

CHAPTER 7: SECTION 4 - RETIRED PERSONS OF INDEPENDENT MEANS

ANNEX K - RETIRED PERSONS OF INDEPENDENT MEANS 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 retired person of independent means ..."

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 265

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)

AFTER ENTRY

"You have applied for leave to remain in the United Kingdom as a retired person of independent means ..."

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 retired person of independent means."

Paragraph 268 with reference to 266(i)

Insufficient income

"... but [? in view of ...] the Secretary of State is not satisfied that you have an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom."

Paragraph 268 with reference to 266(ii) and 263(ii)

Maintenance and accommodation

"...but [? in view of...] the Secretary of State is not satisfied that you are able to maintain and accommodate yourself [and any dependants] indefinitely from your own resources with no assistance from any other person and without taking employment or having recourse to public funds ."

Paragraph 268 with reference to 266(ii) and 263(iii)

Close connection with the United Kingdom

"...but [? in view of ...] the Secretary of State is not satisfied that you can demonstrate a close connection with the United Kingdom."

Paragraph 268 with reference to 266(ii) and 263(iv)

Intention to live elsewhere

"...but [? in view of...] the Secretary of State is not satisfied that you have made the United Kingdom your main home."

Paragraph 268 with reference to 266(iii)

INDEFINITE LEAVE TO REMAIN

"You have applied for indefinite leave to remain in the United Kingdom as a retired person of independent means..."

Not 5 years in category

"...but [? in view of ...] the Secretary of State is not satisfied that you have spent a continuous period of 5 years in the United Kingdom in this capacity."

Paragraph 270 with reference to 269(i)

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 retired person of independent means."

Paragraph 270 with reference to 269(ii) and 266(i)

Insufficient income throughout 5 years

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of ...] the Secretary of State is not satisfied that you have had an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom throughout the 5 year period."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(ii)

Insufficient income in the future

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of...] the Secretary of State is not satisfied that you will continue to have an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(ii)

Maintenance and accommodation throughout 5 years

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of...] the Secretary of State is not satisfied that you are able to maintain and accommodate yourself [and your dependants] from your own resources with no assistance from any other person and without taking employment or having recourse to public funds throughout the 5 year period."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(ii)

Maintenance and accommodation in the future

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of...] the Secretary of State is not satisfied that you will continue to be able [and willing] to maintain and accommodate yourself [and your dependants] from your own resources with no assistance from any other person and without taking employment or having recourse to public funds."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(iii)

Close connection with the United Kingdom throughout 5 years

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of...] the Secretary of State is not satisfied that you can demonstrate a close connection with the United Kingdom throughout the 5 year period."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(iv)

Close connection with the United Kingdom in the future

"...but although you have spent a continuous period of 5 years in the United Kingdom in this capacity [? in view of...] the Secretary of State is not satisfied that you will continue to have a close connection with the United Kingdom."

Paragraph 270 with reference to 269(ii), 266(ii) and 263(iv)

Intention to live elsewhere throughout 5 years

"...but although you have spent a continuous period of 5 years in this capacity [? in view of...] the Secretary of State is not satisfied that you have made the United Kingdom your main home throughout the 5 year period."

Paragraph 270 with reference to 269(ii) and 266(iii)

Intention to live elsewhere in the future

"...but although you have spent a continuous period of 5 years in this capacity [? in view of...] the Secretary of State is not satisfied that you will continue to make the United Kingdom your main home."

Paragraph 270 with reference to 269(ii) and 266(iii)

ENTRY CLEARANCE

"You have applied for entry clearance to the United Kingdom as a retired person of independent means..."

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 at least 60 years old."

Paragraph 263(i)

Insufficient income

"... but [? in view of...] the Secretary of State is not satisfied that you have an income of not less than £25,000 per annum of your own, under your control and disposable in the United Kingdom."

Paragraph 263(ii)

Maintenance and accommodation

"...but [? in view of...] the Secretary of State is not satisfied that you are able and willing to maintain and accommodate yourself and any dependants indefinitely in the United Kingdom from your own resources with no assistance from any other person and without taking employment or having recourse to public funds."

Paragraph 263(iii)

Close connection with the United Kingdom

"...but [? in view of ...] the Secretary of State is not satisfied that you can demonstrate a close connection with the United Kingdom."

Paragraph 263(iv)

Intention to live elsewhere

"... but [? in view of...] the Secretary of State is not satisfied that you intend to make the United Kingdom your main home."

Paragraph 263(v)

SPOUSES OF RETIRED PERSONS OF INDEPENDENT MEANS

ON ENTRY

"You have applied for leave to enter the United Kingdom as the spouse of a retired person of independent means....

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."

Paragraph 273

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)

AFTER ENTRY

"You have applied for leave to remain in the United Kingdom as the spouse of a retired person of independent means..."

Sponsor's application refused - no switching

"...but your [husband/wife]'s application for leave to remain has been refused for reason ;that [he/she was not admitted to the United Kingdom with a valid United Kingdom entry clearance as a retired person of independent means."

Paragraph 273 with reference to 271(i)

Sponsor's application refused - other reasons

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

Paragraph 273 with reference to 271(i)

Not related as claimed

"...but [? in view of...] the Secretary of State is not satisfied that you are married to a person admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 273 with reference to 271(i)

Spouse not in the United Kingdom or not in appropriate category within the United Kingdom

"...but [? in view of...] the Secretary of State is not satisfied that you are married to a person admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 273 with reference to 271(i)

Marriage not subsisting

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

Paragraph 273 with reference to 271(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 which you both own or occupy exclusively."

Paragraph 273 with reference to 271(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 without recourse to public funds."

Paragraph 273 with reference to 271(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 273 with reference to 271(v)

No switching

"...but the Secretary of State is not satisfied that you were admitted to the United Kingdom with a valid entry clearance for entry in this capacity."

Paragraph 273 with reference to 271(vi)

INDEFINITE LEAVE TO REMAIN

"You have applied for indefinite leave to remain in the United Kingdom as the spouse of a retired person of independent means..."

No switching

"...but the Secretary of State is not satisfied that you entered the United Kingdom with a valid United Kingdom entry clearance for entry in this capacity."

Paragraph 273

Sponsor's application refused - no switching

"...but your [husband/wife]'s application for indefinite leave to remain has been refused for reason that [he/she] was not admitted to the United Kingdom with a valid United Kingdom entry clearance as a retired person of independent means."

Paragraph 273

Sponsor's application refused - age grounds

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

Paragraph 273

Sponsor's application refused - other reasons

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

Paragraph 273

Not related as claimed

"...but [? in view of...] the Secretary of State is not satisfied that you are married to a person admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 273 with reference to 271(i)

Spouse not in the United Kingdom or not in appropriate category within the United Kingdom

"...but [? in view of...] the Secretary of State is not satisfied that you are married to a person admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 273 with reference to 271(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."

Paragraph 273 with reference to 271(ii)

Marriage not subsisting

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

Paragraph 273 with reference to 271(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 which you both own or occupy exclusively."

Paragraph 273 with reference to 271(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 273 with reference to 271(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 273 with reference to 271(v)

ENTRY CLEARANCE

"You have applied for entry clearance to the United Kingdom as the spouse of a retired person of independent means..."

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 or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 271(i)

Spouse refused entry clearance

"...but your [husband/wife]'s 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 or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 271(i)

Spouse not in United Kingdom or not in appropriate category within the United Kingdom

"...but [? in view of...] the Secretary of State is not satisfied that you are married to a person admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 271(i)

Sponsor's application refused - age grounds

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

Paragraph 271(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 271(ii)

Marriage not subsisting

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

Paragraph 271(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 you both own or occupy exclusively."

Paragraph 271(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 271(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 271(v)

CHILDREN OF RETIRED PERSONS OF INDEPENDENT MEANS

ON ENTRY

"You have asked for leave to enter the United Kingdom as the child of a retired person of independent means"

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 276

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)

AFTER ENTRY

"You have applied for leave to remain in the United Kingdom as the child of a retired person of independent means..."

Parent's application refused - no switching

"...but your [mother/father]'s application for leave to remain has been refused for reason that [he/she] was not admitted to the United Kingdom with a valid United Kingdom entry clearance as a retired person of independent means."

Paragraph 276 with reference to 274(i)

Parent's application refused - other reasons

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

Paragraph 276 with reference to 274(i)

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 retired person of independent means."

Paragraph 276 with reference to 274(i)

Parent not in the United Kingdom or not in appropriate category within the United Kingdom

"...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 retired person of independent means."

Paragraph 276 with reference to 274(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 or that you have current leave to enter or remain in this capacity."

Paragraph 276 with reference to 274(ii)

married

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

Paragraph 276 with reference to 274(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 276 with reference to 274(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[mother/father/parents] own[s] or [occupy/occupies] exclusively."

Paragraph 276 with reference to 274(iv)

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 276 with reference to 274(vi)

No switching

"...but the Secretary of state is not satisfied that you were admitted to the United Kingdom with a valid entry clearance for entry in this capacity."

Paragraph 276 with reference to 274(vii)

INDEFINITE LEAVE TO REMAIN

"You have applied for indefinite leave to remain in the United Kingdom as the child of a retired person of independent means..."

No switching

"...but the Secretary of State is not satisfied that you were admitted to the United Kingdom with a valid entry clearance for entry in this capacity."

Paragraph 276 with reference to 274(vii)

Parent's application refused - no switching

"...but your [mother/father]'s application for indefinite leave to remain has been refused for reason that[he/she] was not admitted to the United Kingdom with a valid United Kingdom entry clearance as a retired person of independent means."

Paragraph 276

Parent's application refused - age grounds

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

Paragraph 276

Parent's application refused - other reasons

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

Paragraph 276

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 retired person of independent means."

Paragraph 276 with reference to 274(i)

Parent not in the United Kingdom or not in appropriate category within the United Kingdom

"...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 retired person of independent means."

Paragraph 276 with reference to 274(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 276 with reference to 274(ii)

Married

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

Paragraph 276 with reference to 274(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 276 with reference to 274(iii)

Independent life

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

Paragraph 276 with reference to 274(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 [mother/father/parents] own[s] or [occupy/occupies] exclusively."

Paragraph 276 with reference to 274(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 [mother/father/parents]."

Paragraph 276 with reference to 274(v)**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 276 with reference to 274(vi)

ENTRY CLEARANCE

"You have applied for entry clearance to the United Kingdom as the child of a retired person of independent means..."

Not related as claimed

"...but [? in view of...] the Secretary of State is not satisfied that you are the child of a parent [who is to be] admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 274(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 [who is to be] admitted or allowed to remain in the United Kingdom as a retired person of independent means."

Paragraph 274(i)

Parent not in the United Kingdom or not in appropriate category within the United Kingdom

"...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 retired person of independent means."

Paragraph 274(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 274(ii)

Married

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

Paragraph 274(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 274(iii)

Independent life

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

Paragraph 274(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[mother/father/parents] own[s] or [occupy/occupies] exclusively."

Paragraph 274(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 274(v)

Not accompany 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 274(vi)