

**APPLICATION FOR A
TRANSFER OF CONDITIONS (TOC)
AND A
BIOMETRIC IMMIGRATION DOCUMENT
BY
SOMEONE WHO ALREADY HAS
LIMITED LEAVE
TO ENTER OR REMAIN IN THE UK**

In accordance with paragraph 34 of the Immigration Rules, this form is a specified form for the purpose of the Immigration Rules as of 1 October 2009 and must be used for all applications made on or after that date for the purposes stated on this page.

You also need the separate guidance documents listed below, which you should read before making your application:

- *TOC guidance notes (version 10/2009)*
- *UKBA photograph guidance (version 04/2009)*

If you do not already have these documents, you can get them from our website at www.ukba.homeoffice.gov.uk or by calling 0870 241 0645.

Our application forms change periodically. If you obtain this form some time before applying, please check that it is still the the version which must be used when you are ready to apply.

Applications on this form may be made by post or in person at one of our Public Enquiry Offices. To apply in person, you must make an appointment.

If you apply by post, you must send your application to the following address:

*UK Border Agency
Leave to Remain - TOC
PO Box 502
Durham
DH99 1WG*

PAYMENT GUIDANCE

THE FEE

For applications on this form there is a fee of **£165** for applications made by post, or **£515** for applications made in person at our Public Enquiry Offices.

There is only one fee per application form.

Please note that your application will be rejected as invalid if you do not pay the specified fee.

WHO MAY APPLY WITH YOU?

You may include your spouse, civil partner, unmarried or same-sex partner and/or children under the age of 18 for no additional fee if they are applying as your dependants. But they must pay the specified fee if they apply separately.

Children aged 18 or over cannot be included. They must apply individually and pay the specified fee in each case.

HOW CAN YOU PAY?

You must pay by one of the methods specified below. **Please note that your application will be rejected as invalid** if you pay by any other method.

- Cheque
- Postal Order
- Credit card - Visa (including Electron) or MasterCard only
- Debit card - Delta, Maestro* (including Solo)
- Banker's draft
- Cash - but only for applications at a Public Enquiry Office; **please don't send cash by post.**

If you are paying by credit or debit card at a Public Enquiry Office, we cannot accept payment by that method unless the cardholder is present.

* **Maestro** - we will accept any Maestro card if you are applying in person at a Public Enquiry Office but only Maestro cards issued in the UK if you are applying by post.

CHEQUES AND POSTAL ORDERS

You must make the cheque or postal order payable to **Home Office Leave to Remain** and cross the cheque or postal order(s) **A/C Payee only**.

Write the full name, nationality and date of birth of the main applicant on the back of the cheque and/or each postal order and keep the postal order stub(s).

Make sure that the date and the amount (words and figures) are correct and that the cheque is signed properly.

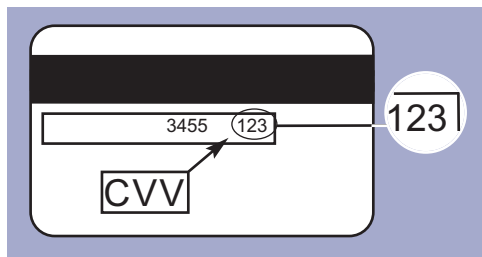
If applying by post, attach your cheque or postal order(s) to the front of the application form.

If applying in person at a Public Enquiry Office and paying by cheque, you must have a cheque guarantee card with a limit sufficient to cover the amount to be paid.

COMPLETING THE PAYMENT DETAILS PAGE

To ensure that your payment is processed without any delay, please note the points below when completing the payment details.

- 1** This should be the full name of the main applicant as given in his or her passport or travel document.
- 2** Date of birth - for example, 3 January 1980 should be written 03 01 1980 in the spaces provided.
- 3-4** The address at **3** should be the contact address in the UK for any correspondence. If it is not your home address (eg a solicitor or other authorised immigration adviser may be submitting the application), give the contact name at **4**.
- 8-12** Complete only if paying by card.
- 11** The card security number is a three-digit security code known as the card verification value (CVV). It consists of the last three numbers on the signature strip on the back of the card as shown below.



If you do not provide the CVV number, we can not take the payment and your application will be rejected as invalid.

- 12** It is the cardholder as named on the credit or debit card who must sign and date.

If you are producing a double-sided copy of this application form, please include this page and make sure it falls on the reverse of the payment details page in the two-sided copy.

For administrative reasons, it's important that the rest of the form begins with Section 1 - Applicant's Details facing upwards.

SECTION 3 - IDENTITY CARDS FOR FOREIGN NATIONALS

It is mandatory to complete this section as required. Please note that this application will be invalid if you do not do so.

See **Note 1** about identity cards for foreign nationals.

Note 1 In accordance with regulations 3 and 4 of the Immigration (Biometric Registration) (Amendment) Regulations 2009, anyone applying for a transfer of conditions must also apply for a biometric immigration document, otherwise known as an identity card for foreign nationals. This also applies to applications at the same time by any dependants of the main applicant. For information about identity cards for foreign nationals, please see the separate TOC guidance notes (version 10/2009), which you should read before completing this form.

3.1 Have you used any name(s) other than the one given at 1.4 in section 1 of this application form in previous UK immigration applications made in the UK or abroad? Yes No

If **yes**, go to 3.2. If **no**, go to 3.3.

3.2 Please give the details specified below. The name in each case should be that in which the application was made. If you need more space, continue on a separate sheet and enclose it with this application form.

The name in which you made the application	Date of application	Country in which application was made	British diplomatic post if application made abroad

3.3 Have you had your fingerprints taken as part of a previous UK immigration application made in the UK or abroad? Yes No

If **yes**, go to 3.4. If **no**, go to 3.5.

3.4 Please give the details specified below in each case. If you need more space, continue on a separate sheet and enclose it with this application form.

The name in which your fingerprints were taken	Date on which they were taken	Place at which they were taken	British diplomatic post if they were taken abroad

Dependants applying with you

3.5 Are any dependants applying with you? Yes No

If **yes**, go to 3.6. If **no**, go to section 4.

3.6 Have any of the dependants applying with you used any name(s) other than the one(s) given in section 2 of this application form in previous UK immigration applications made in the UK or abroad? Yes No

If **yes**, go to 3.7. If **no**, go to 3.8

SECTION 3 - IDENTITY CARDS FOR FOREIGN NATIONALS

3.7 Please give the details specified below. The name in each case should be that in which the application was made. If you need more space, continue on a separate sheet and enclose it with this application form.

Dependant's full name	Date of application	Country in which application was made	British diplomatic post if application made abroad

3.8 Have any of the dependants applying with you had their fingerprints taken as part of a previous UK immigration application made in the UK or abroad? Yes No

If **yes**, go to **3.9**. If **no**, go to **3.10**.

3.9 Please give the details specified below in each case. If you need more space, continue on a separate sheet and enclose it with this application form.

The name in which the dependant's fingerprints were taken	Date on which they were taken	Place at which they were taken	British diplomatic post if they were taken abroad

Children under 16 applying

3.10 If any children under the age of 16 are applying either as a single applicant or as a dependant of the main applicant, will they be accompanied by a parent when they have their fingerprints and/or photograph taken? Yes No

3.11 If the answer to 3.10 is **no**, please explain the reason below and provide details of the responsible adult who will be accompanying the child(ren). See **Note 2**.

Name of responsible adult	Date of birth	Place of birth	Relationship to child(ren)

Note 2 Under the biometric registration regulations, any child under the age of 16 who is required to apply for a biometric immigration document must have their fingerprints and/or a photograph taken in the presence of a responsible adult who is the child's parent or guardian, or another person who for the time being takes responsibility for the child.

Where dependants of the main applicant are also required to apply for a biometric immigration document, all applicants will normally have their fingerprints and/or photograph taken on the same day. This means that you and any children applying with you will normally be expected to attend together. If there is any reason preventing you from accompanying any child under the age of 16, you must nominate the responsible adult who will be accompanying them.

The responsible adult accompanying any child under the age of 16 will need to provide an acceptable form of identification, such as a passport or driving licence. If that person is not the parent or guardian of the child, they must have a letter confirming that they are a responsible adult who has a close connection to the child and has been authorised to accompany him or her.

SECTION 4 - PERSONAL HISTORY

If you have answered **yes** to question **4.2, 4.3, 4.4, 4.5, 4.6** or **4.7** on the previous page, you must give further details in the space provided below. If you need more space, continue on a separate sheet and enclose it with this form.

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 **4.3** to **4.7**, 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 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 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 5 - PHOTOGRAPHS

It is mandatory to provide the relevant photographs specified below, and for each photograph to comply with the mandatory format requirements specified in the separate photograph guidance provided with this form.

Please note that this application will be invalid if you do not provide the photographs or if they do not comply with the specified mandatory format requirements.

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 full name written on the back of each photograph. Please see the separate photograph guidance on the approved format.

Two recent identical passport-size photographs of each dependant included in section 2 and applying for a transfer of conditions with you, with their full name written on the back of the photographs.

SECTION 6 - DOCUMENTS

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. They must be originals.

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

The current passport(s) or other document(s) of each dependant included in section 2 and applying for a transfer of conditions with you. If they last entered the UK on previous passport(s) or other document(s), please also provide these documents if you have them.

Your police registration certificate if you have been asked to register with the police.

The police registration certificate(s) of each dependant included in section 2 and applying for a transfer of conditions with you if they have been asked to register with the police.

Lost or stolen passport(s). If your and/or a dependant's passport, or other document confirming your/their immigration status has been lost or stolen, you must provide the following documents:

A police report for the theft or loss if one was issued. If there is no police report, you will need to provide the police reference number for the reported theft or loss.

Any Home Office letter(s) notifying you and/or your dependant(s) of the grant of limited leave to enter or remain in the UK, and

Proof of your identity in the form of documents confirming your name and address, such as those listed below.

- UK driving licence
- council tax letters
- letter(s) confirming tenancy or mortgage payments
- electricity, gas or water bills
- letter(s) from employer(s) confirming employment
- letter(s) confirming registration with a doctor

SECTION 7 - 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. If you are under 18, your parent or guardian may sign.

It is mandatory for the declaration to be signed.

Please note that this application will be invalid if it is not signed as specified above.

I hereby apply for a transfer of conditions, that is for my existing permission to be in the UK for a limited period (and that of any dependants applying with me) to be confirmed in another document issued to me/them, which I understand will be a biometric immigration document.

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.

As required to do so by the Immigration (Biometric Registration) Regulations, I confirm that I also apply for a biometric immigration document for myself and any dependants applying with me. I understand that UKBA may make enquiries about any responsible adult nominated to be present when any child under the age of 16 has their fingerprints and/or a photograph taken.

I understand that all information provided by me to 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 United Kingdom 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. At "A", tell us how many of each of the listed items you are providing with your application. At "B", list any other documents provided by you and state how many in each case. Continue on a separate sheet if necessary and enclose it with this form. All documents must be originals.

A. Listed items	How many?	B. Other documents	How many?
Photographs of yourself			
Photographs of any dependants applying			
Passports and/or travel documents			
Police registration certificates			
Police report and crime reference number if passport(s) lost or stolen			
HO letter(s) notifying immigration status			
Documents proving identity			

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 TOC the right form for you and is it valid for use? See date and notes on front page. | <input type="checkbox"/> | Have you completed the payment details page and made the correct payment? | <input type="checkbox"/> |
| Have you completed sections 1 and 3, and, if required to do so, section 2? | <input type="checkbox"/> | Have you completed section 4 and the rest of the form as specified? | <input type="checkbox"/> |
| Have you provided the photographs specified in section 5 and are they in the approved format? | <input type="checkbox"/> | Have you provided your current passport or travel document and all other relevant documents specified in section 6 and are they originals? | <input type="checkbox"/> |
| If you are unable to send us any of the documents specified in section 6 which are relevant to your application, or if you are unable to provide originals, have you given an explanation and said when you will be able to send them? | <input type="checkbox"/> | Have you, or a parent or guardian if you are under 18, signed and dated the declaration in section 7? | <input type="checkbox"/> |

Finally, if you are posting it, please make sure that the application is addressed exactly as shown below .

UK Border Agency
Leave to Remain - TOC
PO Box 502
Durham
DH99 1WG