

**CHAPTER 5
SECTION 4**

ANNEX O

PRIVATE SERVANTS IN DIPLOMATIC HOUSEHOLDS

REFUSAL FORMULAE

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

ON ENTRY

"You have asked for leave to enter the United Kingdom as a private servant in the household of (name of diplomat)"

No entry clearance - non-visa national

" 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 154

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

Visa national

"... but under the Immigration Rules you are required to produce a passport or other identity document endorsed with a valid and current United Kingdom entry clearance issued for the purpose for which entry is sought, and you have no such entry clearance."

Paragraph 320(5)

** 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 a private servant in the household of ..."

No switching

"... but the Secretary of State is not satisfied that you entered the United Kingdom with a valid United Kingdom entry clearance as a private servant in a diplomatic household."

Paragraph 157 with reference to 155(i)

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

{INDECS Code: F9}

No longer engaged in employment for which EC granted

"... but [? in view of ...] the Secretary of State is not satisfied that you are still engaged in the employment for which your entry clearance was granted."

Paragraph 157 with reference to 155(ii)

{INDECS Code: F9}

No longer required for the employment in question

"... but [? in view of ...] the Secretary of State is not satisfied that your employer has certified that you are still required for the employment in question."

Paragraph 157 with reference to 155(iii)

{INDECS Code: F9}

Under 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 aged 18 or over."

Paragraph 157 with reference to 155(iv) and 152(i)

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

{INDECS Code: F9}

Employer not diplomat or member of diplomats family/household

"... but [? in view of ...] the Secretary of State is not satisfied that [he/she] is a member of staff of a diplomatic or consular mission who enjoys diplomatic privileges and immunity within the meaning of the Vienna Convention on Diplomatic and Consular Relations or a member of the family forming part of the household of such a person."

Paragraph 157 with reference to 155(iv) and 152(ii)

{INDECS Code: F9}

Intention to work part-time

"... but [? in view of ...] the Secretary of State is not satisfied that you intend to work full-time as a private servant in a diplomatic household."

Paragraph 157 with reference to 155(iv) and 152(iii)

{INDECS Code: F9}

Other employment

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to take employment other than as a private servant in a diplomatic household."

Paragraph 157 with reference to 155(iv) and 152(iv)

{INDECS Code: F9}

Maintenance and accommodation

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

Paragraph 157 with reference to 155(iv) and 152(v)

{INDECS Code: F9}

INDEFINITE LEAVE TO REMAIN

"[You have applied/An application has been made on your behalf] for indefinite leave to remain in the United Kingdom as a private servant in the household of ..."

Not 4 years in category

"... but [? in view of ...] the Secretary of State is not satisfied that you have spent a continuous period of 4 years in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(i)

{INDECS Code: X7}

No switching

"... but the Secretary of State is not satisfied that you entered the United Kingdom with a valid United Kingdom entry clearance as a private servant in a diplomatic household."

Paragraph 159 with reference to 158(ii) and 155(i)

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

{INDECS Code: F9}

Not engaged in employment for which EC granted

"... but [? in view of ...] the Secretary of State is not satisfied that you have been engaged in the employment for which your entry clearance was granted throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(ii) and 155(ii)

{INDECS Code: X8}

Not required for the employment in question

"... but [? in view of ...] the Secretary of State is not satisfied that your employer has certified that you were required for the employment in question throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(ii) and 155(iii)

{INDECS Code: X8}

Did not intend to work full-time

"... but [? in view of ...] the Secretary of State is not satisfied that you intended to be employed full-time as a private servant throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(ii), 155(iv) and 152(iii)

{INDECS Code: X8}

Other employment

"... but [? in view of ...] the Secretary of State is not satisfied that you did not intend to take employment other than as a private servant throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(ii), 155(iv) and 152(iv)

{INDECS Code: X8}

Maintenance and accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that you were able to maintain and accommodate yourself [and your dependants] adequately without recourse to public funds throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 159 with reference to 158(ii), 155(iv) and 152(v)

{INDECS Code: X8}

No longer required for the employment in question

"... but [? in view of ...] the Secretary of State is not satisfied that your employer has certified that you are still required for the employment in question."

Paragraph 159 with reference to 158(iii)

{INDECS Code: X8}

ENTRY CLEARANCE

"[You have applied/An application has been made on your behalf] for entry clearance to the United Kingdom as a private servant in the household of ..."

Under 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 aged 18 or over."

Paragraph 152(i)

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

Employer not diplomat or member of diplomats family/household

"... but [? in view of ...] the Secretary of State is not satisfied that [he/she] is a member of staff of a diplomatic or consular mission who enjoys diplomatic privileges and immunity within the meaning of the Vienna Convention on Diplomatic and Consular Relations or a member of the family forming part of the household of such a person."

Paragraph 152(ii)**Intention to work part-time**

"... but [? in view of ...] the Secretary of State is not satisfied that you intend to work full-time as a private servant in a diplomatic household."

Paragraph 152(iii)

Other employment

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to take employment other than as a private servant in a diplomatic household."

Paragraph 152(iv)

Maintenance and accommodation

"... but [? in view of ...] the Secretary of State is not satisfied that you can maintain and accommodate yourself and any dependants adequately without recourse to public funds."

Paragraph 152(v)