



Home Office

Kevin Foster MP
Minister for Future Borders and
Immigration

Rt Hon. Sir Edward Leigh MP, Mr Graham
Stringer MP
Chairs, Immigration and Social Security
Co-ordination
(EU Withdrawal) Bill Committee
House of Commons
London, SW1A 0AA

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

12 June 2020

Dear Sir Edward and Mr Stringer,

Further to our discussion during Committee stage of the Immigration and Social Security Coordination (EU Withdrawal) Bill on 11 June, I committed to write to members of the Bill Committee setting out the measures the Home Office has put in place for partners subject to the minimum income requirement under the family Immigration Rules, who experience a temporary loss of income due to Covid-19.

We have established a range of measures to support those affected by the Covid-19 outbreak. We continue to monitor the situation closely and take these exceptional circumstances into account.

To ensure a spouse or partner applying for entry clearance, leave to remain or indefinite leave are not unduly affected by circumstances beyond their control, for the purpose of the minimum income requirement:

- A temporary loss of employment income between 1 March and 31 July 2020 due to Covid-19, will be disregarded provided the requirement was met for at least six months up to March 2020.
- An applicant or sponsor furloughed under the Government's Coronavirus Job Retention Scheme will be deemed as earning 100% of their salary.
- A temporary loss of annual income due to Covid-19 between 1 March 2020 and 31 July 2020 will generally be disregarded for self-employment income, along with the impact on employment income from the same period for future applications. Income received via the Coronavirus Self-Employment Income Support Scheme will also be taken into account.
- Evidential flexibility may be applied where an applicant or sponsor experiences difficulty accessing specified evidence due to Covid-19 restrictions.

Guidance for our customers is available on GOV.UK at:

<https://www.gov.uk/government/publications/chapter-8-appendix-fm-family-members>

This also sets out the ways in which the minimum income requirement can be met using other sources of income instead of, or along with, income from employment or self-

employment. For example, income from the couple's investments, property rental or pension may also be taken into account, together with their cash savings.

The committee raised concerns about the guidance on GOV.UK. I can confirm the guidance in place for customers affected by Covid-19 is published on GOV.UK at: <https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents>. It was temporarily removed on 9 June and updated with minor amendments to ensure our guidance is as clear as possible on how a spouse or partner will not be disadvantaged as a result of Covid-19.

I am copying this letter to all members of the Bill Committee. A copy of this letter will be placed in the libraries of both Houses.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Foster', with a period at the end. The signature is stylized and cursive.

Kevin Foster MP
Minister for Future Borders and Immigration