

Guidance

Coronavirus (COVID-19): Turkish applicants for UK visas

Guidance for Turkish ECAA applicants both in and outside of the UK who need to apply for leave and are affected by restrictions associated with coronavirus.

From: **Home Office**

(/government/organisations/home-office) and **UK**

Visas and Immigration

(/government/organisations/uk-visas-and-immigration)

Published 15 December 2020

This guidance was withdrawn on 3 September 2021

This guidance is out of date. Further information on the conditions to be met for applying for leave (including indefinite leave to remain) as a Turkish European Communities Association Agreement worker, business person or family member can be found at:

[Turkish worker visa guidance \(https://www.gov.uk/turkish-worker\)](https://www.gov.uk/turkish-worker)

[Turkish businessperson visa guidance \(https://www.gov.uk/turkish-businessperson\)](https://www.gov.uk/turkish-businessperson)

[Apply for settlement if you're a Turkish Worker or Businessperson \(https://www.gov.uk/turkish-worker-businessperson-settlement\)](https://www.gov.uk/turkish-worker-businessperson-settlement)

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Further information on the conditions to be met for applying for leave (including indefinite leave to remain) as a Turkish European Communities Association Agreement worker, business person or family member can be found at:

- [Turkish worker visa guidance \(https://www.gov.uk/turkish-worker\)](https://www.gov.uk/turkish-worker)
- [Turkish businessperson visa guidance \(https://www.gov.uk/turkish-business-person\)](https://www.gov.uk/turkish-business-person)
- [Apply for settlement if you're a Turkish Worker or Businessperson \(https://www.gov.uk/turkish-worker-business-person-settlement\)](https://www.gov.uk/turkish-worker-business-person-settlement)

If you're prevented from returning to the UK because of coronavirus and your leave expires

You'll need to apply for further ECAA leave if you're prevented from returning to the UK during coronavirus travel restrictions, or are ill with coronavirus, and your ECAA leave has expired.

You should apply for ECAA entry clearance at the earliest opportunity (and before 31 December 2020). Absences caused by the inability to return to the UK before the expiry of leave will not affect ECAA rights built up to that point.

You'll need to provide evidence or information confirming the restrictions or coronavirus illness that prevented your return to the UK. Such evidence may take the form of:

- advice such as a government website confirming that only essential travel between the UK and Turkey is (or at the relevant time was) permitted
- emails or other correspondence from an airline confirming that flights to the UK are or were cancelled as a result of coronavirus
- in all cases, a supporting letter with your application outlining the details and the dates you were ill or were in quarantine

This list is not exhaustive, and each case will be assessed on its own merits.

If you're in the UK and your leave expired between 24 January 2020 and 31 July 2020

If you had an ECAA visa that expired between 24 January 2020 and 31 July 2020 you were able to request an extension if you were not able to return home because of travel restrictions or self-isolation related to coronavirus.

You cannot extend your visa automatically and you're expected to take all reasonable steps to leave the UK where it is possible to do so or apply to regularise your stay in the UK.

Further information can be found on the [advice for UK visa applicants and temporary UK residents \(https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents\)](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents) guidance page.

If you're applying for indefinite leave to remain (ILR) under Appendix ECAA and have been absent from the UK for up to 180 days in any one year because of coronavirus

One of the requirements for Turkish ECAA workers or business persons, and their family members applying for ILR under Appendix ECAA is that they have been resident in the UK for a continuous period of 5 years.

For the purposes of calculating continuity of residence, continuity is not affected by absences from the UK which are less than 180 days in total in any single, rolling year.

This means you will not have to start your 5-year continuous residence period again where your absences from the UK do not exceed this threshold, including for reasons associated with coronavirus restrictions or illness.

If you're applying for indefinite leave to remain (ILR) under Appendix ECAA and have been absent from the UK for more than 180 days in any one year because of coronavirus

Absences of more than 180 days in a 12-month period will usually mean the continuous period of residence has been broken for the purposes of an ILR application, unless an exemption applies.

The only exceptions are where you're absent because you're assisting with a national or international humanitarian crisis or helping with an environmental crisis overseas.

If you have been absent from the UK for more than 180 days as a result of either coronavirus illness and/or travel restrictions associated with coronavirus, that absence may be justified as a 'serious or compelling reason' and result in indefinite leave being granted outside the rules.

You must provide evidence in the form of a supporting letter which outlines your absence, including:

- dates you were ill or in quarantine
- details of the compelling reason for the absence
- any supporting documents, for example medical certificate or evidence of disruption to travel arrangements where available

If you're a Turkish ECAA business person and your business ceases trading or suffers severely reduced profits because of coronavirus

Discretion can be exercised by caseworkers if you're applying for an extension of ECAA leave and your 2020/21 financial year profits are impacted due to the UK's coronavirus restrictions.

Discretion would include overlooking the need for the existing business to be viable as demonstrated by the production of recent accounts during any period of coronavirus restrictions.

Examples of factors to be taken into account include:

- how long the business has been in operation
- its viability excluding the coronavirus circumstances
- previous profits
- use of any coronavirus-related schemes supporting businesses such as the issuing of loans or grants

Each case would be assessed on its own merits.

If you're a Turkish ECAA worker and you have been furloughed as a result of coronavirus

If you're a Turkish ECAA worker who is, or was furloughed (temporarily relieved of their normal work duties or responsibilities under the Coronavirus Job Retention Scheme) you will continue to be treated as being in work during this period if you:

- were in genuine and effective employment in line with the conditions of your ECAA leave immediately before being furloughed, and
- remained under contract with your employer

If you meet these criteria, any time spent on furlough will be treated as time spent in work and will not break your continuity of residence in the UK.

You should provide evidence of this in support of your application for documentation in the form of letters from your employer or DWP / HMRC confirming payment of salary during the period of furlough.

If you're a Turkish ECAA worker and become involuntarily unemployed because of coronavirus

You'll normally retain your worker status where you're temporarily unable to work as a result of illness or accident.

If you have lost your job or are unable to work due to coronavirus illness or restrictions, you should provide evidence such as a letter from your employer confirming the reasons for your involuntary unemployment or medical evidence such as a doctor's letter.

You will not need to provide evidence that you are or were registered with a Jobcentre Plus or actively seeking work.

If you subsequently seek a further period of ECAA worker leave you'll need to meet the conditions as set out in the [Turkish ECAA employed guidance \(https://www.gov.uk/government/publications/ecaa-turkish-employed-applications\)](https://www.gov.uk/government/publications/ecaa-turkish-employed-applications).

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