

July/06

IMMIGRATION DIRECTORATES' INSTRUCTIONS

CHAPTER 8, SECTION 8
ANNEX V**DEPENDENT RELATIVES**
PARENTS AND GRANDPARENTS**1. INTRODUCTION**

The requirements of Paragraphs 317 - 319 **must** be met in all cases including the maintenance and accommodation requirements. For further guidance see Part 8, Section 1 Annex I - maintenance and accommodation. In addition to the normal requirements applicants seeking leave to enter or remain under the provisions of Paragraph 317 (i)(e) must additionally be living alone in the most exceptional compassionate circumstances.

Widowed, single, separated or divorced parents of any age may also be considered under Paragraph 317(i)(e) and also parents travelling together who are both under 65.

2. CONSIDERATION OF APPLICATIONS

An applicant must demonstrate that he:

is financially dependent upon the relative who is present and settled in the United Kingdom. Evidence should be obtained of money remitted to the applicant by the sponsor, and of any other support the sponsor may provide. The evidence should normally be in the form of international money orders or a letter from the bank confirming that money is transferred on a regular basis. Other support may be a house provided by the sponsor or rent from land or property owned by him. This should be compared with any other financial support available to the applicant from other sources, including money given to them by other relatives **not** in the United Kingdom and any income received from land, property or a pension. Consideration should then be given as to whether or not the payments from the sponsor are essential to help the applicant achieve a reasonable life style;

Note: Joint sponsorship is not allowed (see Chapter 8 Section 8 paragraph 3.2.) has no other close relatives to turn to in his own country. If there is a relative in the applicant's own country who is **able** and **willing** to support him, then it would not be unreasonable to expect him to turn to that relative for support, even if the sponsor in the United Kingdom is financially in a better position to do so.

Close relatives **may** be sons, daughters, brothers, sisters, grandchildren, uncles, aunts, and possibly nephews, nieces, or in-laws. However it should be noted that this will largely depend on their culture. For example, in the Indian sub-continent, married women are unlikely to be **able** to provide support. Alternatively if there are several close relatives there is no reason why it cannot be a collective ability among them to support the applicant.

Although the onus is on the applicant to demonstrate that he has no close relative to turn to any refusal on that basis should be backed up with sound evidence that this is not the case. On occasions it may be necessary to make local enquiries (see ANNEX X - "Village visits").

Applications from married couples should **not** be refused solely on the basis that they have each other to turn to. Account should be taken of the age and health of the applicants as well as the ability of other relatives to visit them regularly;

will be maintained and accommodated together with any dependants by the sponsor without recourse to public funds. The sponsor must have the means to maintain and accommodate the applicant and he should be requested to complete the sponsorship declaration attached to application form SET (F). The DSS can then take action to claim back any benefits which may be claimed by the applicant from the sponsor; and

in the case of a parent or grandparent under the age of 65 that he is living alone in the most exceptional compassionate circumstances. Each application must be considered on the individual merits of the case, it is therefore not possible to list every possible circumstance which may arise, however, illness, incapacity, isolation and poverty are of all compassionate circumstances which should be considered.