

Indefinite Leave to Remain

This information relates to the EU Settlement Scheme (EUSS) only. Find guidance for ILR holders on [GOV.UK](https://www.gov.uk)

Do you hold Indefinite Leave to Remain (ILR) which you obtained prior to the introduction of the EUSS, or before 1 January 2021?

Are you thinking about applying to the EUSS?

In August 2023, the UK Home Office introduced the Reasonable Grounds Test (RGT) for late applicants to the EUSS. The IMA is currently considering if the requirements of the RGT could impact citizens with ILR and their eligibility for status under the EUSS.

Whilst this work is ongoing, it is important to understand what your rights are under Indefinite Leave to Remain, and what this type of immigration status means.



I have ILR, what are my rights?

If you hold ILR, granted before 1 January 2021, you already have the right to live, work and study in the UK without restrictions, provided you do not remain outside the UK for more than 2 consecutive years.

How can I prove my ILR status?

If your ILR was granted outside the EUSS route, you may evidence your immigration status with any of the following documents:

- **Stamp, or vignette in your passport**
- **Letter from the Home Office**
- **Biometric Residence Permit (BRP)**

All BRPs are now expired, you can use it for 18 months after the expiry date printed on the card in certain circumstances - you should keep your expired BRP as it may help with future applications to stay in the UK

- **eVisa**

In order to access an eVisa you will need to set up a UKVI account
There is no fee for creating an eVisa account



What if I do not have a document which proves my ILR?

If you no longer have the physical documents listed above to evidence your status, as they have been lost or stolen, you can make a no time limit application (NTL) to apply for confirmation of your ILR status.

A successful NTL application results in an eVisa being issued which will act as digital proof of your ILR status. The NTL application is free of charge.

Can I apply to the EUSS?

If you hold ILR, you do not need to apply to the EUSS as you already have the right to remain in the UK.

If you held ILR before 1 January 2021 and you are an EU, EEA or Swiss citizen, or family member, you may be eligible to apply for status through EUSS.

Since August 2023, the Home Office requires late EUSS applications to meet the Reasonable Grounds Test. If you hold ILR and wish to apply to the EUSS after the deadline, you must explain why you did not apply earlier. If accepted, your application may still be considered and progress through the full process, beginning with the Validity Stage.

Making an informed choice

The decision to apply to EUSS is a personal one. The benefits of each route may vary depending on individual circumstances.

It is important that you seek immigration advice if you are considering applying to any new immigration status.

Here is a [list of support networks](#) that may be able to offer you advice.

Learn more about [your rights](#).