envelope attached to section 1 as instructed there.

Two recent identical passport-size photographs of yourself with your name written on the back of each photograph. Please see the separate photograph guidance for information on what types of photograph are acceptable.

Two recent identical passport-size photographs of each dependant included in section 2 and applying for indefinite leave to remain in the UK with you, with their name written on the back of the photographs.

SECTION 10 - DOCUMENTS

For your application to be complete, you must provide the documents specified below which are relevant to your application. If you do not, we reserve the right to decide your application on the basis of the information and documents provided. Tick the relevant boxes to show the documents you are providing.

The documents must be originals. Any which are not in English must be accompanied by a reliable English translation.

Please note that, in some cases, we may have to ask for other documents in addition to those specified in this form.

Your current passport. If you last entered the UK on a previous passport, please also provide this document if you have it.

The current passport(s) of each dependant included in section 2 and applying for indefinite leave to remain with you. If they last entered the UK on previous passport(s), please also provide these documents if you have them.

All relevant documents specified in sections 2, 4, 5 and 6. Each document should be clearly labelled **Annex A, Annex B** etc as specified in the section in which it is requested.

Knowledge of language and life in the UK

If you and/or a partner applying with you are aged 18-64, you must provide **one** of the following documents for each of you.

A Life in the UK test pass notification letter; **or**

A relevant accredited ESOL qualification (see **Note 2** on page 8), together with a letter from the college confirming that the ESOL course included citizenship materials; **or**

A medical certificate or similar document if you and/or your partner are claiming exemption from taking the Life in the UK test or doing an ESOL course because of a medical or other condition.

SECTION 11 - DECLARATION

You must now read the declaration below and sign it.

This must be signed by you (the applicant) and not by a representative or other person acting on your behalf.

I hereby apply for indefinite leave to remain in the UK for myself and any dependants listed in this form. The information I have given in this form is complete and is true to the best of my knowledge.

I confirm that the photographs submitted with this form are a true likeness of myself and any dependants applying with me, as named on the back of each photograph, and that I have had the opportunity to see the UK Border Agency (UKBA) photograph guidance.

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 UKBA.

I understand that all information provided by me to the UKBA will be treated in confidence; that it may be disclosed 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; and that, if such bodies provide UKBA with any information about me which may be relevant for immigration purposes, it may be used in reaching a decision on my application.

I understand that my details may in certain circumstances be passed to fraud prevention agencies to prevent fraud and money laundering. I am also aware that such agencies may provide UKBA with information about me. And I note that the UKBA website contains details explaining when information may be passed to or from fraud prevention agencies and how that information may be used.

I understand that documents provided in support of this application will be checked for authenticity; and that false documents will be retained and may result in my application being refused and in my prosecution and subsequent removal from the United Kingdom.

I understand that UKBA may also use the information provided by me for training purposes.

I am aware that it is an offence under the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002, to make to a person acting in execution of any of those Acts a statement or representation which I know to be false or do not believe to be true, or to obtain or to seek to obtain leave to remain in the UK by means which include deception.

Signature

Date

PHOTOGRAPHS AND DOCUMENTS CHECKLIST

Please complete this part of the form to help us check that we have received your photographs and documents. Tell us how many of each of the specified items you are providing with your application.

Specified items	How many?	Specified items	How many?
Photographs of yourself		Annex Q evidence - see question 5.13	
Photographs of any dependants applying		Annex R evidence - see question 5.14	
Passports		Annex S evidence - see question 5.16	
Life in UK test result or ESOL qualification		Annex T evidence - see question 5.18	
Annex A evidence - see question 2.2		Annex U evidence - see question 5.19	
Annex B evidence - see question 2.4		Annex V evidence - see 5.20	
Annex C evidence - see Note 1		Annex W evidence - see 5.21	
Annex D evidence - see question 2.9		Annex X evidence - see 5.22	
Annex E evidence - see 2.10		Annex Y evidence - see question 5.23	
Annex F evidence - see questions 4.2		Annex Z evidence - see 5.24	
Annex G evidence - see 4.3		Annex AA evidence - see 5.25	
Annex H evidence - see questions 4.4		Annex AB evidence - see question 5.26	
Annex I evidence - see question 4.5		Annex AC evidence - see 5.27	
Annex J evidence - see question 5.3		Annex AD evidence - see question 6.3	
Annex K evidence - see question 5.4		Annex AE evidence - see question 6.4	
Annex L evidence - see 5.6		Annex AF evidence - see question 6.6	
Annex M evidence - see 5.7		Annex AG evidence - see question 6.7	
Annex N evidence - see question 5.9		Annex AH evidence - see question 6.9	
Annex O evidence - see 5.10		Annex AI evidence - see 6.10	
Annex P evidence - see question 5.11		Annex AJ evidence - see 6.11	
Annex P1 evidence - see 5.12		Annex AK evidence - see question 6.12	
		Annex AL evidence - see question 6.13	

Please note that, in some cases, we may have to ask for other documents in addition to those specified in this form.

FINAL CHECKS

To ensure that your application is complete, please make the following final checks. Tick each box that is relevant to your application.

- | | |
|---|--|
| Is ECAA 4 the right form for you and is it valid for use? See date and notes on front page. <input style="float: right;" type="checkbox"/> | Have you completed section 8 and the rest of the form as specified? <input style="float: right;" type="checkbox"/> |
| Have you provided the photographs specified in section 9 and are they in the approved format? <input style="float: right;" type="checkbox"/> | Have you provided your current passport and all other relevant documents specified in section 10 and are they originals where required? <input style="float: right;" type="checkbox"/> |
| If you are unable to send us any of the documents specified in section 10 which are relevant to your application, have you given an explanation and said when you will be able to send them? <input style="float: right;" type="checkbox"/> | Have you signed and dated the declaration in section 11? <input style="float: right;" type="checkbox"/> |

Finally, please make sure that the application is addressed exactly as shown below.

**UK Border Agency
Bulgarian and Romanian ECAA OPS 1
PO Box 4160
Sheffield
S1 9DZ**