



Home Office



Relationship with a Partner

Assessing the relationship with a partner based on the Immigration Rules: Appendix Relationship with Partner.

Version 3.0



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Genuine and subsisting relationship requirement (assessing a relationship for the first time)

The section explains how to assess whether a relationship is both genuine and subsisting where an applicant is applying as a partner for the first time based on their current relationship.

Where the applicant and partner are married or in a civil partnership, they will generally have satisfied the genuineness part of this requirement by providing evidence of a valid marriage or civil partnership. Where there is reason to believe this relationship is a sham see guidance Marriage and civil partnership referral and investigation scheme: statutory guidance for Home Office staff. If relevant, apply the guidance on Suitability: sham marriage or civil partnership.

Each relationship is unique in regard to how it started, developed, and has subsisted and it is therefore important to consider each relationship on its own facts and avoid presumptions and unreasonable expectations. Cultural and religious practices may be relevant when assessing whether a relationship is genuine and subsisting. See section on [Cultural awareness](#).

Evidence of a genuine and subsisting relationship

When you consider the relationship for the first time, you should examine the available evidence to satisfy yourself that, on the balance of probabilities, it is genuine and subsisting. This can be done by a combination of all or some of the following:

- information provided by the applicant on the application form
- the signed declaration from the partner that accompanies the application
- evidence provided in support of the application
- where available (in the UK), [direct checks](#) with third parties.

Applicants will be asked on the application form to provide documentary evidence unless [direct checks](#) apply.

There is no specified evidence for proof of relationship so you cannot refuse an application for lack of a particular document but must consider whether you are satisfied that the relationship is genuine and subsisting on the balance of probabilities (in that it is more likely than not the requirements are met).

You should not need to see numerous documents covering an extended period to be satisfied the relationship is genuine and subsisting. However, evidence of a genuine and subsisting relationship is strengthened where there is evidence of living together over time, for example, shared financial responsibilities and household bills over the last 12 months. Depending on the circumstances of the applicant and their partner

some applicants will have more, some will have less, supporting evidence. Cultural awareness is important part of the decision-making process, and you must ensure you reduce the risk of imposing a high burden of proof on applicants.

The [table below](#) shows the types of evidence an applicant can provide to show that they are in genuine and subsisting relationship with their partner. The table divides the evidence into 3 broad categories – strong, acceptable, weak.

Strong evidence is evidence that is issued by an organisation and/or service provider that carries out checks on the person involved, for example their identity, address, immigration status. This evidence is official and verified by the issuing organisation. You should give this evidence the most weight. Where an applicant can show sufficient strong evidence to satisfy you that the relationship is genuine and subsisting, you do not need to see other types of evidence.

Acceptable evidence includes documents issued by a third party organisation or service provider but may not have involved checks on the person involved and therefore may not have been verified as correct by the third party organisation, and/or it may be outdated. You should give this evidence reasonable weight but may want to see more than one piece of such evidence or take account of the applicant's wider circumstances to consider why they have not provided strong evidence.

Weak evidence includes evidence from individuals with no official capacity or has not been verified by the provider of the document. There is a higher chance that such evidence may be false, or it may only indirectly show information relevant to what you are trying to assess. You should give this evidence some weight but may want to see it in combination with one of 2 examples of strong or acceptable evidence. You must take into account the applicant's wider circumstances to consider if there is a reasonable explanation for why they have not provided strong or acceptable evidence. You may want to contact an applicant who has only provided weak evidence to seek more information on their circumstances. You should not refuse an application simply because the applicant has only provided weak evidence. You must assess all the evidence and decide whether you are satisfied on the balance of probabilities (in that it is more likely than not) that the relationship is genuine and subsisting.

Ideally any evidence will show both the applicants' and their sponsoring-partner's names, where it does not, the different pieces of evidence provided should cover the same time period.

See sections on:

- [cultural awareness](#)
- [standard of proof](#)
- [evidential flexibility](#)
- [where there is no documentary evidence for genuine and subsisting relationship](#)

Genuine and subsiding relationship	Strong evidence	Acceptable evidence	Weak evidence
Valid Marriage/civil partnership (where relevant)	Marriage certificate Certificate of civil partnership	-	-
Co-habitation – these documents should show both names, or should link the person who is applying as a partner and their partner-sponsor to the same address over time	Tenancy agreement; mortgage agreement; letter from landlord, documents of ownership deeds Utility Bills – for example council tax; electricity; gas; water Other bills - for example phone; TV licence; cable TV Other official documents linking applicant and partner to same address - driving licences, GP/medical letters, payslips, DWP/HMRC letters	Electoral register confirmation Documentation issued by a student finance body that shows a UK address Other dated, UK addressed domestic bills, for example, veterinary bills or home services/repairs	Letters of support from friends/relatives or religious leaders with British Citizenship Written statement from applicant
Shared financial Responsibilities	Bank statements (joined or individual); mortgage agreement	Insurances; car finances; joined purchases receipts Other domestic bills - home services/repairs, veterinary bills	
Other evidence showing genuine and subsiding relationship (when apart)	Money transfers; bank transactions Birth certificate of children (where relevant) Temporary work contract/employment letter	Flight/train/bus tickets; Holiday bookings	Communication records (certified transcripts) Photographs of times spent together Written statements from applicant Letters of support

Genuine and subsisting relationship	Strong evidence	Acceptable evidence	Weak evidence
	Study course documents		from family, friends, family doctors, religious or tribal leaders

Where there is no documentary evidence of a genuine and subsisting relationship

There will be cases where there is not sufficient documentary evidence to satisfy you a relationship is genuine and subsisting, either through direct checks (where available) or documentary evidence.

Where an applicant cannot provide any documentary evidence to show a genuine and subsisting relationship you must consider any explanation they have provided for the lack of evidence. You must determine whether this is reasonable and whether you are nonetheless satisfied that the relationship is genuine and subsisting.

If the applicant has not provided an explanation of any gaps in evidence on the form, you may contact the applicant and request further evidence: see guidance on evidential flexibility.

If you think you do not have sufficient evidence (both documentary and explanation) to decide whether the relationship is genuine and subsisting you may consider arranging an interview to explore the relationship in more detail before deciding the application. You should discuss with your Senior Caseworker whether an interview would be appropriate in the particular case. For indicators as to when an interview may be appropriate in testing genuineness and substance of a relationship refer to guidance on Marriage investigations.

If you are not satisfied that the applicant and their partner are in a genuine and subsisting relationship, you must refuse the application.

If you think there are grounds for believing the applicant or their partner are involved in a sham marriage or a sham civil partnership you should consider whether triggering a marriage investigation might be appropriate. For indicators of sham marriage, as well as key elements of a marriage interview see guidance on Marriage Investigations. You should also discuss the case with a Senior Caseworker.

Related content
[Contents](#)

Subsisting relationship (second and subsequent applications with the same partner)

This section explains how to assess applications from an applicant who has been successful in their previous application on the basis of their relationship with their current partner.

You must consider if the relationship is subsisting.

Where an applicant has already proven the genuineness of their relationship in a successful application, where there is a subsequent application based on the same relationship, you normally only need to be satisfied the relationship is subsisting. This means that the relationship is current and continuing. You do not need to re-consider whether other relationship requirements are met, as this has already been accepted at previous successful application. You do not need to reconsider evidence already accepted in a previous application.

Generally, a relationship can be accepted as subsisting where the partners' circumstances have not changed, or if they have changed, they have done so in a way that is consistent with the relationship continuing. This usually involves cohabitation, shared financial responsibilities and shared common household responsibilities, however, there may be circumstances where a relationship is subsisting despite the partners living apart.

If the applicant and their partner are not living together, especially if they have not lived together for a while or they have not lived together since the partner came to the UK, you need to be satisfied there is a reasonable explanation for them living apart. A reasonable explanation might include if they cannot live together temporarily due to work, or if one partner is living temporarily with a close family member to provide care. In such cases you will need to be satisfied the living apart is temporary and that despite it the relationship is still subsisting. You should also expect to see additional evidence of commitment such as shared financial responsibility or visits to be satisfied the relationship has not broken down.

However, if, after the first grant of permission, further information comes to light that leads you to suspect the relationship is not genuine, you should consider this again. You can request further evidence if it is needed to satisfy you that the relationship is genuine and you should write to the applicant to request this or follow guidance on Marriage and civil partnership referral and investigation scheme: statutory guidance for Home Office staff. If relevant, apply the guidance on Suitability: sham marriage or civil partnership.

Evidence of a subsisting relationship

Applicants for settlement will not be asked on the application form to provide documentary evidence of their relationship subsisting unless their circumstances have changed since their last application for permission.

You can assess that a relationship is subsisting through a combination of:

- information provided by the applicant on the application form
- direct checks with third parties

You will only need to see documentary evidence where you are not satisfied the relationship is subsisting, in such cases you should write to the applicant to [request evidence](#).

Direct checks (where both partners are in the UK)

Where the couple are both living in the UK, you may use direct checks to assess whether a relationship is durable and / or subsisting.

Official – sensitive: start of section

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