



# 華人資料及諮詢中心 Chinese Information and Advice Centre

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Summer 2010

## Immigration

### English Rules Tightened for Immigrant Partners

From the 29<sup>th</sup> November 2010 ministers are bringing forward measures that require any migrant marrying a UK citizen to prove they have a command of English. The measures, which Labour had planned to introduce in July 2011, will apply to partners coming to the UK from areas outside the EU, such as South Asia.

Home Secretary Theresa May said the move would "help promote integration". Campaigners said they supported efforts to help immigrants learn English, but the plans were discriminatory. Under the new rules, anyone from outside the EU applying for a visa to join their spouse or partner will have to prove they have a basic command of English, to help them get by in daily life, before their application is approved. (The measure also applies to same-sex partners.)

At present, visa applicants have only to show that their marriage or partnership is a genuine one and that they can financially support themselves.

Under the new rules, applicants will have to show their grasp of English is at the same level of at least a five to seven-year-old. The Home Secretary said "I believe being able to speak English should be a pre-requisite for anyone who wants to settle here." (more info on UKBA website)

Immigration Minister Damian Green told the BBC the move would benefit immigrants and help them to "integrate fully" into the local and national community. He said many immigrants; especially women who could not speak English properly became isolated from the community around them. The spousal visa allows someone to stay for two years, after which they can apply for indefinite leave to remain. Applicants must then pass a further test on life and language in the UK.

### Exemptions

The applicant will not need to meet the English language requirement if they provide satisfactory evidence demonstrating that they are:

- Aged over 65 at the time they make their application.
- That they have a physical/ mental condition preventing them from meeting the requirement.
- That there are exceptional compassionate circumstances preventing them from meeting the requirement.

### **New Versions of Application Forms and Guidance for Points-based System Applicants**

On the 30<sup>th</sup> of July 2010 the UK Border Agency (UKBA) published new versions of the following application forms under the points-based system:

- Tier 1 (Entrepreneur)
- Tier 1 (Investor)
- Tier 1 (Post-study work)
- Tier 2 (all categories)
- Tier 4 (Child)
- Tier 5 (Temporary worker)
- Dependants of points-based system applicants
- Change of circumstances

All applicants will be required to use these new forms.

Also on the 30<sup>th</sup> of July 2010 we published new versions of our policy guidance in the following categories of the points-based system: Tier 2, Tier 5 (Temporary Worker) and dependants of points-based system applicants

For more information please visit the UKBA website.



London  
Probation Trust



## Refugee & Asylum Project

### Supreme Court Judgement on Failed Asylum Seekers

Recently the Supreme Court ruled that Article 11 of the EU Reception Conditions Directive should apply in some circumstances to failed asylum seekers who have exhausted their appeal rights. This means that failed asylum seekers who have made further submissions asserting they have a fresh claim for asylum which has been outstanding for 12 months or more will now be entitled to apply for permission to work.

The UK Border Agency is aware that there are significant numbers of failed asylum seekers who may consider themselves entitled to apply for permission to work in light of the judgment. In order to ensure good administration of those applications, fair processes and the effective implementation of the judgment, we will not process any permission to work applications from failed asylum seekers whose further submissions have been outstanding for more than 12 months until that announcement.

### Chen-Style Tai Chi



Instructor: Master Guang Ying TANG  
 Date: Every Sunday.  
 Time: 10am - 11am  
 Venue: Dragon Hall Trust, 17 Stukeley Street, WC2B 5LT  
 Cost: £3 per session  
 For more information please contact Catherine / Jaime at telephone no. 08453131868  
 Email: [catherine@ciac.co.uk](mailto:catherine@ciac.co.uk) / [jaime@ciac.co.uk](mailto:jaime@ciac.co.uk)

### Refugee Migrant Justice and Finding a Legal Representative

The UK Border Agency has been informed that the charity Refugee and Migrant Justice have entered administration due to financial difficulties. If you are represented by Refugee and Migrant Justice and wish to find new representation please read our information on finding legal advice to be found on our website.

The Legal Services Commission has also published a list of legal aid providers who operate in the same areas of the country as Refugee and Migrant Justice. The list can be found on the Legal Services Commission website. You can also contact Community Legal Advice via 0845 345 4345 to obtain details of other legal aid representatives in your area.

### New immigration and nationality fees

Revised immigration fees set at or below the cost of processing have come into effect. The new fees announced on the 9<sup>th</sup> of September. They are listed in the UK Border Agency fees table which you can find on their website under 'Fees for our services' section.

In line with the new fees, the UKBA has published new versions of the following application forms and guidance:

- NTL form and guide
- TOC form and guide
- Tier 5 (Temporary worker) form
- PBS Dependant form
- Tier 4 (Help text leaflet form) (G)

### Update to the Tier 2 policy guidance for skilled workers

As of the 1<sup>st</sup> of October 2010 the UKBA has published revised policy guidance for Tier 2 of the points-based system (version 10/10). You can download the policy guidance and the table of changes from [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk)

## Women Support Services

### Requirements for Indefinite Leave to Remain in the UK as the Victim of Domestic Violence

According to the UK Border Agency, indefinite leave to remain in the United Kingdom as the victim of domestic violence may be granted provided the Secretary of State is satisfied that each of the following requirements is met:

- (i) The applicant was admitted to the UK for a period not exceeding 27 months or given an extension of stay for a period of 2 years as the spouse or civil partner or the unmarried or same sex partner of a person present and settled here; and
- (ii) The relationship with their spouse or civil partner or unmarried partner or same-sex partner (as appropriate) was subsisting at the beginning of the relevant period of leave or extension of stay referred to in (i) above; and
- (iii) The applicant is able to produce such evidence as may be required by the Secretary of State to establish that the relationship was caused to permanently break down before the end of that period as a result of domestic violence.

#### Book Donation

If you have any unwanted or second hand Chinese books please either drop them off to the centre at:

#### **CIAC**

Lower Ground Floor,  
London Chinatown Market ,  
71-73 Charing Cross Road,  
London WC2H 0NE

Or for a substantial amount of books we can come to collect them. These books will be given to Chinese prison detainees in the UK who often lack any reading material in Chinese.

### Greenwich Domestic Violence Workshop



Photograph: Yan Zeng with Greenwich Housing Services Staff

Our Women’s Support Project Worker Yan Zeng and our volunteer Sin Yee held a domestic violence workshop with the Housing Services staff from the Greenwich Council on the 4<sup>th</sup> of August 2010.

Yan gave a very informative presentation which was followed by an interactive discussion session. She said the aim of this workshop was to raise awareness of domestic violence within the community and raise issues the Council’s staff may face when they come across Chinese families due to different cultures and background. She was pleased that the workshop was successful and is hoping to deliver more workshops across various targeted boroughs in the very near future.



Photograph: CIAC reception area



Photograph: Outside CIAC

**CIAC's News****CIAC's 5th Annual Charity Canal Cruise**

**Photograph: Despite the uncertain weather, everybody seems to be having a good time.**

The 5th Annual Charity Canal Cruise, which was held on Sunday the 22nd of August 2010 was another successful and memorable fundraising event recently organised by the Chinese Information and Advice Centre (CIAC). The CIAC thanks all the parties who participated.



Chairman Edmond Yeo thanked friends and supporters of CIAC who joined the Cruise and remarked that their support and donations to CIAC's fundraising events were crucial to help continue its charity work helping the Chinese community, as funding is getting more difficult to obtain from the government.

**Editorial Team**

Jaime Law  
Vanessa Lye

*(If undelivered, please kindly return to CIAC.)*

**Mobile Phone Recycling**

The Chinese Information and Advice Centre (CIAC) works with Recycle4Charity to recycle any old, faulty or unused mobile phones or printer cartridges. Mobiles and printer cartridges donated will be reconditioned and sold to developing countries to help their communications infrastructure. Mobile phones that cannot be reconditioned are recycled and disposed properly. This is not only environmentally friendly but also generates income for CIAC to give free legal advice or projects in supporting the disadvantaged Chinese living in the UK. To donate, please leave the goods at the CIAC office or post to the following freepost address:  
Recycle4Charity (Ref: C19975 CIAC)  
Freepost, SAE 14098  
Lewes, BN8 5BR

Please telephone 0845 3131 868 for Ben Lam or visit our website for more information.

**Summer Study Tour in London**

A group of 20 students from the Hong Kong Polytechnic University's Department of Applied Social Sciences made use of their summer holidays by taking part in a Study Tour in London. It was CIAC's pleasure to have them with us on Monday the 16<sup>th</sup> of August 2010. This tour was accompanied by their Programme Director Teresa Tsien and the Lecturer Dr Jenny Hui Lo.



CIAC's Chairman Edmond Yeo gave a brief but very informative welcome introduction to all the visitors. Shortly after CIAC's staff gave short speeches to explain how the centre helps the Chinese community in London. The visit was ended with a very interactive Q&A session.

