



Home Office

Suitability: Purpose not covered by the Immigration Rules

Version 5.0

Contents

Contents.....	2
About this guidance.....	3
Contacts	3
Publication.....	3
Changes from last version of this guidance	3
Introduction	4
Purpose not covered by the Immigration Rules.....	4
Earlier applications.....	4
Considering refusal.....	5
Requesting evidence	6
Case notes and decision notice	7
Refused applications	7

About this guidance

This guidance is for decision makers and sets out what to consider when an applicant is seeking entry clearance, permission to enter or permission to stay in the UK for a purpose which is not covered by the Immigration Rules.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Administrative Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was publication:

- version **5.0**
- published for Home Office staff on **20 June 2022**

Changes from last version of this guidance

Reference to 'an application on grounds of private life under paragraphs 276ADE to 276DH' replaced by 'Appendix Private Life' and 'Appendix Settlement Family Life' added in the 'Introduction' section.

Related content

[Contents](#)

Introduction

Purpose not covered by the Immigration Rules

Refusal on grounds of purpose not covered by the Immigration Rules is set out in paragraph 9.13.1 of [Part 9: Grounds for Refusal](#).

Paragraph 9.13.1 does not apply to:

- [Appendix FM](#) (family routes)
- Appendix Private Life
- Appendix Settlement Family Life
- [Appendix AF](#) (armed forces)
- [Appendix EU](#) (EU Settlement Scheme)
- [Appendix EU \(Family Permit\)](#)
- [Appendix Domestic Worker who is a Victim of Modern Slavery](#)
- Applications for entry clearance or permission to stay granted by virtue of the ECAA Association Agreement
- Applications for permission to stay under [Appendix ECAA Extension of Stay](#);
- [Appendix S2 Healthcare Visitor](#)
- [Appendix Service Providers from Switzerland](#)

This is a discretionary ground for refusal. You must consider the circumstances of the individual case before making a decision.

An application can be refused under more than one ground in Part 9. Applications which fall under purpose not covered by the Immigration Rules may also fall to be refused on other grounds. You should refuse on all grounds under Part 9 that apply.

The revised Part 9 came into force on 1 December 2020 and applies to applications made on or after that date. Applications made before 1 December 2020 are subject to paragraphs 320(1) and 322(1) of the [previous Immigration Rules](#), whereby entry clearance or permission to enter or stay in the UK for a purpose not covered by the rules must be refused.

Earlier applications

Applications made before 1 December 2020 are subject to paragraphs 320(1) and 322(1) of the [previous Immigration Rules](#), under which purpose not covered by the rules is a mandatory refusal reason (unless there are strong compassionate circumstances).

Related content

[Contents](#)

Considering refusal

When considering an application where the applicant is seeking entry clearance, permission to enter or permission to stay for a purpose which is not covered by the Immigration Rules you should take into account this guidance.

This ground for refusal is unlikely to arise in applications for entry clearance or permission to stay, because most applications are made online and identify purposes that are covered by the Immigration Rules. Applicants are unlikely to make an application for entry clearance or permission to stay for a purpose not covered by the Immigration Rules. However, there is an application form specifically for applications for permission to stay outside the rules which primarily covers some existing concessions outside the rules as well as allowing for an application for another purpose outside the rules. When considering an application made on this form consideration must be given to whether there is an existing concession and, if there is, the relevant guidance must be followed.

A person is most likely to be seeking entry for a purpose outside the rules when applying for permission to enter at the border. For example, an applicant may have arrived in the UK and be seeking entry in order to undertake low-skilled work or search for a job. In such cases you must clarify with the person the purpose for which they are seeking entry before making a decision. For example, if the applicant's stated purpose is to 'search for a job', you must consider what this means in practice (for example, do they intend to search for a job and start work, or to enter the UK as a visitor and search for jobs with a view to leaving the UK to seek the appropriate permission if successful).

Where the applicant's purpose for seeking entry is not covered by the rules, you must consider whether there are any concessions under which they qualify for a grant.

If there are no relevant concessions you must consider whether there are any strong compassionate or other reasons to grant permission to enter outside the rules at the border, you may do so only after obtaining Senior Officer approval. For more information see: [Leave Outside the Immigration Rules](#).

Examples of the types of situation where a grant of permission may be appropriate for strong compassionate or other reasons:

- an applicant planning to transit the UK becomes ill on the flight and needs to seek urgent medical treatment
- an applicant granted on the Student route returns to the UK after the summer break and finds their college has closed and is no longer a registered sponsor but they want to enter to find a new course and sponsor

Requesting evidence

It will normally be appropriate to decide whether to refuse the application based on the evidence provided by the applicant when they apply.

However, you may want to request further information before making a decision. For example, if all of the following apply:

- you have considered the relevant factors listed under considering refusal
- you believe that there may be strong compassionate or other reasons for granting the application despite the purpose not being covered by the rules
- you need further evidence before you can reach a decision on whether to grant the application

You must be clear in your request what information you require, how long the applicant or their representative have to respond and where they must send the information.

Related content

[Contents](#)

Case notes and decision notice

This section provides you with wording you may use in a refusal decision (adapted to fit the circumstances of the case).

Refused applications

You must record fully your reasons for the decision, including the evidence that you considered when refusing on the ground that they are applying for a purpose not covered by the Immigration Rules (or on grounds including this ground). You must record in the decision notice that you considered whether to refuse or grant the application and explain fully why you ultimately decided to refuse.

You may use the following refusal wording:

‘You applied for entry clearance/permission to enter/permission to stay for the purpose of [purpose sought].

Your application is refused because that is not a purpose for which entry clearance/entry/stay can be granted under the Immigration Rules.

In deciding whether or not to grant your application outside the Rules I have carefully considered the circumstances of your case. I am satisfied that refusal is appropriate because [insert reasons including what evidence has been considered and why discretion is not being exercised].’

Related content

[Contents](#)