



Legal Aid  
Agency

# Director of Legal Aid Casework

## Guidance on application of the residence test to civil legal services

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# 1. Overview

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- 1.1 The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Amendment of Schedule 1) Order 2014 (“the Order”) amends the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) to introduce a residence test for civil legal services.
- 1.2 Article 2 of the Order amends Part 2 of Schedule 1 to LASPO (“Excluded services”) to introduce a new general exclusion for services that are provided to an individual who does not satisfy the residence test (new paragraph 19, Part 2, Schedule 1 to LASPO). This means that in general, services described in Part 1, Schedule 1 will only be available for an individual who can pass the residence test (or fall into one of the client exceptions).
- 1.3 Article 3 of the Order amends certain paragraphs in Part 1, Schedule 1 to LASPO to disapply the new paragraph 19, Part 2, Schedule 1. Where paragraph 19 is disapplied an individual applying for legal aid under that paragraph would not need to satisfy the residence test. For example Article 3(2) of the Order provides that the new exclusion in paragraph 19, Part 2, Schedule 1 does not apply to paragraph 1, Part 1, Schedule 1 to LASPO. This means an applicant for civil legal services under paragraph 1, Part 1, Schedule 1 to LASPO, which concerns the care, supervision and protection of children, does not need to satisfy the residence test.
- 1.4 The Civil Legal Aid (Procedure) (Amendment) Regulations 2014 amend the Civil Legal Aid (Procedure) Regulations 2012 (“the Procedure Regulations”) to include the evidence requirements for many aspects of the residence test. This guidance provides further information and detail on the types of documents set out in the Procedure Regulations. Where those regulations do not specify any particular document or documents, this guidance sets out the types of documents which the Director considers are likely to demonstrate that the requirements of the test are met.
- 1.5 The residence test will have a significant impact on how you make an application for civil legal services:
  - You must be familiar with the provisions of Part 1 and Part 2 of Schedule 1 to LASPO and the amended Procedure Regulations.
  - You must establish whether the test applies to the matter and, if so, obtain the required evidence.

## The residence test

- 1.6 There are two limbs to the residence test and both limbs, subject to certain exceptions, must be met to satisfy the residence test. To satisfy the test the client must, on the date of application:
  - Be lawfully resident in the United Kingdom (UK), Channel Islands, Isle of Man or a British overseas territory (BOT); **and**
  - Have been, at any time in the past, lawfully resident in the UK, Channel Islands, Isle of Man or a BOT for a period of 12 consecutive months **and** have not been absent for more than a total of 30 days<sup>1</sup> in that 12 month period.

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<sup>1</sup> By “day of absence” we mean a reference to a whole day. Therefore an long as somebody is residing within the UK, CDs BOTs for just part of any one day, that day doesn’t count against their 30 day allowance – see 19(11) of the s9 order.

## Matters to which the residence test does not apply

- 1.7 Applicants for civil legal aid on certain matters of law (as set out in Schedule 1 of LASPO) are not required to meet the residence test. These matters broadly relate to an individual's liberty, where the individual is particularly vulnerable or where the case relates to the protection of children. There are no residence related evidence requirements for clients where legal aid is for matters under these paragraphs although the usual scope and means evidence is still required. Section 3 below has further information on the matters to which the residence test does not apply.
- 1.8 The residence test does not apply to applications for Exceptional Case Funding made under section 10 of LASPO.

## Exceptions to the residence test

- 1.9 The Order sets out that certain individuals will not be required to meet the residence test, either in whole or in part. These are:
- Client is a child less than 12 months old;
  - Client is an asylum seeker;
  - Client is a recent successful asylum seeker;
  - Client is a recent resettled refugee; or
  - Client is a serving member of Her Majesty's (HM) United Kingdom armed forces or their immediate family.
- 1.10 Further information on these exceptions to the residence test is set out in Section 4 below. Clients who fall into one of these exceptions will need to provide evidence which demonstrates this.

## Applying the residence test

- 1.11 If the matter is one to which the residence test applies then, in order to make a Controlled Work determination and open a matter start, or make an application for a Licensed Work determination, a client must have evidence that they meet the requirements of the residence test or evidence that they are of a client type excepted from the test. This is separate to any other evidence that the client may need to provide to demonstrate that they are financially eligible for civil legal services or that their case is in scope.

## 2. Residence test summary

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- 2.1 This section sets out a summary of the steps you will need to take to identify whether the residence test applies and which evidence a client will need to provide in order to qualify for civil legal aid.

### Step 1: Does the residence test apply to the matter?

- 2.2 The residence test does not apply to civil legal services provided under certain paragraphs of Part 1, Schedule 1 to LASPO. You must therefore first consider whether or not it is necessary to apply the residence test. Matters to which the residence test applies are listed in the “Residence tested matters table” on pages 6 and 7.
- 2.3 If the matter is not one to which the residence test applies there are no evidence requirements and no further action is required in relation to the client’s residence status. If the residence test applies to the matter then it will apply to all funding determinations for civil legal services made on that case. Therefore you may need to consider the requirements of the residence test several times when undertaking work for a client, and collect and provide evidence accordingly. Whilst providing civil legal services, you are also bound by existing legal and contractual reporting duties, and must inform the Director of any change in the individual’s circumstances which become known to you and which might affect a determination that an individual qualifies for civil legal services. If the residence test applies you will need to establish which evidential requirements apply to the case.
- 2.4 Each time a new funding determination is made you should consider whether the residence test applies to the matter e.g. a certificate may be granted for a matter to which the residence test does not apply but if you subsequently apply to amend the certificate to include additional proceedings you will need to consider whether the new proceedings are subject to the residence test.

### Step 2: Is the client an exception to the residence test?

- 2.5 There are exceptions to the residence test for certain types of individuals either in full or in part. These individuals may not need to provide documentary evidence that they satisfy the residence test, however they will need to provide evidence that they are an exception every time a funding determination is made.
- 2.6 The Order sets out that the following individuals are exceptions to the residence test:
- Client is a child who is less than 12 months old on the date that the application is made. Such a client does not need to provide evidence of lawful residence for a period of 12 consecutive months in the past, but does need to provide evidence of lawful residence on the date of application. **(Paragraph 19(3), Part 2, Schedule 1 to LASPO)**
  - Client currently seeking asylum. **(Paragraph 19(6)(b)(i) Part 2, Schedule 1 to LASPO)**
  - Client has successfully claimed asylum and, on the application date there has been less than 12 months since the claim for asylum was made. Where more than 12 months have elapsed since the date of the claim, the client may count the time spent as an asylum seeker as ‘lawful residence’ for the purposes of the test. **(Paragraph 19(5) and (7), Part 2, Schedule 1 to LASPO)**
  - Client is a resettled refugee and on the application date there has been less than 12 months since they entered the UK before becoming a resettled refugee. **(Paragraph 19(8), Part 2, Schedule 1 to LASPO)**

- Client is a serving member of HM United Kingdom armed forces or their immediate family.  
**(Paragraph 19(9), Part 2, Schedule 1 to LASPO).**

### Step 3: If client is not an exception then the full residence test applies

- 2.7 If none of the above applies then you will need to ensure that client meets all of the requirements of the residence test and has the necessary evidence.

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### 3. Residence tested matters and funding determinations

#### Paragraphs of Part 1, Schedule 1 to LASPO

3.1 The table below sets out whether the residence test applies, in whole, in part, or does not apply to civil legal services provided under the paragraphs in Part 1, Schedule 1 to LASPO.

Paragraph number of Part 1, Schedule 1 to LASPO	Applies	Applies to part of paragraph	Does not apply
1. Care supervision and protection of children			X
2. Special educational needs	X		
3. Abuse of a child or vulnerable adult		X	
4. Working with children and vulnerable adults	X		
5. Mental Health and Mental Capacity		X	
6. Community Care		X	
7. Facilities for disabled persons	X		
8. Appeals relating to welfare benefits	X		
8.A Appeals relating to council tax reduction schemes	X		
9. Inherent Jurisdiction of High Court in relation to children and vulnerable adults		X	
10. Unlawful removal of a child			X
11. Family homes and domestic violence			X
12. Victims of domestic violence and family matters			X
13. Protection of children and family matters			X
14. Mediation in Family Disputes	X		
15. Children who are parties to family proceedings			X
16. Forced Marriage			X
17. EU and international agreements concerning children			X
18. EU and international agreements concerning maintenance			X
19. Judicial Review		X	

Paragraph number of Part 1, Schedule 1 to LASPO	Applies	Applies to part of paragraph	Does not apply
20. Habeas Corpus			X
21. Abuse of position or powers by public authority	X		
22. Breach of Convention rights by public authority	X		
23. Clinical negligence and severely disabled infants			X
24. Special Immigration Appeals Commission			X
25. Immigration: detention			X
26. Immigration: special admission			X
27. Immigration: residence etc restrictions			X
28. Immigration: victims of domestic violence and indefinite leave to remain			X
29. Immigration: victims of domestic violence and residence cards			X
30. Immigration: rights to enter and remain			X
31. Immigration: accommodation for asylum-seekers etc	X		
32. Victims of trafficking in human beings			X
33. Loss of Home	X		
34. Homelessness	X		
35. Risk to health or safety in rented home	X		
36. Anti-social behaviour	X		
37. Protection from harassment	X		
38. Gang- related violence	X		
39. Sexual Offences	X		
40. Proceeds of Crime	X		
41. Inquests	X		
42. Environmental Pollution	X		
43. Equality	X		
44. Cross-border disputes			X
45. Terrorism prevention and investigation measures etc	X		



Paragraph number of Part 1, Schedule 1 to LASPO	Applies	Applies to part of paragraph	Does not apply
46. Connected matters	X		

## Residence test applies to some matters within paragraph

- 3.2 The table below lists the paragraphs of Part 1, Schedule 1 to LASPO where the residence test applies only to certain types of cases under that paragraph and identifies the part of that paragraph to which the residence test does not apply. The residence test applies to civil legal services provided under all other parts of each paragraph.
- 3.3 If civil legal services are provided solely on work to which the residence test does not apply no specific evidence is required. However, the case file must make it clear that only work covered by the specific part of the paragraph was carried out.

Paragraph of Part 1, Schedule 1 to LASPO	Parts of the paragraph to which the residence test does not apply
3. Abuse of a child or vulnerable adult	The Residence Test <b>does not</b> apply where services are provided in relation to abuse of an individual that took place at a time when the individual was a child.
5. Mental health and mental capacity	The Residence Test <b>does not</b> apply where services are provided in relation to: <ul style="list-style-type: none"> <li>(a) the discharge of a patient liable to be detained or recalled under— <ul style="list-style-type: none"> <li>(i) the Mental Health Act 1983, or</li> <li>(ii) paragraph 5(2) of the Schedule to the Repatriation of Prisoners Act 1984, or</li> </ul> </li> <li>(b) deprivation of liberty authorised by— <ul style="list-style-type: none"> <li>(i) section 4B of the Mental Capacity Act 2005 (deprivation of liberty necessary for life-sustaining treatment etc),</li> <li>(ii) an order under section 16(2)(a) of that Act (powers to make decisions about the personal welfare, property and affairs of a person lacking capacity), or</li> <li>(iii) Schedule A1 to that Act (hospital and care home residents: deprivation of liberty).</li> </ul> </li> </ul>
6. Community care	The Residence Test <b>does not</b> apply where services are provided in relation to community care services which a relevant person may provide or arrange to provide under the Children Act 1989, to the extent that such services are in scope of paragraph 6.
9. Inherent jurisdiction of High Court in relation to children and vulnerable adults	The Residence Test <b>does not</b> apply where services are provided in relation to: <ul style="list-style-type: none"> <li>(a) the inherent jurisdiction of the High Court in relation to children, or</li> <li>(b) deprivation of liberty in exercise of the inherent jurisdiction of the High Court in relation to vulnerable adults.</li> </ul>
19. Judicial Review	The Residence Test <b>does not</b> apply where services are provided in relation to: <ul style="list-style-type: none"> <li>(a) judicial review in respect of the lawfulness of detention,</li> </ul>

Paragraph of Part 1, Schedule 1 to LASPO	Parts of the paragraph to which the residence test does not apply
	(b) proceedings before the Special Immigration Appeals Commission, (c) judicial review of a negative decision in relation to an asylum application (within the meaning of the EU Procedures Directive) where there is no right of appeal to the First-tier Tribunal against the decision, or (d) judicial review of certification under section 94) or 96 of the Nationality, Immigration and Asylum Act 2002 (certificate preventing or restricting appeal of immigration decision).

## Funding determinations

- 3.4 Where the residence test applies to a case, you will need to see evidence from your client each time a funding determination is required, which means at the following points:

### Every initial application for any form of service under:

Controlled Work;

Licensed Work; and

Family Mediation and Mediation and Information Assessment Meetings (MIAMS).

**This therefore includes when a case moves from Controlled Work to Licensed Work.**

### Licensed Work

- 3.5 Where a certificate has been granted for a matter to which the residence test does not apply but you subsequently apply to amend the certificate to include additional proceedings you will need to consider whether the new proceedings are subject to the residence test. If the test applies, then appropriate evidence must be submitted with the application to amend the certificate.
- 3.6 Regulation 52 (as amended) of the Procedure Regulations sets out that a determination for emergency representation may be made on the basis of limited information and documents which includes residence test evidence requirements where it would be in the interests of justice to do so.

### Evidence

- 3.7 Evidence that a client meets the residence test or that they are an exception to it must be obtained before the determination for legal aid funding is made. A matter start may not be opened to assist the client in obtaining the evidence and is not available to cover any costs in obtaining the evidence. Legal aid is only available for matters that are within scope; therefore it is not available until the point at which the evidence is provided. In order to make a determination you must see the original documents and retain copies on the file.
- 3.8 In order to make a Licensed Work determination you must see the original documents and provide the Legal Aid Agency (LAA) with copies of the required evidence as part of the legal aid application.
- 3.9 Regulation 15A(4) of the Procedure Regulations set out that a determination may be made without all of the necessary evidence where the application is for civil legal services relating to a

Mediation Information and Assessment meeting that takes place at Court where it would be in the interests of justice to do so. This evidence must be provided within 5 business days of the date that the determination was made.

- 3.10 Where the second limb applies (12 month continuous residence) the client will also need to declare on the relevant forms that they were not absent from UK, Channel Islands, Isle of Man or a BOT, for more than 30 days during that period (Regulation 15C).

## **Reviews**

- 3.11 A client has a right of review against a decision in relation to the residence test. In relation to Controlled Work this means that the client may request that the provider review the determination that the client does not qualify for legal aid. In relation to Licensed Work this means the provider may request that the LAA review the determination that the client does not qualify for legal aid.

## 4. Client exceptions

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### Client is less than 12 months old

- 4.1 Paragraph 19(3), Part 2, Schedule 1 to LASPO sets out that where the client is a child who is less than 12 months old on the application day, they will not be required to meet the second limb of the residence test, i.e. that they have lawfully resided in the UK, Channel Islands, Isle of Man or a BOT for a period of at least 12 months at any point in the past.
- 4.2 The client will still be required to prove that they are lawfully resident in either the UK, Channel Islands, Isle of Man or a BOT on the date the application for civil legal services was made.
- 4.3 Where a client is less than 12 months at the time that the civil legal services are first provided but subsequently reaches 12 months you may continue to assist the client under the initial form of service, however you will need to apply both limbs of the test when making any subsequent application for a new form of service or for additional proceedings to be added to an existing certificate.

### Client is an asylum seeker

- 4.4 An asylum seeker is defined as: “an individual who makes a claim for leave to enter, or remain in the United Kingdom based on rights described in paragraph 30(1), Part 1, Schedule 1 to LASPO i.e.:
  - (a) The Refugee Convention;
  - (b) Article 2 or 3 of the Human Rights Convention;
  - (c) The Temporary Protection Directive;
  - (d) The Qualification Directive.
- 4.5 Where a client has submitted an application for asylum, they are an exception to the residence test.
- 4.6 Where their claim for asylum is determined in their favour while the matter is ongoing, they continue to qualify for civil legal aid, however you will need to establish that the client meets the test or satisfies the requirements of the exception for successful asylum seekers when making any subsequent application for a new form of service or for additional proceedings to be added to an existing certificate.
- 4.7 Where an asylum seeker is unsuccessful in their asylum claim and their appeal rights have been exhausted, they would no longer benefit from this exception and civil legal aid funding must cease to be provided.

### Client is a successful asylum seeker

- 4.8 For all successful asylum seekers you will need to establish that the client has been granted leave to enter or to remain in the UK based on the rights described in paragraph 30(1) of Part 1, Schedule 1 to LASPO **and** the date of their application for asylum.
- 4.9 Paragraphs 19 (7)(a) and (b), Part 2, Schedule 1 to LASPO set out that where an asylum seeker has made a successful claim for asylum and a period of less than 12 months has passed since the date on which the asylum claim was made then they **will not** need to provide evidence that they are lawfully resident at the time of application or evidence of 12 months of continuous residence.

- 4.10 Where an asylum seeker has made a successful claim for asylum (i.e. has been granted leave to enter or to remain in the UK based on the rights described in paragraph 30(1) of Part 1, Schedule 1 to LASPO (see 'client is an asylum seeker' above)) and a period of more than 12 months has passed since the date on which the asylum claim was made, they are entitled to count the period between their application for asylum and the date their application was successful as continuous lawful residence for the purposes of the residence test. Paragraphs 19(5)(a) and (b), Part 2, Schedule 2 to LASPO set out that if a period of 12 months or more has passed since the date on which the claim was made the client **will** need to satisfy the 12 months continuous residence requirement, but may use the period from the asylum application to do so.
- 4.11 In order to fall within either of these exceptions all clients must continue to have leave to enter or to remain in the UK based on the rights described in paragraph 30(1) of Part 1, Schedule 1 of LASPO both on the date of application for civil legal services and throughout the time that the services are provided.
- 4.12 Where a client's asylum claim is successful but subsequently their grant of leave to enter or remain in the UK is revoked or curtailed during the life of a case then civil legal aid funding must cease to be provided.

### Client is a resettled refugee

- 4.13 A resettled refugee is defined in the Order as an individual who has leave to enter, or remain in the UK for more than 6 months, other than as a result of a claim for asylum; and
- Is a refugee defined in Regulation 2 of the Refugee or Person in Need of International Protection (Qualification) Regulations 2006; or
  - Is accorded rights and benefits in the UK equivalent to those accorded to a refugee.

This will include individuals who enter the UK on the following programmes:

- The Gateway Protection Programme;
  - The Mandate Resettlement Scheme;
  - Those who transfer their refugee status to the UK under the European Agreement on the Transfer of Responsibility for Refugees (EATRR); and
  - The Syrian Vulnerable Persons Relocation Scheme
- 4.14 Paragraphs 19(8)(a) and (b), Part 2, Schedule 1 to LASPO set out that a client will not be required to meet the residence test if on the date of application for legal aid they are:
- a resettled refugee; **and**
  - a period of less than 12 months has elapsed since the last date on which the client entered the UK before becoming a resettled refugee; **and**
  - When services are provided the client continues to be a resettled refugee
- 4.15 Where the Client is a "Resettled Refugee" but has been in the UK, Channel Islands, Isle of Man or a BOT for a period of over 12 months, they will be required to meet both limbs of the residence test in order to make a successful application for civil legal aid.
- 4.16 Where a client's grant of leave to enter or remain in the UK is revoked or curtailed during the life of a case then civil legal aid funding will cease to be provided.

## Client is a serving member of HM United Kingdom armed forces or an immediate family member

- 4.17 Paragraphs 19 (9)(a) and (b), Part 2, Schedule 1 to LASPO set out that these individuals do not need to satisfy the residence test. A serving member of HM United Kingdom armed forces includes members of HM army, the Royal Air Force, the Royal Navy and the Royal Marine Corps.
- 4.18 A client will be part of the immediate family of a serving member of HM United Kingdom armed forces if they are married to each other, in a civil partnership, are cohabitants (as defined in section 62(1) of the Family Law Act 1996 (as amended)), their child or someone for whom they have parental responsibility.
- 4.19 Where a client is a serving member of HM United Kingdom armed forces (or a member of their immediate family) at the time that the civil legal services are first provided but subsequently leaves the armed forces you may continue to assist the client under the initial form of service, however your client will no longer be an exception to the test when making any subsequent application for a new form of service or for additional proceedings to be added to an existing certificate.

## 5. Evidence rules

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### Exhaustive vs. non-exhaustive lists of evidence

- 5.1 Where the Procedure Regulations specify that a particular document or documents satisfy the evidential requirements, these lists are exhaustive. Where the Procedure Regulations do not specify any particular document or documents, this guidance sets out a further, non-exhaustive, list of the types of evidence which the Director considers is likely to satisfy the requirements of the test. This guidance covers both types of evidence but identifies where lists of evidence are exhaustive or non-exhaustive.
- 5.2 Where the evidence is exhaustive there is no discretion to accept any other forms of evidence (subject to the discussion below of personal circumstances). Where an evidence requirement is non-exhaustive (i.e. set out in this guidance only) then other forms of evidence may be accepted. The provider will however need to be satisfied that any other forms do indicate that the requirements of the residence test are met and be able to justify this. Any evidence provided in substitution for that listed in this guidance would need to similarly reflect how often it was available and how strongly it connected the client to current residence.
- 5.3 For example, evidence of the individual exercising lawful residence at the time of the application includes time limitations between 1 month and 12 months prior to the application. These depend on how often pieces of evidence might be expected to be available (e.g. Council Tax statements are issued annually) and how strong the connection is between the evidence and proof of residence.
- 5.4 Certain pieces of evidence on their own would not be sufficient proof evidence e.g. a plane ticket or travel document. Similar evidence, not listed in this guidance, would also not constitute sufficient proof of residence without a further corroborating piece of evidence.

### Personal circumstances

- 5.5 In accordance with Procedure Regulations, if the Director is satisfied that it would, by virtue of the personal circumstances of a client, be impracticable for that client to provide the evidence to meet the residence test (or that they qualify for one of the exceptions), the Director may determine that they are lawfully resident in the UK, the Channel Islands, the Isle of Man or a BOT if the Director is satisfied that is or is likely to be the case (or that they qualify for one of the exceptions), by virtue of evidence provided by the client. For Controlled Work, funding determinations are delegated to the provider.
- 5.6 Each part of the residence test itself must still be carried out and the provider should seek to establish as far as possible whether the client is lawfully resident (or qualifies for one of the exceptions to the test). Where evidence of the kind set out in the regulations and this guidance cannot be provided by the client but the provider is nonetheless satisfied on a reasonable basis that the residence test is met or that the client falls within an exception, the attendance note or application form must give the reason why the provider considered the personal circumstances made it impracticable for full evidence to be supplied and the basis on which the provider nonetheless reached the view that the test/grounds for an exception were met.
- 5.7 This is not a blanket evidential exemption, and should be applied to each piece of evidence required in turn. For example, the client's personal circumstances may make it impracticable for them to supply evidence of 12 months continuous lawful residence (and exercising of that right) in the past but not make it impracticable for them to supply evidence of current lawful residence. Furthermore, it may be possible for them to supply evidence of e.g. 3 months continuous lawful residence.

- 5.8 Whether or not it is impracticable to obtain evidence will depend on the circumstances of the case. Those who are homeless, or who are in detention may have particular difficulty in supplying evidence. It may be impracticable to obtain evidence of lawful residence from patients with mental health problems who are in hospital (for example, those detained under the Mental Health Act). Providers should however attempt to obtain oral or written confirmation of the position from the ward manager or social worker where practicable, and additionally are likely to have ready access to healthcare records for the purposes of a mental health case.
- 5.9 It is important to remember in this context that the evidence to be supplied must relate to the time of application, so that it is the client's circumstances at that time that are relevant in judging whether or not it was impracticable to obtain evidence.
- 5.10 Providers should therefore make all reasonable efforts to procure evidence which relates to any of the parts of the Residence Test and for any time period.

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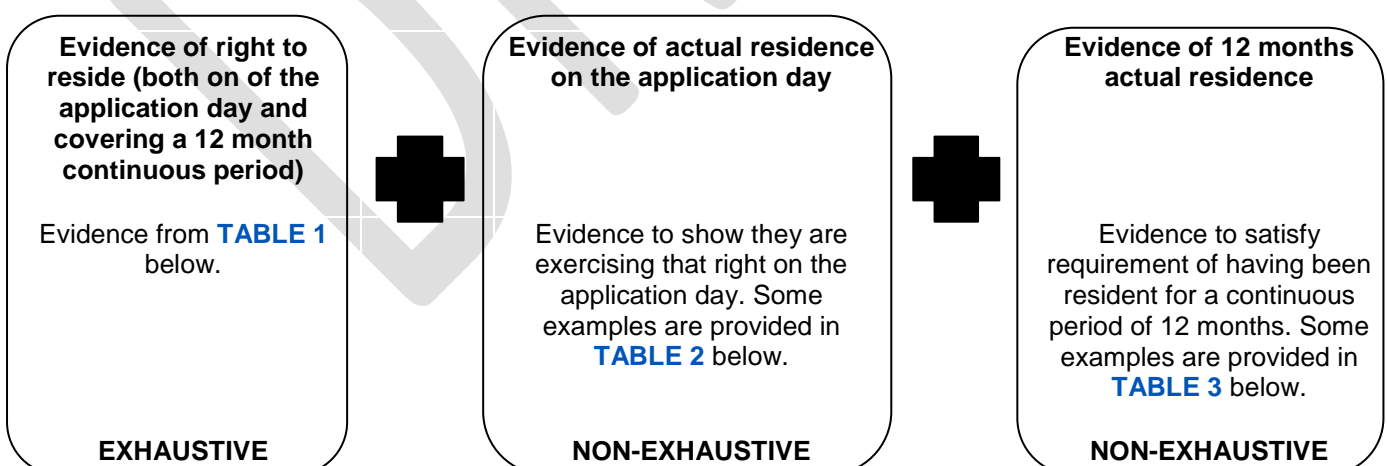


## 6. Evidence requirements

- 6.1 This section sets out the specific pieces of evidence that your client will need to provide to satisfy both limbs of the residence test. It also sets out the specific pieces of evidence that a client will need to provide in order to show that they are an exception to the residence test.
- 6.2 This section also makes clear where the evidence is from an exhaustive and a non-exhaustive list.
- 6.3 The client should always present the original documents and copies must be retained on file.

### Residence test (paragraph 19(2) and (4), Part 2, Schedule 1 to LASPO)

- 6.4 To evidence that your client passes both limbs of the residence test your client must provide evidence that they have a right of lawful residence at the time of the application and for a period of 12 consecutive months. This is an exhaustive list of evidence and is set out in Regulation 15B of the Procedure Regulations and replicated in Table 1 below.
- 6.5 As defined at Paragraph 19 (10), Part 2, Schedule 1 to LASPO an individual is not lawfully resident in the United Kingdom, the Channel Islands, the Isle of Man or British overseas territory if the individual requires leave to enter or remain (or equivalent) but does not have it.
- 6.6 In addition your client will need to provide evidence to show that they are exercising their right of lawful residence at the time the application is made. This is a non-exhaustive list and some examples are provided in Table 2 below.
- 6.7 Your client will further need to provide evidence to satisfy the requirement of having been resident for a continuous period of 12 months. Some examples are provided in Table 3 below. This evidence must fall within the time period covered by Table 1 i.e. the evidence of a right to reside.
- 6.8 Where the second limb applies (12 month continuous residence) the client will also need to declare that they were not absent from UK, Channel Islands, Isle of Man or a BOT, for more than 30 days during that period.



<b>TABLE 1: [EXHAUSTIVE] Evidence of right to reside</b>		
<b>Type of evidence</b>	<b>Guidance notes</b>	<b>Regulation</b>
British passport UK, Channel Islands, Isle of Man and BOT passport	List of the BOT is set out in Annex A.  Specimens are available in Annex C.	<b>15B(3)(a)</b>
Birth or adoption certificate <b>AND</b> a relevant information document	Specimens of full birth certificates and adoption certificates issued in the UK are available in Annex C.  <b>Relevant information document</b> A P45, P60, National Insurance number card, or a letter from a Government agency is acceptable to demonstrate a person's National Insurance number. A Government agency can include for example HM Revenue and Customs (formerly the Inland Revenue), the Department for Work and Pensions, Jobcentre Plus, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency. A will not have a national insurance number if for example they are a child.  Specimens of relevant information documents are available in Annex C.	<b>15 B(3)(h)</b> <b>15 B(3)(i)</b> <b>15 B(3)(j)</b> <b>15 B(3)(k)</b> <b>AND</b> <b>15J</b>
National of European Economic Area (EEA) or Switzerland or a family member of national of the European Economic Area (EEA) or Switzerland	Evidence that a client is a national of EEA or Switzerland must be one of the following: <ul style="list-style-type: none"> <li>• Passport from any EEA state or Switzerland</li> <li>• National Identity card for any EEA state or Switzerland –</li> </ul> Specimens are available in Annex C	<b>15B(3)(b)</b>
	Evidence from the Home office must certify that a client is a national of EEA or Switzerland and that they have the right to reside in the UK must be in one of the following forms: <ul style="list-style-type: none"> <li>• Home office issued Registration Certificate;</li> <li>• or other Home Office issued document.</li> </ul>	<b>15B(3)(c)</b>

TABLE 1: [EXHAUSTIVE] Evidence of right to reside		
Type of evidence	Guidance notes	Regulation
	<p>Evidence from the Home office certifying that a client has a right of permanent residence as a family member of a national of EEA or Switzerland and must be in one of the following forms:</p> <ul style="list-style-type: none"> <li>• Home office issued permanent residence card;</li> <li>• or other Home Office issued document.</li> </ul> <p>Specimens are available in Annex C</p>	15B(3)(d)
Non –EEA nationals: the client must have indefinite leave to remain or is not subject to a time limit on their stay	<p>The Home Office issues Biometric Residence Permits and are taking steps to streamline documents by increasingly issuing BRP's to all non-EEA nationals in the UK for more than 6 months.</p> <p>Specimens are available in Annex C.</p> <p>Prior to this the Home Office would issue '<b>Immigration Status Documents</b>'. - An Immigration Status Document <b>must also</b> be accompanied by a 'relevant information document' which is an official document issued by a previous employer or Government agency, where the client has an NI number:</p> <p>Specimens are available in Annex C</p> <p><b>Relevant information document</b> A P45, P60, National Insurance number card, or a letter from a Government agency is acceptable to demonstrate a person's National Insurance number. A Government agency can include for example HM Revenue and Customs (formerly the Inland Revenue), the Department for Work and Pensions, Jobcentre Plus, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency.</p>	<p>15B(3)(e)</p> <p>15B(3)(g)</p> <p>15B(3)(f)</p> <p>AND</p> <p>15J</p>
Naturalized British citizen	<p>A certificate of registration or naturalisation of client as a British citizen or [a citizen of the United Kingdom and Colonies] must also be accompanied by an official document issued by a previous employer or Government agency, where the client has an NI number.</p> <p>Specimens are available in Annex C</p>	<p>15B(3)(l)</p> <p>AND</p> <p>15J</p>

**TABLE 2: [NON-EXHAUSTIVE] Evidence of residence on the application day**

Type of evidence	Forms of evidence	Guidance
Bank/Building society statement (within past 3 months)	<ul style="list-style-type: none"> <li>• Statement</li> <li>• Account opening confirmation letter</li> </ul>	Must show the name and address of client
Council tax/ property parish rates (within past 12 months)	<ul style="list-style-type: none"> <li>• Statement</li> <li>• A letter setting out the amounts owed for a future period</li> </ul>	Must show the name and address of client
Correspondence from utilities companies -Gas, Electricity, Water, Telephone; Internet, TV license (within past 3 months)	<ul style="list-style-type: none"> <li>• Bill</li> <li>• A letter setting out the amounts owed for a future period</li> </ul>	Must show the name and address of client
Social security benefits statement (within past 3 months)	Statement or letter from government agency e.g. DwP	Must show the name and address of client
Health and care services (within past 3 months)	<ul style="list-style-type: none"> <li>• Health or care records</li> <li>• Letter from a GP</li> <li>• A letter from a care home confirming individual's full name and that they are a current resident/in receipt of care services</li> </ul>	Must show the name and address of client
Housing (within past 12 months)	<ul style="list-style-type: none"> <li>• A mortgage statement</li> <li>• A tenancy agreement</li> <li>• A letter from a Local Authority or Housing Association</li> <li>• A default notice/letter before action/notice to quit from Mortgage lender, Landlord, Local Authority/Housing Association</li> </ul>	Must show the name and address of the client
Education (within past 1 month)	<ul style="list-style-type: none"> <li>• A record of attendance at an OFSTED registered school or nursery within the period of 1 month prior to the application day.</li> <li>• Letter from an OFSTED registered childminder within the period of 1 month prior to the application day.</li> </ul>	Must show the name and address of the client

**TABLE 3 NON-EXHAUSTIVE : Evidence of 12 months continuous residence**

Type of evidence	Forms of evidence	Guidance
Record of payment of Council Tax or property/parish rates over 12 months.	<p>Bank statements and/or statements from Council/utilities provider.</p> <p>These may be electronic statements.</p>	<p>Statements must show 12 months continuous evidence and therefore should include the first month, the twelfth month and at least one interim month.</p> <p>Must show the name and</p>

<b>TABLE 3 NON-EXHAUSTIVE : Evidence of 12 months continuous residence</b>		
<b>Type of evidence</b>	<b>Forms of evidence</b>	<b>Guidance</b>
		address of client
Record of payment of social security benefits over 12 months.	Bank statements and/or statements provided by Department of Work and Pensions (DwP)	Statements must show 12 months continuous evidence and therefore should include the first month, the twelfth month and at least one interim month.  Must show the name and address of client
A record of health or other care services over a 12 month period.	GP records, hospital admissions, letter from care home, hospital or hospice confirming 12 months of residence	Statements must show 12 months continuous evidence and therefore should include the first month, the twelfth month and at least one interim month.  Must show the name and address of client
Evidence of rent or mortgage payments over 12 months.	Bank statements or letter from landlord/mortgage provider.	Statements must show 12 months continuous evidence and therefore should include the first month, the twelfth month and at least one interim month.  Must show the name and address of client
A letter from a prison or other detention facility confirming that individual was lawfully detained for at least 12 months.	This may include Her Majesty's Prison Service, young offender institutions and secure children's homes.	This must be on letter headed paper or from an official email address  Must show the name of client
Probation service/parole board records covering a 12 month period.		This must be on letter headed paper or from an official email address  Must show the name of client
A letter/record confirming attendance at a school, college or other educational institution over a 12 month period.	They must be OFSTED registered.	This must be on letter headed paper or from an official email address  Must show the name and address of client
Wage slips showing 12 months of employment.	This can be in the form of a letter from an employer who is registered for National Insurance.	This must be on letter-headed paper and confirm the client's name and address
Tax records/accounts submitted to HMRC showing 12 months of	This may include a P60 form.	Must show the name and address of client

**TABLE 3 NON-EXHAUSTIVE : Evidence of 12 months continuous residence**

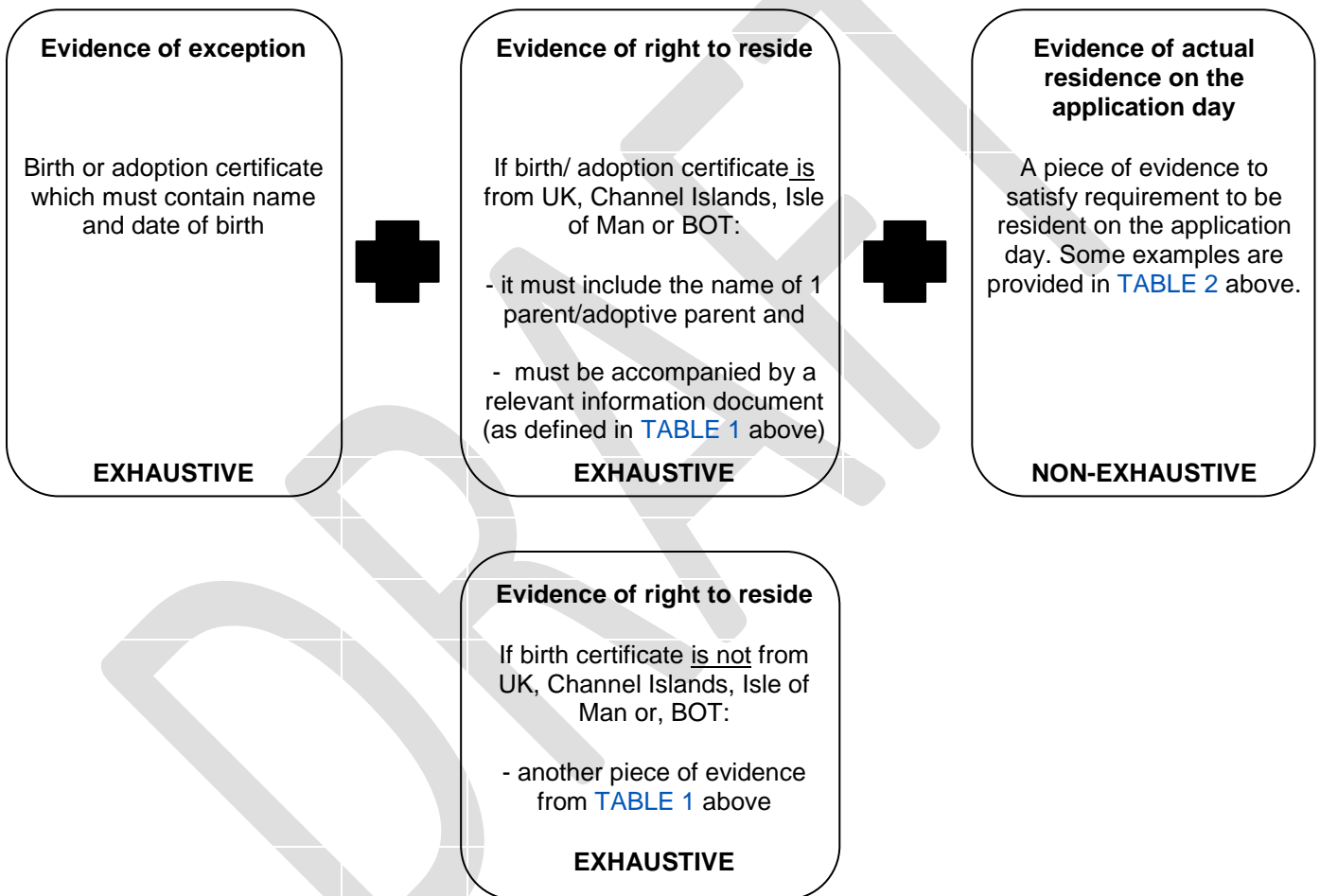
Type of evidence	Forms of evidence	Guidance
continuous UK residence.		

**The following pieces of evidence would not on their own constitute sufficient evidence of 12 months continuous residence; however they could provide some evidence of 12 months residence. Providers should seek further evidence from Table 3 above.**

Type of evidence	Guidance	Notes
Plane, boat or other travel ticket showing arrival or departure (details of travel documents).	This could include a letter from a travel booking agent, email confirmation of a travel booking or a stamp in passport.	Must show the name of the client and the dates that they left and entered the UK
Evidence of training/ apprenticeship/ volunteering/ community service	Letter from a registered charity an employer registered for National Insurance or a community service provider confirming dates.	Would need to show the name and address of the client
Historic service records showing 12 months of residence in the UK.	Need to show that a person was resident in the UK, Channel Island, Isle of Man or a BOT during that period.	Would need to show the name and address of the client

## Client is under 12 months old (paragraph 19 (3), Part 2, Schedule 1, LASPO)

- 6.9 Where services are provided for a client who is less than 12 months old on the application day and the services cover *only* work done on behalf of this individual, children under 12 months old are not required to satisfy the requirement to have a continuous period of at least 12 months previous lawful residence.
- 6.10 Regulation 15D of the Procedure Regulations sets out an exhaustive list, which is their birth certificate or adoption certificate, which must contain their name and date of birth showing that the client is less than 12 months old.
- 6.11 They must also provide evidence that they are lawfully resident. This evidence is exhaustive and set out in Table 1 above. They must also provide evidence that they are exercising that lawful right to reside at the time that the application is made. This evidence is non-exhaustive and set out in Table 2 above. Therefore they will need to provide 3 pieces of evidence.



## Client is an asylum seeker on date of application (paragraph 19(6), Part 2, Schedule 1 to LASPO)

- 6.12 The client will need to provide evidence to show that they have made an application for asylum on the date of the application for civil legal services and that this has been recorded by the Secretary of State but has not yet been determined or abandoned, which is an ARC card (see Table 4 below).

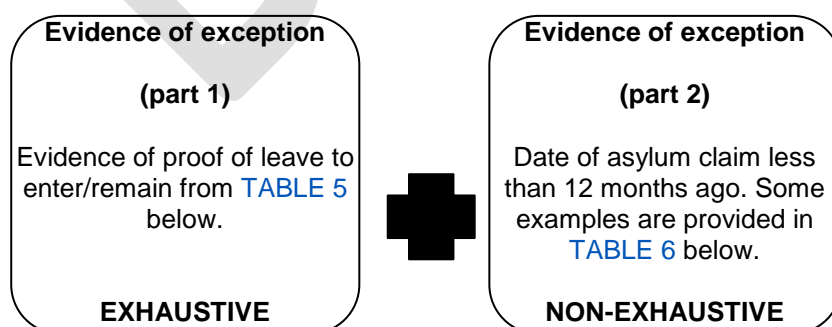
TABLE 4: [EXHAUSTIVE] Client is asylum seeker		
Type of evidence	Guidance notes	Regulations
An Application Registration Card (ARC) issued by the Home Office	An ARC card is issued to an individual to acknowledge a claim for asylum or a claim under Article 3 of the Human Rights Convention.	15F

## Client is a successful asylum seeker

- 6.13 Where your client is a successful asylum seeker they will need to provide evidence of their successful asylum claim.
- 6.14 Your client will also need to provide evidence of the date their asylum application was made;
- if their asylum application was made less than 12 months they do not need to satisfy any other requirement;
  - if the asylum application was made more than 12 months ago they will also need to satisfy the 12 months continuous residence requirement.

In addition your client may need to provide a piece of evidence to show that they are exercising their right of lawful residence at the time the application is made. This is a non-exhaustive list and some examples are provided in Table 2 above.

## Asylum application less than 12 months ago

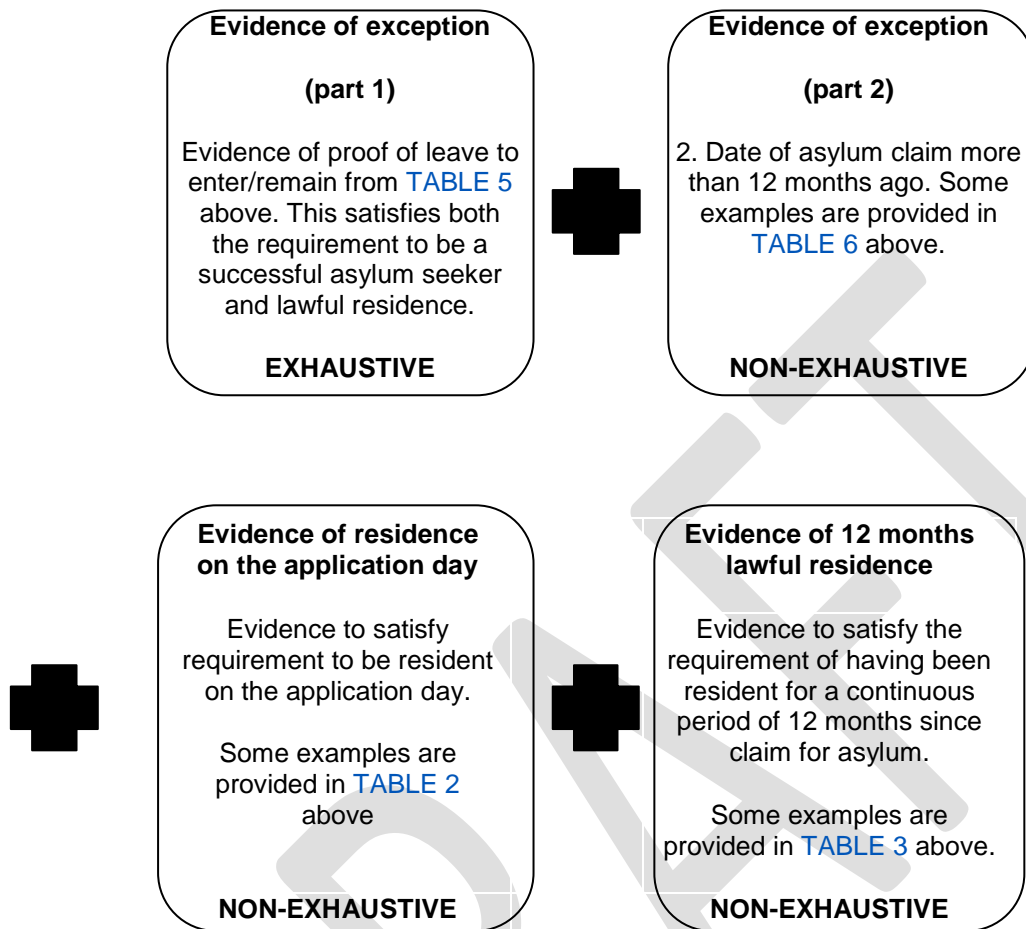




<b>TABLE 5: [EXHAUSTIVE] Client is successful asylum seeker</b>		
<b>Type of evidence</b>	<b>Guidance</b>	<b>Regulations</b>
Biometric Residence Permit (BRP)	BRP status needs to state: <ul style="list-style-type: none"> <li>• Refugee; OR</li> <li>• Humanitarian Protection</li> </ul>	<b>15E(3)(a)</b>
Immigration Status Document  <b>AND</b>  A relevant information document	<p>An Immigration Status Document must state:</p> <ul style="list-style-type: none"> <li>• Refugee; OR</li> <li>• Humanitarian Protection</li> </ul> <p>An Immigration Status Document must also be accompanied by a 'relevant information document' which is an official document issued by a previous employer or Government agency, where the client has an NI number:</p> <p><b>Relevant information document</b></p> <p>A P45, P60, National Insurance number card, or a letter from a Government agency is acceptable to demonstrate a person's National Insurance number. A Government agency can include for example HM Revenue and Customs (formerly the Inland Revenue), the Department for Work and Pensions, Jobcentre Plus, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency.</p>	<b>15E(3)(b)</b>

<b>TABLE 6: [NON-EXHAUSTIVE] Client is successful asylum seeker and asylum application was made less than 12 months ago</b>		
<b>Type of evidence</b>	<b>Forms of evidence</b>	<b>Guidance</b>
Evidence issued by the Home Office proving date of initial asylum application.	<p>This is evidence should typically be the client's asylum screening interview form (ASL.3211),</p> <p>Alternatively, the client may provide the following:</p> <ul style="list-style-type: none"> <li>• An IS96 form</li> <li>• An IS248 form (dated)</li> <li>• Grant paperwork from the Home Office containing the claim date (ASL.2167 or ASL.2169)</li> </ul>	<p>The evidence must:</p> <ul style="list-style-type: none"> <li>- Be issued by Home Office;</li> <li>- State that the individual has made an application for leave to enter/remain in relation to rights arising from a claim for asylum;</li> <li>- Be dated less than 12 months prior to date of application for legal services</li> </ul>

## Asylum application more than 12 months ago



Client is a resettled refugee and less than 12 months has elapsed since the date on which client entered the UK before becoming a resettled refugee (para. 19 (8), Part 2, Schedule 1, LASPO)

- 6.15 This exception applies if your client did not apply for asylum but was granted status through a UK refugee programme ('resettled refugee'). They need to provide evidence of their status as set out in Table 7 below. This is an exhaustive list of evidence and other forms of evidence may not be accepted.
- 6.16 The evidence must show they have been in the UK as a resettled refugee for a period of less than 12 months, as indicated by the date on the Biometric Residence Permit. If the evidence shows that the period is 12 months or more than the requirements of the full residence test will be met.

**TABLE 7: [EXHAUSTIVE] Client is a resettled refugee**

Type of evidence	Forms of evidence	Guidance
Biometric Residence Permit	BRP status needs to state: <ul style="list-style-type: none"> <li>Refugee; and</li> <li>Dated within 12 months of the client residing in the UK, Channel Islands, Isle of Man or BOTs.</li> </ul>	<b>15G(3)(a)</b>

### Client is a serving member of Her Majesty's United Kingdom armed forces (paragraph 19(9)(a), Part 2, Schedule to LASPO)

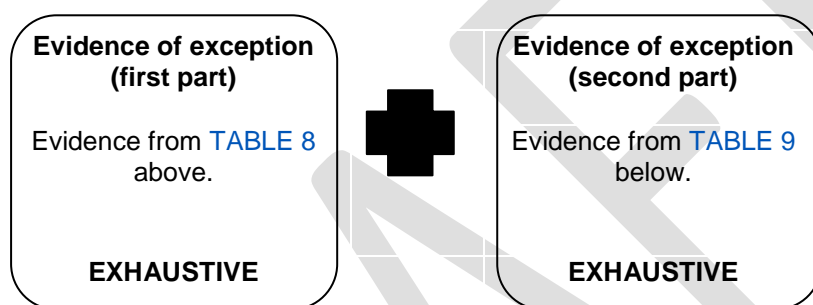
- 6.17 Her Majesty's United Kingdom armed forces include members of Her Majesty's Army, the Royal Air Force, the Royal Navy and the Royal Marine Corps.
- 6.18 The evidential requirements for this exception are set out in an exhaustive list in Regulation 15H of the Procedure Regulations. These requirements are replicated out in Table 8 below and your client must provide one piece of evidence from this list.

**TABLE 8: [EXHAUSTIVE] Evidence of being a serving member of HM UK armed forces**

Type of evidence	Guidance	Regulation
An identity card issued by any of HM United Kingdom armed forces	Show that the client is currently a serving member of HM United Kingdom armed forces	<b>15H(2)(a)</b>
<p>A letter from the Secretary of State confirming the individual's membership of HM United Kingdom armed forces</p> <p><b>PLUS</b> one of the following forms of evidence of identity:</p> <ul style="list-style-type: none"> <li>-A passport;</li> <li>-A biometric immigration document ('biometric residence permit') issued in accordance with regulations made under s5 of the UK Borders Act 2007</li> <li>-A driving licence</li> <li>-A birth or adoption certificate</li> </ul>	<p>Letter must be on Ministry of Defence letter-head paper or be from a Ministry of Defence email address</p> <p>Letter must be the last 6 months.</p> <p>Proof of identity does not need to be a document issued in the UK, Channel Islands, Isle of Man or a BOT e.g. it may be a driver's licence issued by a foreign country.</p>	<b>15H(2)(b) and (3)</b>

## Client is part of the immediate family of a serving member of Her Majesty's United Kingdom armed forces (paragraph 19(9)(b), Part 2, Schedule 1 to LASPO)

- 6.19 The client will be part of the immediate family of a serving member of HM United Kingdom armed forces if they are married to each other, in a civil partnership, are cohabitants (as defined in section 62(1) of the Family Law Act 1996 (as amended)), the child of a serving member of HM United Kingdom armed forces or someone for whom they have parental responsibility.
- 6.20 The client will need to provide evidence that their immediate family member is a serving member of HM United Kingdom armed forces. The evidential requirements for this exception are set out in an exhaustive list in Regulation 15H of the Procedure Regulations and are replicated in Table 8 above. The client will need to provide one piece of evidence from this list.
- 6.21 The client must also present evidence that they are an immediate family member. The evidential requirements regarding immediate family members are set out in an exhaustive list in Regulation 15I of the Procedure Regulations and must show their relationship to that individual. Table 9 below replicates the provisions in the Regulation and provides further information on some of these evidence requirements.



**TABLE 9: [EXHAUSTIVE] Evidence of being part of the immediate family of a serving member of HM United Kingdom armed forces**

Type of evidence	Guidance	Regulation
A marriage certificate showing that the individual is married to the individual who is a serving member of HM United Kingdom armed forces		<b>15I(3)(a)</b>
A civil partnership certificate showing that the individual is a civil partner of the individual who is a serving member of HM United Kingdom armed forces		<b>15I(3)(b)</b>
A birth certificate or adoption certificate showing that the individual is a child of a serving member of HM United Kingdom armed forces		<b>15I(3)(c)</b>
A parental responsibility agreement signed and witnessed by the court showing that the individual is a child of a serving member of HM United Kingdom	Evidence of parental responsibility includes: <ul style="list-style-type: none"> <li>• Guardianship order</li> <li>• Child Arrangement Orders</li> <li>• Special guardianship order</li> </ul>	<b>15I(3)(d)</b>

<p>armed forces <b>OR</b></p> <p>A court order for parental responsibility showing that the individual is a child of a serving member of HM United Kingdom armed forces</p>	<ul style="list-style-type: none"> <li>• Appointment of guardian under section 5 of the Children's Act 1989 (CA)</li> <li>• Parental Responsibility order made under Section 4, 4ZA, 4A of the CA 1989</li> <li>• Parental Agreement under Section 4, 4ZA, 4A of the CA 1989</li> </ul>	<p><b>15I(3)(e)</b></p>
<p>Evidence of living together in a relationship similar to a marriage or civil partnership for two years or more to an individual who is a serving member of HM United Kingdom armed forces</p>	<p>We require 2 items of correspondence addressed to both the applicant and their partner at the same address. They may also provide items addressed to each of them individually if they show the same address for both them.</p> <p>The correspondence should cover the two year period and one piece of evidence should show that they are currently living together i.e. be within a month of the application date</p> <p>Examples of acceptable items of correspondence:</p> <ul style="list-style-type: none"> <li>• letters or other documents from government departments or agencies, documents from GP or hospital about medical treatments appointments etc;</li> <li>• bank statements/letters</li> <li>• council tax bills or statements</li> <li>• water rates bills/ statements</li> <li>• mortgage statements/agreement</li> <li>• electricity and/or gas bills/statements</li> <li>• tenancy agreement(s)</li> </ul>	<p><b>15I(3)(f)</b></p>

## Annex A: British Overseas Territories

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Akrotiri and Dhekelia ( <b>Cyprus</b> )	Falkland Islands
Anguilla	Gibraltar
Bermuda	Montserrat
British Antarctic Territory	Pitcairn Islands or the Pitcairn Group of Islands
British Indian Ocean Territory	Saint Helena, Ascension and Tristan da Cunha
British Virgin Islands	South Georgia and the South Sandwich Islands
Cayman Islands	Turks and Caicos Islands

## Annex B – European Economic Area (EEA)

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The European Economic Areas (EEA) comprises three of four member states of the European Free Trade Association (EFTA) and 27 member states of the European Union. They are listed below.

Austria	Finland	Latvia	Portugal
Belgium	France	Liechtenstein	Romania
Bulgaria	Germany	Lithuania	Slovenia
Croatia	Greece	Luxembourg	Slovakia
Republic of Cyprus	Hungary	Malta	Spain
Czech Republic	Iceland	Netherlands	Sweden
Denmark	Ireland	Norway	United Kingdom
Estonia	Italy	Poland	

**Switzerland** is neither an EU nor an EEA member but is part of the single market, this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals.

## Annex C – Specimens of evidence

This document sets out the types of exhaustive evidence for limb 1 of the Residence Test, i.e. the client must, on the date of application be lawfully resident in the United Kingdom (UK), Channel Islands, Isle of Man or a British overseas territory (BOT). These evidence requirements are set out in paragraph 15C of the Civil Legal Aid (Procedure) Regulations 2012.

### A. British Passport, UK, Channel Islands, Isle of Man and BOT Passport

15B(3) (a) (i)-a passport which shows that A is a British Citizen:



15B (3) (a) (ii)-a passport which shows that A is a citizen of the UK and colonies who has the right of abode in the UK, Channel Islands, Isle of Man or a British Other Territory:





## B. Birth or adoption certificate AND a relevant information document

*15B (3) (h) a full birth certificate issued in the UK which includes the name of at least one of A's parents and a relevant information document*

[illegible]

CL 624259



**CERTIFIED COPY of an**  
**Parturient to the Births and**

**ENTRY OF BIRTH**  
**Deaths Registration Act 1953**

Registration District									
Born in the Sub-district of					in the				
1	2	3	4	5	6	7	8	9	10
Sex	Date of Birth	Time of Birth	Place of Birth	Height, weight, length of limbs	Circumference of chest	Temperature, respiration and condition of abdomen	Pulse	Respiration	Condition of lungs

Counted to be a true copy of an entry in a register in my custody.

Signature of Registrar

REMARKS—A CERTAIN GIFT IS NOT EVIDENCE OF RECEIPT

15B (3) (i) a full adoption certificate issued in the UK which includes the name of at least one of A's adoptive parents and a relevant information document

Application No. AC/134-013



**CHX 292105**  
 CHX/CHS - These are offices relating to  
 holding or placing a certificate and  
 entry or processing a false certificate.  
 (see also the introduction)

**CERTIFIED COPY OF AN ENTRY**

1. No. of entry	41018		
2. Date	Twenty-fourth July 1991	Registration District	Kazanka
and			
country of birth of child	England	Birth district	Gloucester
3. Name and surname of child	Michael Peter ROBERTS		
4. Sex of child	Male	<b>SPECIMEN</b>	
5. Name and surname	Peter Andrew ROBERTS, 718, Rufford Road, Southport, Merseyside Civil Servant and Housewife (see also the introduction)		
and occupation of signature	<b>SPECIMEN</b>		
6. Date of adoption order	Eighty August 1992		
and description of court by which made	Sutton County Court		
7. Date of entry	Ninth November 1992		
8. Signature of official deposited by	C. A. Davis		
Register General to attest the entry			
<b>SPECIMEN</b>			

**CERTIFIED** to be a true copy of an entry in the Adopted Children Register maintained at the GENERAL REGISTER OFFICE. Given at the General Register Office, under the Seal of the said Office.

2nd January 1998

(Seal of the General Register Office)

This certificate is valid in respect of the Adopted Child Register only.  
 In Force 1993 and 2001 of this date, a certified copy of the entry in the General Register Office of a person or a child is made in respect only of the date of the General Register Office, in the second column of the heading to the entry in the original entry in the entry book.

  
 17

**WARNING: A CERTIFICATE IS NOT EVIDENCE OF IDENTITY.**

[illegible]

15B (3) (j) a full birth certificate issued in the Channel Islands, Isle of Man or Ireland or British Oversees Territory and a relevant information document

ISLAND OF JERSEY

**BIRTH CERTIFICATE (SHORTENED FORM)**

Issued pursuant to Article 68(2) of the Marriage and Civil Status (Jersey) Law 2001.

**CERTIFICATE OF BIRTH**

Forenames and Surname	
Sex	
Date and Place of Birth	

I, the undersigned, the Superintendent Registrar of the Island of Jersey, do hereby certify that the above particulars have been compiled from an entry in a register of births in my custody.

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Superintendent Registrar

ISLAND OF JERSEY

**BIRTH CERTIFICATE (SHORTENED FORM) (JERSEY) LAW, 1950**

**CERTIFICATE OF BIRTH**

NAME AND SURNAME	
SEX	
DATE OF BIRTH	

I, the undersigned, the Registrar of births and deaths in the Parish of \_\_\_\_\_ in the Island of Jersey, do hereby certify that the above particulars have been compiled from an entry in a register, in my custody.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

Registrar

Island of Guernsey

**Certificate Copy of an Entry of Birth in the Parish of St Martin in the Island of Guernsey**

No. 3	Date of Birth 1 July 1980	When Registered 1 July 2009
Name of child	Sex	Names of Father and Mother at Birth before Marriage
Adam	male	John Sample
		John Sample
		The Princess Elizabeth Hospital of Guernsey
		Admission

I certify the above to be a true copy of an entry in the General Register of Births in the Island of Guernsey.

Registered General's Office Guernsey, this 22nd day of October 2006.

Deputy Registrar General

Island of Guernsey

No. 3697

**CERTIFICATE OF BIRTH**

Forename Sample

Christian Name Adam

Sex male Date of Birth 1st July 1980

Place of Birth Guernsey

I certify that the above particulars have been compiled from an entry in a Register in my custody.

This 22nd day of October 2006

Deputy Registrar General

15B(3) (k) a full adoption certificate issued in the Channel Islands, Isle of Man or Ireland or British Oversees Territory and a relevant information document

ADOPTION (JERSEY) LAW, 1960

**EXTRACT FROM THE ADOPTED CHILDREN REGISTER**

No. of Child	Date of Birth	Name of Adopted Child	Name of Adoptive Parents	Date of Adoption	Notes
1	1980	John Sample	John Sample	1980	

Island of Guernsey

**CERTIFICATE COPY OF AN ENTRY IN THE ADOPTED CHILDREN REGISTER**

No. of Child	Date of Birth	Name of Adopted Child	Name of Adoptive Parents	Date of Adoption	Notes
1	1980	John Sample	John Sample	1980	

ISLAND OF IRELAND

**ADOPTION CERTIFICATE**

AB 0078

18

**SPECIMEN**

**SPECIMEN**

nce test to civil legal services

15J A relevant information document means a document issued by-

(a) a person who employs, or has employed A; and

(b) a government agency which indicates A's name and, if A has one, A's national insurance number

**Do not destroy** **P60 End of Year Certificate 2003-04**

Your employer's name and address: \_\_\_\_\_  
Inland Revenue office name: \_\_\_\_\_  
Employer's P45 reference: \_\_\_\_\_  
For employer's use: \_\_\_\_\_  
Tax Year to 5 April: **2004**  
Your private address: \_\_\_\_\_

**Your details**  
National Insurance number: \_\_\_\_\_  
Surname: \_\_\_\_\_  
First two surnames: \_\_\_\_\_  
Works/paysroll no. etc: \_\_\_\_\_  
Sex: ☐ M - male ☐ F - female

**National Insurance contributions in this employment** (Note: LEL = Lower Earnings Limit, ET = Earnings Threshold, UEL = Upper Earnings Limit)  
Earnings at the LEL (where earnings are equal to or exceed the LEL) (p45 only) £ \_\_\_\_\_  
Earnings above the LEL up to and including the ET (p45 only) £ \_\_\_\_\_  
Earnings above the ET (p45 only) £ \_\_\_\_\_  
Employer's contributions £ \_\_\_\_\_  
Scheme Contracted-out Number (For Contracted-out Money Purchase schemes OR Contracted-out Money Purchase Stakeholder Pension schemes only) £ \_\_\_\_\_

**Statutory payments in this employment**  
Statutory Maternity Pay (SMP) £ \_\_\_\_\_  
Statutory Paternity Pay (SPP) £ \_\_\_\_\_  
Statutory Adoption Pay (SAP) £ \_\_\_\_\_  
Student Loan Deductions (if this employment only) £ \_\_\_\_\_

**Pay and Income Tax details**  
In previous employment(s) Pay £ \_\_\_\_\_ Tax deducted £ \_\_\_\_\_  
In this employment Pay £ \_\_\_\_\_ Tax deducted £ \_\_\_\_\_  
Total for year Pay £ \_\_\_\_\_ Tax deducted £ \_\_\_\_\_  
Employer's Widows & Orphans/Life Assurance contributions in this employment £ \_\_\_\_\_  
Final tax code: \_\_\_\_\_  
Week 13 payment advised: ☐

**Certificate by Employer/Paying Office:**  
This form shows your total pay for Income Tax purposes in this employment for the year. Any overtime, bonus, commission etc, Statutory Sick Pay, Statutory Maternity Pay, Statutory Paternity Pay and Statutory Adoption Pay is included.

8911/02 P60 (2003-04)

**Revenue** **Details of employee leaving work** **P45** **Part 1A**  
**Copy for employees**

1 P45 Reference: \_\_\_\_\_  
2 Employer's National Insurance Number: \_\_\_\_\_  
3 Surname: \_\_\_\_\_  
4 Leaving date: \_\_\_\_\_  
5 Tax Code at leaving date: \_\_\_\_\_  
6 Last amount on deduction (P45 only) \_\_\_\_\_  
7 Total pay to date: \_\_\_\_\_  
8 Total tax to date: \_\_\_\_\_  
9 Total gross as this employment: \_\_\_\_\_  
10 Total net as this employment: \_\_\_\_\_  
11 Contractual Student Loan Deductions (if applicable) \_\_\_\_\_

**To the employee**  
This form is important to you. Take good care of it. You may need the information shown on Part 1A when completing your Tax Return you are sent at the end of the tax year. Please also read the notes on Part 2 attached. These notes give some important information about what you should do next and what to do with Parts 2 and 3.

Employer's name, address and postcode: \_\_\_\_\_  
To the new employer: If your new employer gives you this form please detach this Part 1A and return it to them. Deal with Parts 2 and 3 separately.

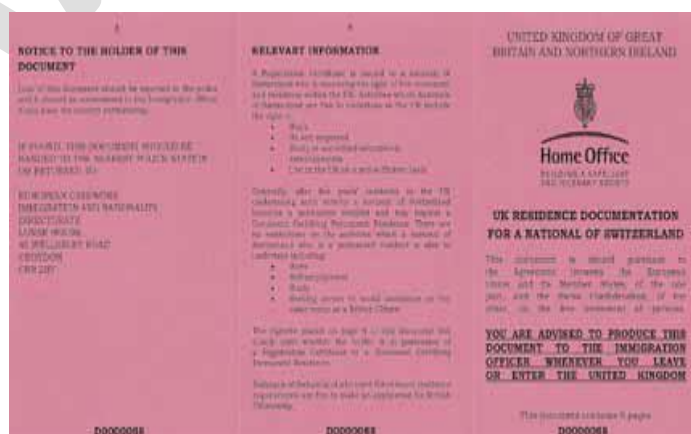
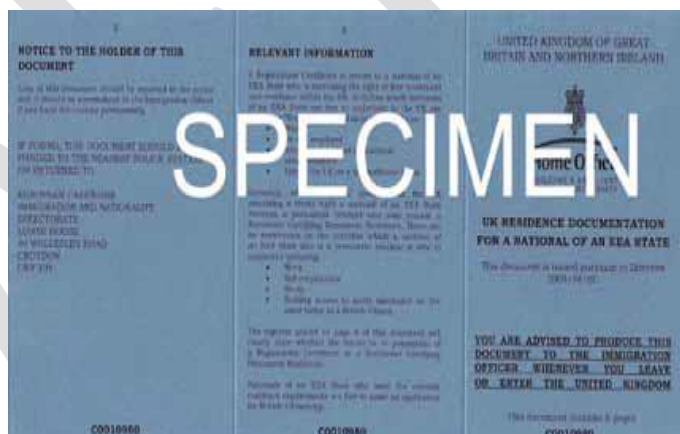
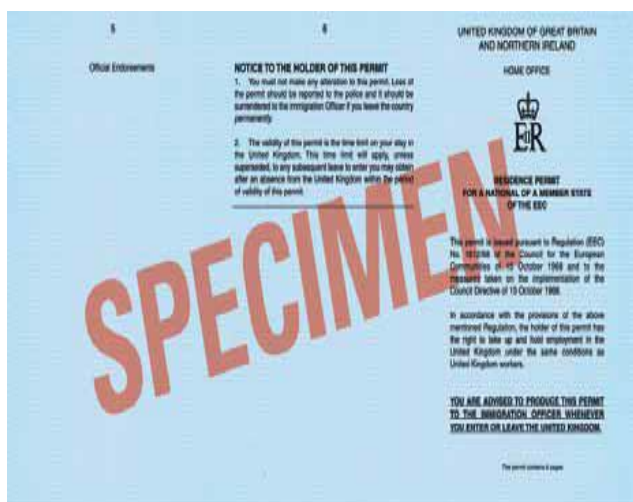
P45(Continuous)

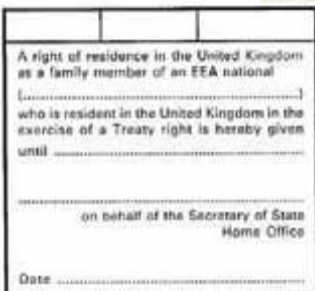




## C. National of European Economic Area (EEA) or Switzerland or a family member of national of EEA or Switzerland

15 B(3) (b) a passport or national identity card which has the effect of identifying A (as either the holder, or a person named in the passport or card as the child of the holder), as a national of an EEA state or Switzerland.



[illegible]

**D. Non – EEA nationals (NB the client must have indefinite leave to remain or is not subject to a time limit on their stay)**

15B (3) (e) a current biometric immigration document issued by the Home Office which indicates that A is allowed to stay indefinitely in the UK, the Channel Islands, the Isle of Man or a British Overseas Territory, or has no time limit on their stay in that territory





15B (3) (g) a current immigration status document issued by the Home Office with an endorsement indicating that A is allowed to stay indefinitely in the UK, the Channel Islands, the Isle of Man or a British Overseas Territory or has no time limit to stay in that territory, and a relevant information document

**Refugee Status**

The person named on this document has been recognised by the Secretary of State as a refugee as defined by the 1951 Geneva Convention relating to the Status of Refugees and its Protocol.

The period for which leave to enter or remain in the United Kingdom has been granted is indicated in the endorsement.

While the period of leave indicated remains valid, the holder is able to work in the United Kingdom without any immigration restrictions limiting the type of work they can undertake.

This Immigration Status Document has been endorsed in place of a valid national passport or travel document and entitles upon the person named leave to enter or remain in the United Kingdom for the period indicated. It does not certify the accuracy of the personal particulars, which are those supplied by the person who made the application. It remains the property of Her Majesty's Government and may be withdrawn at any time. It should not be tampered with or passed to an unauthorised person. Any case of loss or destruction should be immediately reported to the nearest police station and to the Immigration and Nationality Directorate at the address below; only after exhaustive enquiries can a replacement be issued in such circumstances. The Immigration Status Document of a deceased person should be returned to the Immigration and Nationality Directorate for cancellation.

Enquiries about the purpose, use, or validity of this document should be made to the Immigration and Nationality Directorate at:  
Lunar House, 40 Wellesley Road, Croydon, CR9 2BY (telephone 0870 406 7766)

ACD.2151



0000000A

**GIVEN LEAVE TO REMAIN IN THE UNITED KINGDOM FOR AN INDEFINITE PERIOD.**

Signed \_\_\_\_\_

On behalf of the Secretary of State  
Home Office

Date \_\_\_\_\_

**SPECIMEN**

There is at present no time limit on the holder's stay in the United Kingdom.

— ★ —

**ind** ..... **\*\*\***

On behalf of the Secretary of State Home Office

date: \_\_\_\_\_

Given indefinite leave to enter the  
United Kingdom

E. Naturalized British Citizen

15B (3) (l) a certificate of registration or naturalization of A as a British Citizen or a citizen of the UK and colonies and relevant Immigration document

  
HOME OFFICE

British Nationality Act 1981

**Certificate of naturalisation**  
as a

The Secretary of State, in exercise of the powers conferred by the British Nationality Act 1981, hereby grants this certificate of naturalisation to the person named below, who shall be a

from the date of this certificate

Full name

Name at birth if different

Date of birth

Place and country of birth

Issued on the direction of the Secretary of State  
HOME OFFICE LONDON

Certificate No.                      Date

Reference No.                      Section

This certificate does not certify the accuracy of the personal particulars, which are those supplied by the person who made the application.  
Any unauthorised alteration may render this certificate invalid.

**A546646**

  
HOME OFFICE

British Nationality Act 1981

**Certificate of registration**  
as a

The Secretary of State, in exercise of the powers conferred by the British Nationality Act 1981, has registered the person named below as a

Full name

Name at birth if different

Date of birth

Place and country of birth

Issued on the direction of the Secretary of State  
HOME OFFICE LONDON

Certificate No.                      Date

Reference No.                      Section

This certificate does not certify the accuracy of the personal particulars, which are those supplied by the person who made the application.  
Any unauthorised alteration may render this certificate invalid.

**B161006**

  
British Nationality Act 1981

**Certificate of registration**  
as a

The Secretary of State, in exercise of the powers conferred by the British Nationality Act 1981, has registered the person named below as a

Full name

Name at birth if different

Date of birth

Place and country of birth

Issued on the direction of the Secretary of State  
HOME OFFICE LONDON

Certificate No.                      Date

Reference No.                      Section

This certificate does not certify the accuracy of the personal particulars, which are those supplied by the person who made the application.  
Any unauthorised alteration may render this certificate invalid.

**D 002667**

  
British Nationality Act 1981

**Certificate of naturalisation**  
as a

The Secretary of State, in exercise of the powers conferred by the British Nationality Act 1981, hereby grants this certificate of naturalisation to the person named below, who shall be a

from the date of this certificate

Full name

Name at birth if different

Date of birth

Place and country of birth

Issued on the direction of the Secretary of State  
HOME OFFICE LONDON

Certificate No.                      Date

Reference No.                      Section

This certificate does not certify the accuracy of the personal particulars, which are those supplied by the person who made the application.  
Any unauthorised alteration may render this certificate invalid.

**C 009576**

uidar

services