

**CHAPTER 5
SECTION 5**

ANNEX P

OVERSEAS GOVERNMENT EMPLOYEES

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 an employee of an overseas government ..."

Non-visa nationals - no entry clearance or satisfactory documentary evidence

"... but you have neither a valid entry clearance for this purpose nor satisfactory documentary evidence of such status."

Paragraph 163 with reference to Paragraph 161(i)

{Refusal Code Z1}

Visa Nationals

"... 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."

Paragraphs 320(5)

No entitlement to appeal where no entry clearance is held, by virtue of Section 13(3B)(a)

{Refusal Code E4}

AFTER ENTRY

"You have applied for leave to remain in the United Kingdom as an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)] ..."

No switching

"... but [? in view of ...] the Secretary of State is not satisfied that you were given leave to enter the United Kingdom as an overseas government employee."

Paragraph 166 with reference to 164(i)

{INDECS Code: F9}

No longer engaged in employment in question

"... but [? in view of ...] the Secretary of State is not satisfied that you are still engaged in the employment in question."

Paragraph 166 with reference to 164(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 166 with reference to 164(iii)

{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 in this employment."

Paragraph 166 with reference to 164(iv) and 161(ii)

{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 an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)]."

Paragraph 166 with reference to 164(iv) and 161(iii)

{INDECS Code: F9}

Not an international organisation of which the UK is a member

"... but this is not an international organisation of which the United Kingdom is a member."

Paragraph 166 with reference to 164(iv) and 161(iii) and 160

{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 166 with reference to 164(iv) and 161(iv)

{INDECS Code: F9}

SETTLEMENT

"You have applied for indefinite leave to remain in the United Kingdom as an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)] ..."

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 168 with reference to 167(i)

{INDECS Code: X7}

No switching

"... but [? in view of ...] the Secretary of State is not satisfied that you were given leave to enter the United Kingdom as an overseas government employee."

Paragraph 168 with reference to 167(ii) and 164(i)

{INDECS Code: X8}

Not engaged in employment in question

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

Paragraph 168 with reference to 167(ii) and 164(ii)

{INDECS Code: X8}

Not required for the employment in question throughout 4 years

"... 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 168 with reference to 167(ii) and 164(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 work full-time for the [government/ organisation] concerned throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 168 with reference to 167(ii), 164(iv) and 161(ii)

{INDECS Code: X8}

Other employment

"... but [? in view of ...] the Secretary of State is not satisfied that you did not take employment other than as an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)] throughout the 4 year period you have spent in the United Kingdom in this capacity."

Paragraph 168 with reference to 167(ii), 164(iv) and 161(iii)

{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 168 with reference to 167(ii), 164(iv) and 161(iv)

{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 168 with reference to 167(iii)

{INDECS Code: X8}

ENTRY CLEARANCE

"You have applied for entry clearance to the United Kingdom as an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)] ..."

No satisfactory evidence of status

"... but [? in view of ...] the Secretary of State is not satisfied that you are able to produce satisfactory evidence of your status as an overseas government employee."

Paragraph 163 with reference to 161(i)

Intention to work part-time

"... but [? in view of ...] the Secretary of State is not satisfied that you intend to work full-time for the [government/ organisation] concerned."

Paragraph 163 with reference to 161(ii)

Other employment

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to take employment other than as an employee of [an overseas government/the United Nations Organisation/ ... (name of international organisation)]."

Paragraph 163 with reference to 161(iii)

Not an international organisation of which the UK is a member

"... but this is not an international organisation of which the United Kingdom is a member."

Paragraph 163 with reference to 161(iii) and 160

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 163 with reference to 161(iv)