

**CHAPTER 4
SECTION 6**

**DEPENDANTS OF EXCHANGE TEACHERS, ETC
HERE UNDER TWES**

REFUSAL FORMULAE

PLEASE NOTE: *The following wordings are examples - they do not constitute an exhaustive list of all possible formulae.*

SPOUSES

ON ENTRY

"You have asked for leave to enter the United Kingdom as the spouse of a person admitted to the United Kingdom as a [category] but under the Immigration Rules you are required to have a valid entry clearance for this purpose and you have no such entry clearance"

Paragraph 124

** No entitlement to appeal by virtue of Section 13(3B)(a)*
{Refusal Code E4}

SPOUSES

AFTER ENTRY

"[You have applied/An application has been made on your behalf] for leave to remain in the United Kingdom as the [husband/wife] of a [teacher/language assistant/person on approved [training/ work experience]] ..."

No switching

"... but the Secretary of State is not satisfied that you entered the United Kingdom with a valid United Kingdom entry clearance as the [husband/wife] of a [teacher/language assistant/person on approved [training/work experience]]."

Paragraph 124 with reference to 122(vi)

** No entitlement to appeal by virtue of Section 14(2A)(a)*
{INDECS Code: }

Sponsor's application refused - no switching

"... but your [husband/wife]'s application for leave to remain has been refused because [he/she] was not admitted to the United Kingdom with a valid [United Kingdom entry clearance as a teacher or language assistant/work permit from Work Permits (UK) issued under the Training and Work experience scheme]."

Paragraph 124 with reference to 122(i)

{INDECS Code: }

Sponsor's application refused - no current work permit

"... but your [husband/wife]'s application for leave to remain has been refused because [he/she] does not have Department of Employment approval for an extension of stay in this category."

Paragraph 124 with reference to 122(i)

* *No entitlement to appeal by virtue of Section 14(2A)(a)*

{INDECS Code: }

Sponsor's application refused - age grounds

"... but your [husband/wife]'s application for leave to remain has been refused on age grounds."

Paragraph 124 with reference to 122(i)

* *No entitlement to appeal by virtue of Section 14(2A)(b)*

{INDECS Code: }

Sponsor's application refused - other reasons

"... but your [husband/wife]'s application for leave to remain has been refused."

Paragraph 124 with reference to 122(i)

{INDECS Code: }

Not related as claimed

"... but [? in view of ...] the Secretary of State is not satisfied that you are married to a person admitted to or allowed to remain in the United Kingdom [as a [teacher/language assistant]/on approved [training/work experience]]."

Paragraph 124 with reference to 122(i)

{INDECS Code: }

Spouse not in UK or not in appropriate category within UK

"... but [? in view of ...] the Secretary of State is not satisfied that you are married to a person admitted to or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/on approved [training/ work experience]]."

Paragraph 124 with reference to 122(i)

{INDECS Code: }

Intention to live as husband and wife

"... but [? in view of ...] the Secretary of State is not satisfied that you and your spouse intend to live with each other as husband and wife during your stay."

Paragraph 124 with reference to 122(ii)

{INDECS Code: }

Marriage not subsisting

"... but [? in view of ...] the Secretary of State is not satisfied that the marriage is subsisting."

Paragraph 124 with reference to 122(ii)

{INDECS Code: }

Accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that there will be adequate accommodation for you and your wife/husband and any dependants without recourse to public funds in accommodation of your own or which you occupy exclusively."

Paragraph 124 with reference to 122(iii)

{INDECS Code: }

Maintenance

"... but [? in view of ...] the Secretary of State is not satisfied that you and your wife/husband will be able to maintain yourselves and any dependants adequately without recourse to public funds."

Paragraph 124 with reference to 122(iv)

{INDECS Code: }

Intention to leave

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to stay in the United Kingdom beyond any period of leave granted to your spouse.

Paragraph 124 with reference to 122(v)

{INDECS Code: }

SPOUSES

ENTRY CLEARANCE

"[You have applied/An application has been made on your behalf] for entry clearance to the United Kingdom as the [husband/wife] of a [[teacher/language assistant] on an approved exchange scheme/person on approved [training/work experience]] ..."

Not related as claimed

"... but [? in view of ...] the Secretary of State is not satisfied that you are married to a person [who is to be] admitted to or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/on approved training or work experience]."

Paragraph 122(i)

Spouse refused entry clearance

"... but [his/her] application for entry clearance in that capacity has been refused and consequently the Secretary of State is not satisfied that you are married to a person who is to be admitted to or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/on approved training or work experience]."

Paragraph 122(i)

** No entitlement to appeal by virtue of section 13(3B)(a)*

Spouse not in UK or not in appropriate category within UK

"... but [? in view of ...] the Secretary of State is not satisfied that you are married to a person admitted to or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/on approved training or work experience]."

Paragraph 122(i)

Intention to live as husband and wife

"... but [? in view of ...] the Secretary of State is not satisfied that you and your spouse intend to live with each other as husband and wife during your stay."

Paragraph 122(ii)

Marriage not subsisting

"... but [? in view of ...] the Secretary of State is not satisfied that the marriage is subsisting."

Paragraph 122(ii)

Accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that there will be adequate accommodation for you and your [husband/wife] and any dependants without recourse to public funds in accommodation of your own or which you occupy exclusively."

Paragraph 122(iii)

Maintenance

"... but [? in view of ...] the Secretary of State is not satisfied that you and your [husband/wife] will be able to maintain yourselves and any dependants adequately without recourse to public funds."

Paragraph 122(iv)

Intention to leave

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to stay in the United Kingdom beyond any period of leave granted to your [husband/wife]."

Paragraph 122(v)

CHILDREN

ON ENTRY

"You have asked for leave to enter the United Kingdom as the child of a person admitted to the United Kingdom as a [category] but under the Immigration Rules you are required to have a valid entry clearance for this purpose and you have no such entry clearance"

Paragraph 127

** No entitlement to appeal by virtue of Section 13(3B)(a)*

{Refusal Code E4}

AFTER ENTRY

"[You have applied/An application has been made on your behalf] for leave to remain in the United Kingdom as the child of a [teacher/language assistant/person on approved [training/work experience]] ..."

No switching

"... but the Secretary of State is not satisfied that you entered the United Kingdom with a valid United Kingdom entry clearance as the child of a [teacher/language assistant/person on approved [training/work experience]]."

Paragraph 127 with reference to 125(vii)

** No entitlement to appeal by virtue of Section 14(2A)(a)*

{INDECS Code: }

Parent's application refused - no switching

"... but your [mother/father]'s application for leave to remain has been refused because [he/she] was not admitted to the United Kingdom with a valid [United Kingdom entry clearance as a teacher or language assistant/work permit from Work Permits (UK) issued under the Training and Work experience scheme]."

Paragraph 127 with reference to 125(i)

** No entitlement to appeal by virtue of Section 14(2A)(a)*

{INDECS Code: }

Parent's application refused - no current work permit

"... but your [mother/father]'s application for leave to remain has been refused because [he/she] does not have Department of Employment approval for an extension of stay in this category."

Paragraph 127 with reference to 125(i)

{INDECS Code: }

Parent's application refused - age grounds

"... but your [mother/father]'s application for leave to remain has been refused on age grounds."

Paragraph 127 with reference to 125(i)** No entitlement to appeal by virtue of Section 14(2A)(b)*

{INDECS Code: }

Parent's application refused - other reasons

"... but your [mother/father]'s application for leave to remain has been refused."

Paragraph 127 with reference to 125(i)

{INDECS Code: }

Not related as claimed

"... but [? in view of ...] the Secretary of State is not satisfied that you are the child of a parent admitted to or allowed to remain in the United Kingdom [as a [teacher/ language assistant]/on approved [training/work experience]]."

Paragraph 127 with reference to 125(i)

{INDECS Code: }

Parent not in UK or not in appropriate category within UK

"... but [? in view of ...] the Secretary of State is not satisfied that you are the child of a parent admitted to or allowed to remain in the United Kingdom [as a teacher or language assistant/on approved [training/work experience]]."

Paragraph 127 with reference to 125(i)

{INDECS Code: }

Over age

"... but [? as you were born on .../as you have failed to produce [satisfactory] evidence of your date of birth] the Secretary of State is not satisfied that you are under the age of 18 or were under 18 when last given leave to enter or remain in this category."

Paragraph 127 with reference to 125(ii)** No entitlement to appeal by virtue of Section 14(2A)(b)*

{INDECS Code: }

Married

"... but [? in view of ...] the Secretary of State is not satisfied that you are unmarried."

Paragraph 127 with reference to 125(iii)

{INDECS Code: }

Independent family unit

"... but [? in view of ...] the Secretary of State is not satisfied that you have not formed an independent family unit."

Paragraph 127 with reference to 125(iii)

{INDECS Code: }

Independent life

"... but [? in view of ...] the Secretary of State is not satisfied that you are not leading an independent life."

Paragraph 127 with reference to 125(iii)

{INDECS Code: }

Maintenance and accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that you can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which your [parent/parents] own or occupy exclusively."

Paragraph 127 with reference to 125(iv)

{INDECS Code: }

Intention to leave

"... but [? in view of ...] the Secretary of State is not satisfied that you will not stay in the United Kingdom beyond any period of leave granted to your [mother/father/parents]."

Paragraph 127 with reference to 125(v)

{INDECS Code: }

Not accompanying both parents

"... but [? in view of ...] the Secretary of State is not satisfied that both your parents have been admitted to or allowed to remain in the United Kingdom, or that the parent you are to accompany is your sole surviving parent or has had sole responsibility for your upbringing, or that there are serious and compelling family or other considerations which make your exclusion from the United Kingdom undesirable."

Paragraph 127 with reference to 125(vi)

{INDECS Code: }

CHILDREN**ENTRY CLEARANCE**

"[You have applied/An application has been made on your behalf] for entry clearance to the United Kingdom as the child of a [[teacher/language assistant] on an approved exchange scheme/person in approved training or work experience] ..."

Not related as claimed

"... but [? in view of ...] the Secretary of State is not satisfied that you are the child of a parent [to be] admitted to or allowed to remain in the United Kingdom [as a [teacher/ language assistant] on an approved exchange scheme/for approved training or work experience]."

Paragraph 125(i)**Parent refused entry clearance**

"... but your [mother/father]'s application for entry clearance in that capacity has been refused and consequently the Secretary of State is not satisfied that you are the child of a parent to be admitted or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/for approved training or work experience]."

Paragraph 125(i)

** No entitlement to appeal by virtue of Section 13(3B)(a)*

Parent not in UK or not in appropriate category within UK

"... but [? in view of ...] the Secretary of State is not satisfied that you are the child of a parent admitted or allowed to remain in the United Kingdom [as a [teacher/language assistant] on an approved exchange scheme/for approved training or work experience]."

Paragraph 125(i)**Over age**

"... but [? as you were born on .../as you have failed to produce [satisfactory] evidence of your date of birth] the Secretary of State is not satisfied that you are under the age of 18."

Paragraph 125(ii)

** No entitlement to appeal by virtue of Section 13(3B)(b)*

Married

"... but [? in view of ...] the Secretary of State is not satisfied that you are unmarried."

Paragraph 125(iii)

Independent family unit

"... but [? in view of ...] the Secretary of State is not satisfied that you have not formed an independent family unit."

Paragraph 125(iii)

Independent life

"... but [? in view of ...] the Secretary of State is not satisfied that you are not leading an independent life."

Paragraph 125(iii)

Maintenance and accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that you can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which your [parent/parents] own or occupy exclusively."

Paragraph 125(iv)

Intention to leave

"... but [? in view of ...] the Secretary of State is not satisfied that you will not stay in the United Kingdom beyond any period of leave granted to your parent[s]."

Paragraph 125(v)

Not accompanying both parents

"... but [? in view of ...] the Secretary of State is not satisfied that both your parents [are being/have been] [admitted to/allowed to remain in] the United Kingdom, or that the parent you are to accompany is your sole surviving parent or has had sole responsibility for your upbringing, or that there are serious and compelling family or other considerations which make your exclusion from the United Kingdom undesirable."

Paragraph 125(vi)
