

- 7.37 The changes to paragraphs 40(h) and 65B, replace the reference to appendix P with the relevant section in Appendix Finance. This change is explained in more detail below.
- 7.38 The remaining changes are to remove paragraphs that are redundant and to correct a minor omission.

### **Changes to Appendix AR and Appendix AR(EU)**

- 7.39 Changes are being made to paragraph AR2.11 of Appendix AR which ensure that a person can submit new evidence in support of an administrative review where a decision is made, at the border, to:

- cancel leave under Appendix EU; or
- refuse permission to enter or stay under Appendix S2 Healthcare Visitor; or
- refuse permission to enter under Appendix Service Providers from Switzerland

on the grounds that, whether or not to the applicant's knowledge, false or misleading information, representations or documents had been submitted in support of their application (including false or misleading information submitted to any person to obtain a document used in support of the application) and the information, representation or documentation was material to the decision to grant the application.

- 7.40 Changes are also being made to paragraph AR3.2 of Appendix AR to provide a right of administrative review, where a relevant decision is made, for students, child students and their dependants under Appendices ST Student and CS Child Student.
- 7.41 Paragraphs AR3.2 and AR5.2 are being amended to provide a right of administrative review, where a relevant decision is made for the Hong Kong British National (Overseas) route. This will allow those applying under this route to challenge a decision in the same way as other routes under the Immigration Rules.
- 7.42 Changes are being made to paragraph AR(EU)1.1 of Appendix AR (EU) to provide a right of administrative review, where a relevant decision is made, for:
- a joining family member (under the EUSS) of a resident EEA or Swiss citizen; or
  - an S2 Healthcare Visitor; or
  - a service provider from Switzerland.

This will enable them to challenge a decision in the same way as those who come under the EUSS. Consequential changes are also being made to paragraphs AR(EU)A1, AR(EU)1.2, AR(EU)1.3 and AR(EU)2.1.

- 7.43 New paragraph AR(EU)4.1 makes it clear that where an administrative review under Appendix AR(EU) is pending the Home Office will not seek to remove the applicant from the UK. New paragraph AR(EU)4.2 sets out when an administrative review is pending. New paragraph AR(EU)4.3 provides applicants with a right to waive their