

**CHAPTER 17  
SECTION 6****RESEARCH ASSISTANTS  
TO MEMBERS OF PARLIAMENT****1. INTRODUCTION**

Overseas nationals engaged as research assistants to Members of Parliament may be admitted for this purpose without a work permit as a concession outside the Rules. These research assistants will normally be expected to be students coming to the United Kingdom to observe and learn about British government and politics before returning abroad to resume their studies or career.

**2. LEAVE TO ENTER**

A person seeking leave to enter as a research assistant will need to satisfy the immigration officer that he meets the requirements set out in paragraph 2.1 below. Entry clearance is not mandatory, but the passenger must be able to produce documentary evidence to confirm his appointment as a research assistant with the MP concerned.

**2.1. Key points**

To benefit under the concession the passenger as well as providing evidence of his appointment must be able to show that:

- ◆ he can maintain and accommodate himself without recourse to public funds; and
- ◆ he is not being paid more than reasonable expenses from a United Kingdom source; and
- ◆ his stay in the United Kingdom for this purpose should be incidental to his studies or career abroad.

**2.2. Granting leave to enter**

Leave to enter should be granted for up to 12 months on Code 4. Non Commonwealth research assistants are required to register with the police if admitted for more than 3 months.

**2.3. INDECS**

- O Other person on limited leave

#### 2.4. Refusal of leave to enter

Where a passenger is appointed to an established, salaried post or a genuine work vacancy then he should be refused leave to enter on the basis that it is employment for which a work permit is required *except* where the passenger is applying for entry under the BUNAC scheme. See *Chapter 17, Section 1 "BUNAC students"*.

*ANNEX C (below) provides examples of refusal formulae*

#### 2.5. On entry refusal codes

- B1 For employment without a work permit

### 3. LEAVE TO REMAIN

Further leave to remain may be granted up to a maximum *total* stay of 12 months. Applications for leave to remain in this capacity beyond 12 months should be refused under Paragraph 46 of the Rules. The refusal notice should be accompanied by a covering letter explaining that the applicant has been treated under a concession but the Secretary of State is not prepared to exercise discretion further.

#### 3.1. Switching

A person admitted under this concession should be treated as a visitor and any application to switch into employment should normally be refused.

#### 3.2. INDECS

- F6 Other permit free

#### 3.3. Refusal of leave to remain

Where the exercise of discretion is not deemed appropriate the application should be refused in the normal way. Refusal under paragraph 131 (i) of HC 395 should normally be appropriate together with a covering letter stating that the Secretary of State has considered the exercise of discretion but is not prepared to exercise discretion on this occasion.

The *General Guidance on Adverse Decisions at Chapter 9, Section 1* provides important advice about the decision making process and should be consulted whenever an application falls to be refused.

*ANNEX C (below) provides examples of refusal formulae*

3.4. **INDECS**

W7 No switching