

**CHAPTER 8 SECTION 2
CIVIL PARTNERS ANNEX I**

REFUSAL WORDINGS

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 the civil partner of (.....)

No entry clearance - non-visa national

"... but under the Immigration Rules you are required to hold a valid entry clearance for this purpose and you hold no such entry clearance "

Paragraph 282 of HC 395 with reference to Paragraph 281 (vi) of HC 395 as set out in paragraph 1 of HC 26 and HC582

See chapter 12 of the IDI's for details on appeal rights
{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)

See chapter 12 of the IDI's for details on appeal rights
{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 civil partner of (...sponsor..)

Under age civil partner

"... but [? as [you/your [civil partner]] [were/was] born on .../ as you have failed to produce [satisfactory] evidence of [your/ your [civil partner's] date of birth] the Secretary of State is not satisfied that [you/your [civil partner]] [are/is] aged 18 or over."

Paragraph 277

See chapter 12 for details on appeal rights

{Refusal Code: DV}

Applicant without limited leave

"... but [? in view of ...] the Secretary of State is not satisfied that you have limited leave to remain in the United Kingdom."

Paragraph 286 with reference to 284(i) of HC 395 as set out in paragraph 2 of HC 26

See chapter 12 for details on appeal rights

{Refusal Code: DU}

No Switching

"...You have applied for leave to remain in the United Kingdom on the basis of your civil partnership to [*****]. However the immigration rules direct that a person seeking such leave is to be refused if they do not meet the requirements set out in the immigration rules as amended by HC 538 and HC 582. This includes that the applicant has limited leave to remain in the United Kingdom other than where that leave is of 6 months' duration or less. On **/**/** you were granted limited leave to enter as a [visitor/student/other] for a period of ** months from **/**/** until **/**/** therefore you do not meet the requirements of having limited leave for a period of more than 6 months in the United Kingdom.

Paragraph 286 with reference to 284(i) of HC 395 as set out in paragraph 14 of HC 538

{Refusal Code: DU}

Not in relationship claimed

"... but [? in view of ...] the Secretary of State is not satisfied that you have formed a civil partnership with a person who is present and settled in the United Kingdom."

Paragraph 286 with reference to 284(ii) of HC 395 as set out in paragraph 2 of HC 26

{ Refusal Code: DU}

Civil partner not present/settled

"... but [? in view of ...] the Secretary of State is not satisfied that your civil partner is present and settled in the United Kingdom [or is to be admitted for settlement]."

Paragraph 286 with reference to 284(ii)

{Refusal Code: QDU}

Civil Partnership not subsisting

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

Paragraph 286 of HC 395 with reference to 284(vi) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DTC}

Intention to live together

"... but [? in view of ...] the Secretary of State is not satisfied that each of the parties intends to live permanently with each other as civil partners."

Paragraph 286 of HC 395 with reference to 284(vi) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DTC}

Death of a partner

"...You have since notified us that your civil partner died on [...]. We sympathise with you in the loss of your civil partner. However, in the matter of your application, as you were not admitted to the United Kingdom or given an extension of 2 years as the civil partner of a person present and settled in the United Kingdom, the unfortunate death of your civil partner means that you no longer have a basis on which to remain here. Your application must therefore be refused."

After the signature of the deciding caseworker, the words "acting on behalf of the Secretary of State" should be added.

Paragraph 286 of HC395 with reference to 284(vi) of HC395 as set out in paragraph 2 of HC26

{Refusal Code: DU}

Accommodation

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

Paragraph 286 of HC 395 with reference to 284(vii) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DR}

Maintenance

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

Paragraph 286 of HC 395 with reference to 284(viii) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DQ}

Breach of immigration laws

"... but [? in view of ...] the Secretary of State is not satisfied that you have not remained in breach of the immigration laws."

Paragraph 286 of HC 395 with reference to 284(iv) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DU}

Civil partnership post decision/recommendation to deport

"... but [? in view of ...] the Secretary of State is not satisfied that the civil partnership did not take place after [a decision had been made to deport you/you had been recommended for deportation/you had been given notice (of your liability to deportation) under section 6(2) of the Immigration Act 1971]."

Paragraph 286 of HC 395 with reference to 284(v) of HC 395 as set out in paragraph 2 of HC 26

{Refusal Code: DU}

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 the civil partner of ...(sponsor) ..."

Has not completed 2 years as a civil partner

"... but [? in view of ...] the Secretary of State is not satisfied that you [were admitted to or given and completed an extension of stay in the United Kingdom for a period of 2 years] as the civil partner of a person settled here."

Paragraph 289 with reference to 287(i)

{Refusal Code: X7 or G1, G2 or G4 if a 12 month extension is being granted}

Civil partnership dissolved

"... but [? in view of ...] the Secretary of State is not satisfied that you are still the civil partner of the person you were [admitted/granted an extension of stay] to join."

Paragraph 289 with reference to 287(ii)

{Refusal Code: JA}

Separated

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

Paragraph 289 with reference to 287(ii)

{ Refusal Code: JA }

Intention to live together

"...but [? in view of...] the Secretary of State is not satisfied that each of the parties intends to live permanently with the other as civil partners."

Paragraph 289 with reference to 287(iii)

{Refusal Code: JA}

Death of a partner

"...- You have since notified us that your civil partner died on [...]. We sympathise with you in the loss of your civil partner. However, in the matter of your application, as you were not admitted to the United Kingdom or given an extension of 2 years as the civil partner of a person present and settled in the United Kingdom, the unfortunate death of your civil partner means that you no longer have a basis on which to remain here. Your application must therefore be refused."

After the signature of the deciding caseworker, the words "acting on behalf of the Secretary of State" should be added.

Paragraph 289 with reference to 287 (ii)

{Refusal Code: JC}

Maintenance

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

Paragraph 289 of HC 395 with reference to 287 of HC 395 as amended by paragraph 6(v) of Cm 3365

{Refusal Code: JD}

Accommodation

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

Paragraph 289 of HC 395 with reference to 287 of HC 395 as amended by paragraph 6(iv) of Cm 3365

{Refusal Code: JE}

DOMESTIC VIOLENCE

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

Domestic violence not proven

"...but [? in view of...] we are not satisfied that your civil partnership broke down as a result of domestic violence within the probationary period".

Paragraph 289A of HC 395 as amended by HC538 and HC582

{Refusal code: JB}

ENTRY CLEARANCE

"[You have applied/An application has been made on your behalf] for entry clearance with a view to settlement in the United Kingdom as the civil partner of ...(sponsor) ..."

Under age civil partner

"... but [? as [you/your [civil partner]] [were/was] born on .../ as you have failed to produce [satisfactory] evidence of [your/ your [civil partner's] date of birth] the Secretary of State is not satisfied that [you/your [civil partner]] will be aged 18 or over on the date of your arrival in the United Kingdom."

Not present/settled

"... but [? in view of ...] the Secretary of State is not satisfied that you have registered a civil partnership with a person who is present and settled in the United Kingdom, or is to be admitted for settlement."

Paragraph 281(i) as set out in paragraph 1 of HC 26**Not in the relationship claimed**

"...but [? in view of...] the Secretary of State is not satisfied that you have registered a civil partnership with a person who is present and settled in the United Kingdom, or is to be admitted for settlement."

Paragraph 281(i) as set out in paragraph 1 of HC 26**Civil partner refused entry clearance**

"... but your civil partner's application for entry clearance to settle in the United Kingdom has been refused and consequently the Secretary of State is not satisfied that you have a civil partnership with a person who is present and settled in the United Kingdom, or is to be admitted for settlement."

Paragraph 281(i) as set out in paragraph 1 of HC 26

See chapter 12 for details on appeal rights

Intention to live together

"...but [? in view of...] the Secretary of State is not satisfied that each of the parties intend to live permanently with the other as civil partners."

Paragraph 281(iii) of HC 395 as set out in paragraph 1 of HC 26**Civil Partnership not subsisting**

"...but [? in view of...] the Secretary of state is not satisfied that the civil partnership is subsisting."

Paragraph 281(iii) of HC 395 as set out in paragraph 1 of HC 26**Accommodation**

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

Paragraph 281(iv) of HC 395 as set out in paragraph 1 of HC 26**Maintenance**

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

Paragraph 281(v) of HC 395 as set out in paragraph 1 of HC 26