1. **FOR WHICH APPLICATIONS MUST YOU USE FORM COA?**

Form COA must be used if you are applying for a certificate of approval (COA) for marriage or civil partnership in the UK.

People who are subject to immigration control and who do not have indefinite leave to enter or remain in the UK must have a COA in order to be able to give notice to a registrar of their intention to marry or to enter into a civil partnership, unless they entered the UK with a visa for one of these purposes and the visa is still valid.

You must be in the UK to apply.

You do not need a COA if you are getting married in an Anglican church in England and Wales.

2. **QUALIFYING FOR A CERTIFICATE OF APPROVAL**

One of the criteria for being issued with a COA is that your current permitted stay (otherwise known as leave to enter or remain) in the UK must be for more than 6 months and you must have at least 3 months of your permitted stay remaining when you apply for a COA.

You may still apply if you have permission to stay but it is not as described above, or even if your permitted stay has expired. However, to comply with High Court and Court of Appeal judgments, we may write to you for further information to enable us to be satisfied that your proposed marriage or civil partnership is genuine - see page 4 of these guidance notes.

A COA does not give the holder permission to remain in the UK. If your COA application is successful and you marry or enter into a civil partnership with a person who is present and settled in the UK, any application which you subsequently make to remain in the UK as that person’s spouse or civil partner will be decided on its merits.

Please note that under the relevant immigration rules, leave to remain as the spouse or civil partner of a person present and settled in the UK will not be granted if the applicant is under the age of 21 when the application is decided.

3. **WHO MAY APPLY ON THIS FORM?**

Only the person applying for a COA. If your fiancé(e) or proposed civil partner also needs a COA, he or she must apply separately.

4. **THE FEE**

The specified fee for an application on form COA is currently suspended and has been since 9 April 2009. While the fee remains suspended, you are not required to pay any application fee when applying on form COA.
5 WHEN TO APPLY

You should apply at least 3 months before your permitted stay in the UK expires, and you need to have been given permission to stay for more than 6 months - but see part 2 and page 4 of these notes.

6 ENSURING YOUR APPLICATION IS COMPLETE

Your application could be delayed or even refused if it is incomplete. To avoid that, please ensure that you do the following:

- apply on the current version of form COA
- provide photographs of yourself and your fiancé(e) or proposed civil partner as specified in the application form and in the format specified in the separate photograph guidance
- provide all relevant documents specified in the form
- complete every section of the form as required
- make sure that you and your fiancé(e) or proposed civil partner sign and date the declarations in the form.
- send the application by prepaid post to the UK Border Agency address given on the form.

We reserve the right to decide your application on the basis of the information and documents provided. It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

If your fiancé(e) or proposed civil partner is abroad, they must still sign and date the form, and provide photographs of themselves. We also need evidence that they have a fiancé(e) or proposed civil partner visa.

7 COMPLETING THE FORM

Please use a black pen to complete the form; write names, addresses and similar details in capital letters.

In the applicant’s details and other sections where you give personal details and addresses, leave an empty box between each name and each part of the address.

Read the notes in various sections.

Please note that we always use the personal details in your passport or travel document for official purposes, including when issuing a COA.

Take care to complete all sections of the form as required and read the notes.

As already emphasised in part 6 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

8 PHOTOGRAPHS

You must provide the following photographs:

- Two identical passport-size photographs of yourself with your full name written on the back of each one.
- Two identical passport-size photographs of your fiancé(e) or proposed civil partner, with their full name written on the back of each one.

The photographs you provide must be in the format specified in the separate photograph guidance. Please ensure that you place them in a small sealed envelope attached to section 1 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

If your application is successful, the photograph which you provide will be reproduced in the certificate of approval issued to you.

9 DOCUMENTS

Documents provided with the application must be originals. Copies of any kind are not acceptable unless there are valid reasons for not being able to provide the original document. In such circumstances, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary.

The reasons for not being able to provide the original document must be explained in a covering letter. We are unlikely to be able to grant your application without the original document.

Any documents which are not in English must be accompanied by a reliable English translation. Make sure that your passport or travel document is signed.

10 APPLYING BY POST - THE ADDRESS

The address to which you must post an application on form COA is:

UK Border Agency
COA
PO Box 504
Durham
DH99 1WE
Posting it to any other address will delay it. This address is only to be used when sending your application. Please use the address given in part 12 for any other correspondence about your application.

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a pre-paid Special Delivery envelope which is large enough.

11 DECISION TIMES

For the latest information on our service standards for deciding applications in the 2009/10 business year, please go to our website. Applications which are not straightforward or which require further enquiries take longer to decide.

As we can’t tell in advance how long it will take to decide particular cases, our general advice to applicants is not to make any non-urgent travel arrangements until their passport(s) or travel document(s) are returned to them.

12 CONTACTING US AFTER YOU HAVE APPLIED

If you need to contact us after you have applied, please do so as follows.

To send us more information about your application, write to the following address (not the address to which you posted your application):

Initial Consideration Unit - COA
UK Border Agency
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

and give the following details in you letter:

- the applicant’s full name, date of birth and nationality
- any Recorded or Special Delivery number
- the date on which the application was posted
- the Home Office reference number, if you have one.

If you need your passport to travel urgently and unexpectedly, call 0870 606 7766 and give the details listed immediately above.

Your application will not be treated as withdrawn if your passport is returned for travel before it is decided and on your return, you will need to satisfy an immigration officer that you are entitled to be readmitted to the UK. You will also need to be here in person in order to give notice of your intended marriage or civil partnership to a registrar in England and Wales.

13 OBTAINING APPLICATION FORMS

You can obtain application forms, the accompanying guidance notes and the UKBA photograph guidance from our website at www.ukba.homeoffice.gov.uk

14 OTHER ENQUIRIES

For enquiries other than obtaining an application form, consult our website www.ukba.homeoffice.gov.uk.

We also have the following freephone textphone number: 0800 38 98 28 9.

15 CHOOSING AN IMMIGRATION ADVISER

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC). The OISC website at www.oisc.gov.uk contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives. If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

Office of the Immigration Services Commissioner
5th Floor,
Counting House
53 Tooley Street
London
SE1 2QN

Telephone: 0845 000 0046

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on 0870 606 2555 or visit their website at www.sra.org.uk

The address and telephone number for any complaints about a solicitor are:

Legal Complaints Service
Victoria Court
8 Dormer Place
Leamington Spa
Warwickshire
CV32 5AE

Telephone: 0845 608 6565
16 COMPLAINTS ABOUT OUR SERVICE

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information on how to do so.

If you are unable to access the website or if you need further advice after reading the information on the complaints page, please telephone our Immigration Enquiry Bureau on 0870 606 7766.

17 DATA PROTECTION NOTICE

We will treat all information provided by you in confidence but may disclose it to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

We may also use the information provided by you for training purposes.

IMPORTANT INFORMATION FOR APPLICANTS WHO DO NOT HAVE LEAVE TO ENTER OR REMAIN IN THE UK WHICH MEETS THE CRITERIA FOR A CERTIFICATE OF APPROVAL (COA)

Following High Court and Court of Appeal judgments, changes were made to the COA scheme. In 2006 procedures were introduced for applicants who have valid leave to enter or remain in the UK when applying for a COA but not leave which meets the published COA criteria. Further procedures were introduced in 2007 for applicants with no valid leave at the time of application. If you are such an applicant, we may write to you after receiving your application in order to obtain information and supporting evidence to enable us to be satisfied that your proposed marriage or civil partnership is genuine. Any such letter will ask for information about the following:

- When, where and how you and your fiancé(e)/proposed civil partner met
- When you decided to marry or enter into a civil partnership
- Where you intend to live if permitted to marry or to enter into a civil partnership in the UK
- Arrangements for any religious ceremony, including the nature of the ceremony, the person conducting it and relevant contact details
- Arrangements for any reception or celebration, including location, proof of booking and relevant contact details
- Your relationship with your fiancé(e)/proposed civil partner if you are not living together (for example, letters and photographs as evidence of the relationship)
- Your life with your fiancé(e)/proposed civil partner if you are living together, including the address(es), how long you have lived together, and documentary evidence in the form of correspondence addressed to both of you at the same address from gas/electricity/water companies, government bodies, local authorities, financial institutions etc
- Any children from your and your fiancé(e)/proposed civil partner’s present or previous relationships, including where they now live, the length of time any of them have lived with you, the names of their natural parents and who supports them
- Contact telephone numbers for yourself and your fiancé(e)/proposed civil partner in case we need to contact either of you
- Any additional information about yourself and your fiancé(e)/proposed civil partner which you would like us to know about, and/or any additional supporting evidence or documentation which might help your application.

The letter asking for this information will explain that your answers will have to be provided in separate affidavits signed and dated by you and your fiancé(e) or proposed civil partner. An affidavit is a written statement signed on oath and witnessed by a qualified solicitor or notary public.