



Home Office

General grounds for refusal

Section 5 of 5 – Refusing and refusal wording

This is based on the Immigration Rules.

This guidance is based on the Immigration Rules

General grounds for refusal

Refusing entry clearance and leave to remain

<p>Refusing entry clearance - general guidance</p> <p>Refusing leave to remain</p>	<p>This section contains guidance on what an entry clearance officer or caseworker must consider when they have decided they will be refusing entry or leave to remain in the UK on general grounds.</p> <p>This guidance is based on the Immigration Rules. See related link to the rules.</p> <p>Entry clearance Paragraph 320 (1-7) are grounds on which refusal of entry clearance is mandatory.</p> <p>Paragraph 320 (8-19) are grounds on which refusal of entry clearance is discretionary.</p> <p>Leave to remain Paragraph 322 (1-1A) are grounds on which refusal of leave to remain is mandatory.</p> <p>Paragraphs 322 (2-12) are grounds on which refusal of leave to remain is discretionary.</p> <p>For general guidance on refusing entry clearance and leave to remain see links on left.</p> <p>For more information on considering information on false representation, see related links:</p> <ul style="list-style-type: none">• Considering entry clearance – mandatory and discretionary refusals• Considering leave to remain – mandatory and discretionary refusals.	<p>Related links</p> <p>Links to staff intranet removed</p>
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General grounds for refusal

Refusing entry clearance – general guidance

<p>Refusing entry clearance - general guidance</p> <p>Refusing leave to remain</p>	<p>This section gives general guidance to entry clearance officers on how to give a refusal notice to a person once you have decided to refuse an applicant entry clearance.</p> <p>Mandatory or discretionary general grounds for refusal If the requirements of paragraph 320 (1-7B) are not met, you must refuse (a mandatory refusal). However, there are certain circumstances where a mandatory refusal is not required. For more information see related link: Considering entry clearance – mandatory and discretionary refusals.</p> <p>If the requirements of paragraph 320 (8-19) are not met, you should refuse entry clearance, but you have discretion on whether to refuse (a discretionary refusal) in some circumstances.</p> <p>Refusals with a link between general grounds and the specific category Where you are refusing on general grounds and the general ground relates to a requirement of the specific category the person has applied for, you must refuse on all the grounds for refusal.</p> <p>For example:</p> <p>If forged documents were used as supporting evidence for an application in a category, you would refuse the application on both:</p> <ul style="list-style-type: none">• general grounds 320(7A) – deception, and• failure to supply required documents for the specific category. <p>If you are refusing for general grounds you must also include in your refusal any grounds under the category applied for. If not, and the person appeals, the appeal cannot consider the substantive application and entry clearance may have to be issued.</p>	<p>In this section</p> <p>Medical grounds - entry clearance</p> <p>Related links</p> <p>Refusal wording – entry clearance – paragraph 320</p> <p>Links to staff intranet removed</p>
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	<p>For more information on considering information on false representation, see related link: Considering entry clearance - mandatory and discretionary refusals.</p> <p>For more information see related link: Refusal wording – entry clearance – paragraph 320.</p>	
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General grounds for refusal

Medical grounds – entry clearance

<p>Refusing entry clearance - general guidance</p> <p>Refusing leave to remain</p>	<p>This page gives guidance to entry clearance officers on how to refuse a person on medical grounds. This relates to general grounds for refusal under paragraph 320(7) of the rules.</p> <p>Confidential nature of medical certificates Refused applicants are entitled to be informed of the grounds for refusal so you must advise them of the contents of the medical certificate. You must consult the medical referee before you do this.</p> <p>You must not disclose the content of the certificate to any other person without the consent of the medical referee and the applicant.</p> <p>Endorsing the passport To refuse on medical grounds you must endorse the applicant's passport 'EC applied for/Med' and forms PQ and XY retained'</p> <p>Points-based system applicants refused on medical grounds If you refuse a points-based system applicant after a medical referral, the certificate of sponsorship (CoS) will lapse three months after issue.</p> <p>For more information on refusal wording see related link:</p> <ul style="list-style-type: none">• Refusal wording – entry clearance – paragraph 320.	<p>Related links</p> <p>Refusal wording – entry clearance – paragraph 320</p> <p>Links to staff intranet removed</p>
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General grounds for refusal

Refusing leave to remain

<p>Refusing entry clearance - general guidance</p> <p>Refusing leave to enter - general guidance</p> <p>Refusing leave to remain</p>	<p>This page gives general guidance on refusing leave to remain on general grounds and specific points that you need to cover in certain refusals</p> <p>Mandatory or discretionary general grounds for refusal</p> <p>If the requirements of paragraph 322 (1-1A) are not met, you must refuse (a mandatory refusal). However, there are certain circumstances where a mandatory refusal is not required.</p> <p>If the requirements of paragraph 322 (2-11) are not met, you should refuse the application, but you have discretion on whether to refuse in some circumstances (a discretionary refusal).</p> <p>For more information on caseworker consideration see related link: Considering leave to remain – mandatory and discretionary refusals.</p> <p>Refusals with a link between general grounds and the specific category</p> <p>When you are refusing on general grounds and the general ground relates to a requirement of the specific category the person has applied for, you must refuse on all the grounds for refusal. For example, if forged documents were used as supporting evidence for an application in a category, you would refuse the application on both:</p> <ul style="list-style-type: none">• general grounds 322(1A) – deception and• failure to supply required documents for the specific category. <p>If you are refusing on general grounds you must also include in your refusal any grounds under the category applied for. If not, and the person appeals, the appeal cannot consider the substantive application and leave to remain may have to be issued.</p>	<p>Related links</p> <p>Refusal wording</p> <p>Links to staff intranet removed</p>
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Refusing because of criminal behaviour below the Criminal Case Directorate threshold

You must detail the grounds for refusal and refer to:

- the fact that the applicant has been convicted of a specific offence, and
- that because of this conviction, the application is being refused.

Spent convictions should not be taken into account. For more information see related link: [Guidance on spent convictions](#).

For more information on refusal wording and appeal rights see related links:

- [Refusal wording](#)
- [Appeals \(IDI chapter 12\)](#).

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General grounds for refusal

Refusal wording

<p>Refusal wording - entry clearance - paragraph 320</p> <p>Refusal wording - leave to remain - paragraph 322</p>	<p>This section contains suggested refusal wording for refusal notices when refusing a person on general grounds. You must use the term general grounds in all formal notices, decision letters and notification to applicants or their representatives.</p> <p>The suggested wording is based on paragraphs 320 to 322 of the Immigration Rules which set out the circumstances when you can refuse a person on general grounds.</p> <p>This guidance is based on the Immigration Rules. See related link to the rules.</p> <p>You can refuse on general grounds because of a person's background, behaviour, character, conduct or associations.</p> <p>See the links on the left for refusal wording for entry clearance and leave to remain applications.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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General grounds for refusal

Refusal wording – entry clearance – paragraph 320

<p>Refusal wording - entry clearance - paragraph 320</p> <p>Refusal wording - leave to remain - paragraph 322</p>	<p>This section contains suggested refusal wording for refusal notices when you refuse a person on general grounds who has applied for entry clearance. You must use the term general grounds in all formal notices, decision letters and notification to applicants or their representatives.</p> <p>You can refuse on general grounds because of a person's background, behaviour, character, conduct or associations.</p> <p>The suggested wording is based on paragraph 320 of the Immigration Rules which sets out the circumstances when you can refuse a person on general grounds.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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General grounds for refusal

Entry clearance - paragraph 320 (1-7)

<p>This page gives suggested wording for a mandatory refusal for entry clearance on general grounds under paragraphs 320 (1-7) of the Immigration Rules. See related link.</p> <p>For further information on appeals see related link: Appeals.</p>			<p>Related links</p> <p>Links to staff intranet removed</p>
Paragraph Number	Ground	Suggested wording	
320(1)	Entry is sought for a purpose not covered in the Rules	...but I am not satisfied that entry is being sought for a purpose covered by the Immigration Rules.	
320(2)	Subject to a deportation order	...but you are currently the subject of a deportation order signed on [enter date].	
320(3)	Failure to produce a valid passport or travel document	No acceptable travel document ...but you have failed to produce a valid national passport or other document satisfactorily establishing your identity and nationality.	
320(6)	Exclusion conducive to the public good – Secretary of State’s personal direction	...but the Secretary of State has personally directed that your exclusion from the United Kingdom is conducive to the public good.	
320(7)	Refusal for medical reasons – confirmed by medical inspector	...but I have received confirmation from the Medical Referee that it is undesirable to admit you to the United Kingdom for medical reasons and I am not satisfied that there are strong compassionate reasons justifying your admission.	

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General grounds for refusal

Entry clearance - paragraph 320(7A)

This page gives suggested wording for a mandatory refusal of entry clearance on general grounds under paragraph 320(7A) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
320(7A)	False representation, false documents and/or non disclosure of material facts	<p>False representations/documents</p> <p>In your application, [you/name of other person] said [false statement], OR [you/name of other person] submitted [the documents that are false]. I am satisfied that the [statement/documents] [were/was] false because [reasons].</p> <p>Under paragraph 320 (7A) of the Immigration Rules a person must automatically be refused entry clearance if false representations or documents are used (whether or not material to the application and whether or not to the applicant's knowledge) or material facts are not disclosed in relation to the application. A false representation for these purposes is a lie, or a false statement in a visa application, made either orally or in writing. A false document includes:</p> <ul style="list-style-type: none"> • a genuine document which has been altered or tampered with; • a counterfeit document (one that is completely false); • a genuine document which is being used by an impostor; • a genuine document which has been fraudulently obtained or issued; • a genuine document which contains a falsified or counterfeit visa endorsement. <p>I am satisfied, to a higher balance of probabilities, that false representations in</p>

		<p>the form of [details] or false documents in the form of [details] were [made/produced] in your visa application. The reasons I have reached this conclusion are contained in a document verification report, held on file. I am therefore refusing your application.</p> <p>You should note that because this application for entry clearance has been refused under paragraph 320 (7A) of the Immigration Rules, any future applications may also be refused under paragraph 320 (7B) of the Immigration Rules, (subject to the requirements set out in paragraph A320).</p> <p>A refusal under paragraph 320 (7B) of the Immigration Rules attracts an automatic refusal period of up to 10 years. The period starts from the date of the previous event in which the deception or submission of falsified documents or information was employed.</p> <p>Failure to disclose material fact In your application, [you or another person] failed to disclose the following facts [state facts]. I am satisfied that these facts were material to the application because [state reasons]. Appeal rights depend on category application OR You stated [on your application form/during interview] that you have never been to the UK before. You signed your application form on [date] to confirm this was correct. However, records held by the UK police indicate that you were in the UK on [date]. Failing to declare your immigration history [include paragraph 320(7A) wording] undermines the credibility of the whole application. As a result of this the Entry Clearance Officer cannot be satisfied as to your intentions.</p> <p>You should note that because this application for entry clearance has been refused under paragraph 320 (7A) of the Immigration Rules, any future applications may also be refused under paragraph 320 (7B) of the Immigration Rules.</p>	
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		A refusal under paragraph 320 (7B) of the Immigration Rules attracts an automatic refusal period of up to 10 years . The period starts from the date of the previous event in which the deception or submission of falsified documents or information was employed.	
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General grounds for refusal

Entry clearance - paragraph 320(7B)

This page gives suggested wording for a mandatory refusal of entry clearance on general grounds under paragraph 320(7B) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
320(7B)	Previously breached the UK's Immigration Rules (subject to A320)	<p>Use of deception in previous entry clearance application You were refused entry clearance for using deception by [explain] on [insert date] (refusal notice attached). I am therefore refusing you entry clearance under paragraph 320(7B) of the Immigration Rules. Any future applications will also be automatically refused, for the same reason, under paragraph 320(7B) of the Immigration Rules until [10 years after the previous refusal- that is, the application in which deception was used]</p> <p>Use of deception in previous leave to enter or remain application You were refused [leave to enter/leave to remain] for using deception by [explain] on [insert date] (refusal notice attached). I am therefore refusing you entry clearance under paragraph 320(7B) of the Immigration Rules. Any future applications will also be automatically refused, for the same reason, under paragraph 320(7B) of the Immigration Rules until [depends on how applicant was removed] after the previous refusal- that is, the application in which deception was used].</p> <p>Breach of UK immigration laws You have [been in the UK illegally, breached your conditions of stay, overstayed/used deception in an application for leave to enter or remain] and [left the UK voluntarily at own/public expense on...][was removed/deported from UK on.....]. I am therefore refusing you entry clearance under paragraph 320(7B) of the Immigration Rules. Any future applications will also be automatically refused, for</p>

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		the same reason, under paragraph 320(7B) of the Immigration Rules until [1, 2, 5 or 10 years after the applicant left the UK]	
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General grounds for refusal

Entry clearance - paragraph 320 (8-10)

This page gives suggested wording for a discretionary refusal of entry clearance on general grounds under paragraphs 320(8-10) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
320(8)	Failure to produce information required by the Immigration Officer	...but in view of ...I am satisfied that you have failed to furnish suitable information for the purpose of deciding whether you require leave to enter the United Kingdom or, if you do, whether or on what terms leave should be given and I am not prepared to exercise discretion in your favour.
320(8A)	Failure to supply information, documents, copy documents or medical certificate	(assuming there are no other reasons for refusal, and mainly used for TB cases) You have applied for entry clearance for the United Kingdom as a [reason for period over six months]. You intend to stay in the United Kingdom for more than six months and under paragraph 320(8A) of the Immigration Rules you were requested to produce a certificate issued by an approved clinic showing that you are free from infectious tuberculosis. You have not produced such certificate. I therefore refuse your application.
320(10)	Passport of an authority not recognised by Her Majesty's Government or other unacceptable	...but I am satisfied you have not produced a national passport/travel document issued by a/an territorial entity/authority which is not recognised as a state/dealt with as a government by Her Majesty's Government/does not accept valid United Kingdom passports for the purpose of its own immigration control/which does not comply with international passport practice and I am not prepared to exercise discretion in your favour.

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General grounds for refusal

Entry clearance - paragraph 320 (11-13)

This page gives suggested wording for a discretionary refusal for entry clearance on general grounds under paragraphs 320(11-13) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
320(11)	Contrived in a significant way to frustrate the rules	<p>Records held in the UK/You have admitted that you [enter details]. I am satisfied that this conduct is consistent with that described in Entry Clearance Guidance Chapter 26.18 as having contrived in a significant way to frustrate the intentions of the Immigration Rules because [enter details]</p> <p>Your application is therefore one that, according to paragraph 320(11) of the Immigration Rules, should normally be refused. I have considered the circumstances of your application [explain what applicant is coming to do, any claimed HR issues, exceptional circs]. However, on balance I am not satisfied that your particular circumstances are of a sufficiently compelling nature to justify my granting your application, having regard to the fact that it should normally be refused.</p>
320(13)	Lack of ability to return (or unacceptable elsewhere after a stay in the UK)	<p>...but I am not satisfied that you will be admitted to another country after your proposed stay in the United Kingdom and I am not prepared to exercise discretion in your favour.</p> <p>Appeal rights depend on category of application</p>

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Entry clearance - paragraph 320 (14-17)

This page gives suggested wording for a discretionary refusal for entry clearance on general grounds under paragraphs 320(14-17) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals

Related links

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Paragraph Number	Ground	Suggested wording
320(14)	Refusal of sponsor to give an undertaking in respect of support and accommodation	... but [name of sponsor] has been requested to give a written undertaking to be responsible for your maintenance and accommodation for the period of your proposed stay in the United Kingdom, but has refused to do so, and I am not prepared to exercise discretion in your favour.
320(15)	Immigration Employment document – false representations made of non-disclosure of material facts	...but you [made false representations/failed to disclose a material fact] for the purpose of obtaining your immigration employment document, and I am not prepared to exercise discretion in your favour.
320(16)	Child under 18 – no written consent provided by parent(s) or guardian(s)	... but you are under the age of 18 years and although you have been asked to provide written consent to the application from your parent(s) or legal guardian, you have not done so and I am not prepared to exercise discretion in your favour.
320(17)	Refusal to submit to a medical examination	...but you have refused to undergo a medical examination by the Medical Inspector and I am not prepared to exercise discretion in your favour.

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General grounds for refusal

Entry clearance - paragraph 320 (18-19)

This page gives suggested wording for a discretionary refusal for entry clearance on general grounds under paragraphs 320(18-19) of the Immigration Rules. See related link.

For more information on appeals see related link: Appeals

Related links

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Paragraph Number	Ground	Suggested wording
320(18)	Persons convicted of criminal convictions	Records held in the United Kingdom indicate that you have been convicted of at least one criminal offence that could have carried a custodial sentence of more than 12 months [if that offence had occurred in the United Kingdom]. According to those records, that conviction is not spent... I have also considered the compassionate circumstances of your application [the refusal notice must reflect that consideration has been given to the proportionality of the decision and impact of human rights and compassionate considerations]. However, I am not satisfied that they are of a sufficiently compelling nature for me to exercise the powers of discretion granted to me by paragraph 320(18) of the Immigration Rules.
320(19)	Exclusion conducive to the public good – Immigration Officer's discretion	[You must not make reference to the details of the caution, reprimand, final warning or arrest in the refusal notice] Records held in the United Kingdom indicate that you have been arrested/cautioned in connection with an/x offence(s) and that those cautions remain on police records. I am therefore satisfied that your exclusion to the United Kingdom is conducive to the public good. [320(19) may extend beyond criminality, in which case the refusal notice must make reference to the reason why the applicant is being refused]. I have considered the circumstances of your application [the refusal notice must reflect that consideration has been given to the proportionality of the decision and impact of human rights and compassionate considerations]. However, on balance I am not satisfied that they are of a sufficiently compelling nature to override my

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		<p>belief that your exclusion to the United Kingdom is conducive to the public good for me to exercise the powers of discretion granted to me by paragraph 320(19) of the Immigration Rules.</p> <p>or</p> <p>but in the light of your character/conduct/associations I consider it undesirable to issue you an entry clearance and I am not prepared to exercise discretion in your favour.</p>	
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General grounds for refusal

Refusal wording – leave to remain paragraph 322

<p>Refusal wording - entry clearance - paragraph 320</p> <p>Refusal wording - leave to remain - paragraph 322</p>	<p>This section contains suggested refusal wording for refusal notices when you refuse a person on general grounds who has applied for leave to remain. You must use the term general grounds in all formal notices, decision letters and notification to applicants or their representatives.</p> <p>You can refuse on general grounds because of a person's background, behaviour, character, conduct or associations.</p> <p>The suggested wording is based on paragraph 322 of the Immigration Rules which sets out the circumstances when you can refuse a person on general grounds.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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General grounds for refusal

Leave to remain - paragraph 322(1-1A)

This page gives suggested wording for a mandatory refusal for leave to remain on general grounds under paragraph 322(1-1A) of the Immigration Rules. See the related link.

For further information on appeal rights see the related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
322(1)	Leave to enter or remain is sought for a purpose not covered by the rules	You have applied for [indefinite/leave] to remain in order to [insert specific reason here]. The Secretary of State is not satisfied leave to remain is being sought for a purpose covered by the Immigration Rules. [Explain reasons here]
322(1A)	Deception used in current application	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied you have [made false representations/submitted false documents/ submitted false information/withheld material facts] in relation to your application or in order to obtain documents from the Secretary of State or a third party required in support of the application. [Explain reasons here]
322(1B)	Applicant is subject to a deportation order	You have applied for [indefinite/leave] to remain as [insert category here] but in view of the fact that you were issued with a deportation order on (insert date) and did not submit your application for leave until (insert date) the Secretary of State is satisfied that you were subject to a deportation order on the date you made your application.

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322(1C) (i)	Applying for ILR and have a criminal conviction for which they have been sentenced for at least four years	You have applied for indefinite leave to remain in the United Kingdom as [insert category here] but in view of the fact that you were sentenced for a period of XX years on (insert date of conviction) the Secretary of State is satisfied you have been convicted of an offence for which you have been sentenced to imprisonment for at least 4 years.	
322(1C) (ii)	Applying for ILR and have a criminal conviction for which they have been sentenced for at least 12 months but less than 4 years in the last 15 years	You have applied for indefinite leave to remain in the United Kingdom as [insert category here] but in view of the fact that you were sentenced for a period of XX years on (insert date of conviction) the Secretary of State is satisfied you have been convicted of an offence for which you have been sentenced to imprisonment for at least 12 months in the last 15 years.	
322(1C) (iii)	Applying for ILR and have been sentenced for a period of less than 7 months in the last 7 years	You have applied for indefinite leave to remain in the United Kingdom as (insert category here) but in view of the fact that you were sentenced for a period of XX months on (insert date of conviction) the Secretary of State is satisfied that you have been sentenced to imprisonment for a period of less than 12 months in the last 7 years.	
322(1C) (iv)	Applying for ILR and have received a non-custodial sentence or other out of court disposal recorded on their criminal record in the last 24 months	You have applied for indefinite leave to remain in the United Kingdom as (insert category here) but in view of the fact that on (insert date of conviction) you were convicted of/admitted an offence for which you received a non-custodial sentence or other out of court disposal recorded on your criminal record the Secretary or State is satisfied that you were convicted of/admitted an offence for which you received a non-custodial sentence or other out of court disposal recorded on your criminal record in the last 24 months.	

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Leave to remain - paragraph 322(2-3)

This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraph 322(2-3) of the Immigration Rules. See the related link.

For further information on appeal rights see the related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
322(2)	Deception used in previous application	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but you [made false representations/failed to disclose [a] material fact[s] for the purpose of obtaining [leave to enter/a previous variation of leave] or in order to obtain documents from the Secretary of State or a third party required in support of the application for [leave to enter or a previous variation of leave]. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]
322(3)	Failure to comply with any conditions to their stay	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied that you have failed to comply with the conditions attached to the grant of your leave to enter or remain. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]

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General grounds for refusal

Leave to remain - paragraph 322(4-5)

<p>This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraphs 322(4-5) of the Immigration Rules. See the related link.</p> <p>For further information on appeal rights see the related link: Appeals.</p>			<p>Related links</p> <p>Links to staff intranet removed</p>
Paragraph Number	Ground	Suggested wording	
322(4)	Failure to maintain and accommodate themselves and any dependents without recourse to public funds	This paragraph is no longer in use. You must refuse the applicant under the relevant category of the rules and paragraph 322(3).	
322(5)	The undesirability of permitting a person to remain in the UK or represents a threat to national security	<p>You have applied for [indefinite leave/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied it would be undesirable to permit you to remain in the United Kingdom [in the light of your [character/convictions/associations]/as you represent a threat to national security]. [Explain reasons here].</p> <p>Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour].</p>	
322(5)	<p>The undesirability of permitting a person to remain in the UK or represents a threat to national security</p> <p>(Criminal behaviour below the criminal</p>	<p>The Home Office has reviewed the facts known about your case and it has been concluded that, following your conviction for [details], your removal on the grounds of your [character/conduct] would be conducive to the public good.</p> <p>The Home Office regards as particularly serious those offences involving violence, sex, arson and drugs. Also taken into account is the sentencing court's view of the seriousness of the offence, as reflected in the sentence</p>	

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	<p>casework (CC) threshold)</p>	<p>imposed, the result of any appeal upon that sentence, as well as the effect of that type of crime on the wider community. The type of offence is an important consideration, together with the need to protect the public from serious crime and its effects. In addition to these factors, the circumstances of the particular offence(s) are looked at. In your case the sentencing judge commented as follows [detail].</p> <div style="border: 2px solid red; padding: 10px; margin: 10px 0;"> <p style="text-align: center;">Restricted- do not disclose – start of section</p> <p>The information in this page has been removed as it is restricted for internal Home Office use only.</p> <p style="text-align: center;">Restricted- do not disclose – end of section</p> </div>	
<p>322(5A)(a)</p>	<p>Undesirable for applicant to remain in the UK because of their offending causing serious harm</p>	<p>You have applied for indefinite leave/leave to remain in the United Kingdom as (enter category), but in view of (include brief explanation of why they are considered to have caused serious harm) the Secretary of State considers that it is undesirable to permit you to remain in the UK, given your offending has caused serious harm.</p>	

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322(5A)(b)	Undesirable for applicant to remain in the UK because they are a persistent offender who shows a particular disregard for the law.	You have applied for indefinite leave/leave to remain in the United Kingdom as (enter category), but in view of (include brief explanation of why they are considered to be a persistent offender who has shown a particular disregard for the law) the Secretary of State considers that you are a persistent offender who shows a particular disregard for the law.	
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Leave to remain - paragraph 322(6-7)

This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraphs 322(6-7) of the Immigration Rules. See the related link.

For information on appeal rights see the related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
322(6)	Refusal by the sponsor to give an undertaking	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied that your sponsor, [when requested to do so, has not given an undertaking in writing to be responsible for your maintenance and accommodation in the United Kingdom/has failed to honour an undertaking to be responsible for your maintenance and accommodation in the United Kingdom]. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]
322(7)	Failure to honour any declaration or undertaking	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied that you have failed to honour a declaration or undertaking given orally or in writing as to the intended duration and/or purpose of your stay. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]

This guidance is based on the Immigration Rules

General grounds for refusal

Leave to remain - paragraph 322(8-9)

This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraphs 322(8-9) of the Immigration Rules. See the related link.

For information on appeal rights see the related link: Appeals.

Related links

Links to staff intranet removed

Paragraph Number	Ground	Suggested wording
322(8)	Restricted ability to return	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is not satisfied that you will be returnable to another country if allowed to remain in the United Kingdom for a further period. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]
322(9)	Failure to produce information, documents or other evidence within a reasonable time	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied that you have failed to produce, within a reasonable time, information documents or other evidence required by the Secretary of State to establish your claim to remain under the Immigration Rules. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]

This guidance is based on the Immigration Rules

General grounds for refusal

Leave to remain - paragraph 322(10-11)

This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraphs 322(10-11) of the Immigration Rules. See the related link.

For information on appeal rights see the related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
322(10)	Failure to attend for interview	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied you have failed, without providing a reasonable explanation, to comply with a request made on behalf of the Secretary of State to attend for interview. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]
322(11)	Failure in the case of a child under 18 to obtain parental consent	You have applied for [indefinite/leave] to remain in the United Kingdom as [insert category here] but the Secretary of State is satisfied you have failed to provide written consent to the application from your parent(s) or legal guardian. [Explain reasons here] Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour.]

This guidance is based on the Immigration Rules

General grounds for refusal

Leave to remain - paragraph 322(12)

This page gives suggested wording for a discretionary refusal for leave to remain on general grounds under paragraphs 322(12) of the Immigration Rules. See the related link.

For information on appeal rights see the related link: Appeals.

Related links

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Paragraph Number	Ground	Suggested wording
322(12)	Failure to pay an outstanding charge to the National Health Service (NHS)	<p>You have applied for [indefinite leave/leave to remain (delete as appropriate)] in the United Kingdom as [insert category here].</p> <p>The Secretary of State is satisfied that you have failed to pay an outstanding charge or charges with a total value of at least £1,000 in respect of National Health Service (NHS) treatment you have received. This is in accordance with the relevant NHS regulations on charges for overseas visitors, based on evidence received from [insert name of relevant NHS body].</p> <p>[Explain reasons here]</p> <p>Optional: [In light of this, the Secretary of State has deemed that refusal is appropriate and is not prepared to exercise discretion in your favour].</p>