



UK Visas  
& Immigration

Premium Services Centre  
Network  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY

Tel: 0300 123 2241  
Fax: 0208 196 4098  
[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

10 September 2015

[request-261471-c28a1b28@whatdotheyknow.com](mailto:request-261471-c28a1b28@whatdotheyknow.com)

Dear

**Re: Your query regarding Tier 2 Applicants applying for Leave from 6<sup>th</sup> April and any Immigration Health Surcharge Refund owed to them when they qualify for Long Residency.**

Thank you for your email dated 31 March regarding the query above.

I apologise for the severe delay in responding and confirm a letter will be sent separately to the Information Commissioner regarding the reasons for this delay which, as you correctly point out, is far longer than the 20 days set out for a response under the Freedom of Information Act 2000. The answer to your full original query is set out for ease of reference underneath your question which is shown in bold and italics below.

By way of explanation your request will be answered outside of the scope of the Freedom of Information Act 2000. This is because your request for information does not fall for consideration under section 1 of the Act which covers the general right of access to information held by a public authority. Your request is not one relating to information we might hold but instead concerns our policy on Immigration Health Surcharge refunds.

***1. I understand that applicants applying to extend their Tier 2 visa from April 2015 will have to pay the NHS Surcharge of £200/ month upfront, which is £600/person for the duration of the 3 year visa.***

***I would like to know what happens to those applicants who are applying to extend their Tier 2 leave, but will qualify for ILR through the 10 years long residence route after 6 months of visa application. Will the NHS surcharge for the remaining 2 and***

***half months be refunded as surely this fee is not applicable to permanent non-EU resident?***

***It wouldn't be fair on new applicants acquiring ILR to be paying for NHS charges when other permanent non-EU residents are exempted.***

At the time you wrote to us the position was that Tier 2 customers either paid for up to 3 years I.H.S surcharge (£600) or paid for up to 5 years (£1000). This was deemed to be unfair and now the position for Tier 2 applicants is that they only pay the IHS surcharge that matches their contract term. For example, someone working for 3 years would pay £600 and someone only working for 2 years only pays £400. If during their term of employment they become eligible for ILR and are successful with their application then any overlapping period of Leave will be refunded. However, a decision needs to have been taken on their application before this happens.

Your query has been answered as a general enquiry rather than an enquiry about a specific applicant in which instance the "Whatdotheyknow" website is not an appropriate forum to use in the provision of information about a specific application.

Thank you for your enquiry and once again may I apologise for the very lengthy delay you have experienced in hearing from us.

Yours Sincerely,

P Edwards

Premium Service Centre Network  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY