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STATUTORY INSTRUMENTS

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**2000 No. 1161**

**The Immigration (Leave to Enter and Remain) Order 2000**

**PART IV**

**LEAVE WHICH DOES NOT LAPSE ON  
TRAVEL OUTSIDE COMMON TRAVEL AREA**

**[<sup>F1</sup>Partners and children of <sup>F2</sup>... Crown servants etc**

**13B.—**(1) This article applies to a person who has—

- (a) limited leave—
  - (i) as the partner or child of a British citizen or person who is settled in the United Kingdom under Appendix FM to the immigration rules (“Appendix FM”), or
  - (ii) outside the provision of the immigration rules on the basis of family life under article 8 of the European Convention on Human Rights (“article 8”), or
- (b) indefinite leave [<sup>F3</sup>, other than unlimited leave granted by virtue of Appendix EU to the immigration rules].

(2) The period mentioned in article 13(4)(a) does not include any period during which the person is accompanying their partner or parent if—

- (a) the partner or parent is posted outside the United Kingdom [<sup>F4</sup>and Islands] in employment falling within paragraph (3); and
- (b) the partner or parent—
  - (i) is a British citizen, [<sup>F5</sup>or ]
  - (ii) has indefinite leave. <sup>F6</sup>...
  - <sup>F6</sup>(iii) .....

(3) Employment falls within this paragraph if it is—

- (a) employment in the British Council as a permanent member of that Council; or
- [<sup>F7</sup>(b) employment on Crown service.]

(4) In this article—

- (a) a person’s partner means—
  - (i) in relation to a person to whom paragraph (1)(a) applies, the partner in respect of whom the person has limited leave under Appendix FM or outside the provision of the immigration rules on the basis of family life under article 8;
  - (ii) in relation to a person to whom paragraph (1)(b) applies—
    - (aa) the spouse or civil partner of that person,
    - (bb) the fiancé(e) or proposed civil partner of that person, or

- (cc) someone who has been living together with that person in a relationship akin to a marriage or civil partnership for at least two years;
- (b) a person's parent—
- (i) in relation to a person to whom paragraph (1)(a) applies, means the parent in respect of whom they have limited leave under Appendix FM or outside the provisions of the immigration rules on the basis of family life under article 8;
  - (ii) in relation to a person to whom paragraph (1)(b) applies, is to be construed in accordance with paragraph 6 (interpretation) of the immigration rules.]

#### Textual Amendments

- F1** Art. 13B inserted (23.11.2016) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2016 (S.I. 2016/1132), arts. 1(2), **2(6)**
- F2** Word in art. 13B heading omitted (30.3.2019) by virtue of The Immigration (European Economic Area Nationals) (EU Exit) Order 2019 (S.I. 2019/686), arts. 1(3), **8(5)(a)**
- F3** Words in art. 13B(1)(b) inserted (30.3.2019) by The Immigration (European Economic Area Nationals) (EU Exit) Order 2019 (S.I. 2019/686), arts. 1(3), **8(5)(b)**
- F4** Words in art. 13B(2)(a) inserted (30.3.2019) by The Immigration (European Economic Area Nationals) (EU Exit) Order 2019 (S.I. 2019/686), arts. 1(3), **8(5)(c)**
- F5** Word in art. 13B(2)(b)(i) inserted (31.12.2020) by The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **27(2)(a)** (with reg. 27(3))
- F6** Art. 13B(2)(b)(iii) and word omitted (31.12.2020) by virtue of The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **27(2)(b)** (with reg. 27(3))
- F7** Art. 13B(3)(b) substituted (30.3.2019) by The Immigration (European Economic Area Nationals) (EU Exit) Order 2019 (S.I. 2019/686), arts. 1(3), **8(5)(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Immigration (Leave to Enter and Remain) Order 2000, Section 13B.