

# Statement of Changes in Immigration Rules - Cm5949

## August 2003

Presented to Parliament by the Secretary of State for the Home Department by Command of Her Majesty August 2003

The Home Secretary has made the changes hereinafter stated in the Rules laid down by him as to the practice to be followed in the administration of the Immigration Act 1971 for regulating entry into and the stay of persons in the United Kingdom and contained in the Statement laid before Parliament on 23 May 1994 (HC 395), as amended. The amending statements were laid before, or presented to, Parliament on 20 September 1994 (Cmnd 2663), 26 October 1995 (HC 797), 4 January 1996 (Cmnd 3073), 7 March 1996 (HC 274), 2 April 1996 (HC 329), 30 August 1996 (Cmnd 3365), 31 October 1996 (HC 31), 27 February 1997 (HC 338), 29 May 1997 (Cmnd 3669), 5 June 1997 (HC 26), 30 July 1997 (HC 161), 11 May 1998 (Cmnd 3953), 8 October 1998 (Cmnd 4065), 18 November 1999 (HC 22), 28 July 2000 (HC 704), 20 September 2000 (Cmnd 4851), 27 August 2001 (Cmnd 5253), 16 April 2002 (HC 735), 27 August 2002 (Cmnd 5597), 7 November 2002 (HC 1301), 26 November 2002 (HC 104), 8 January 2003 (HC 180), 10 February 2003 (HC 389), 31 March 2003 (HC 538) and 30 May (Cmnd 5829)

These changes take effect on 25th August 2003.

1. Paragraph 95 is amended as follows:

- (a) In sub-paragraph (ii) for "aged 17 to 27 inclusive", substitute "aged 17 to 30 inclusive"; and
- (b) For sub-paragraph (vi), substitute "(vi) is intending to take employment as an integral part of a working holiday; and"
- (c) In sub-paragraph (vii) delete "or commitments which would require him to earn a regular income"

2. For paragraph 96, substitute:

"96. A person seeking leave to enter the United Kingdom as a working holidaymaker may be admitted for a period not exceeding 2 years provided he is able to produce to the Immigration Officer, on arrival, a valid United Kingdom entry clearance for entry in this capacity."

3. For paragraph 99, substitute:

"99. An extension of stay as a working holidaymaker may be granted provided the Secretary of State is satisfied that the applicant meets each of the requirements of paragraph 98."

4. After paragraph 131D, insert:

"131D. The requirements for an extension of stay to take employment (unless the applicant is otherwise eligible for an extension of stay for employment under these Rules) for a working holidaymaker are that the applicant:

- (i) entered the United Kingdom as working holidaymaker in accordance with paragraphs 95 to 96 of these Rules; and
- (ii) he has spent more than 12 months in total in the UK in this capacity; and
- (iii) holds a valid Home Office immigration employment document for employment; and

(iv) meets each of the requirements of paragraph 128 (ii) to (vi)."

5. In paragraph 186, sub-paragraph (iii) after "the United Kingdom and Islands", insert "and that any such grandparent is the applicant's blood grandparent or grandparent by reason of an adoption recognised by the laws of the United Kingdom relating to adoption."

6. In paragraph 282, in the final line, after "for entry", for "is", substitute "in".

7. In paragraph 284, for sub-paragraph (i), substitute:

"(i) the applicant has limited leave to enter or remain in the United Kingdom, other than where as a result of that leave he would not have been in the United Kingdom beyond 6 months from the date on which he was admitted to the United Kingdom on this occasion in accordance with these Rules, unless the leave in question is limited leave to enter as a fiancé; and".

8. In paragraph 295A, after (ii) insert:

"(iii) the parties are not involved in a consanguineous relationship with one another; and".

9. In paragraph 295D, after sub-paragraph (vi), insert:

"(v) the parties are not involved in a consanguineous relationship with one another; and".

10. In paragraph 295J, after sub-paragraph (ii), insert:

"(iii) the parties are not involved in a consanguineous relationship with one another; and".

11. In paragraph 295B, in the fifth line, after "for entry", for "is", substitute "in".