

Statement of Changes in Immigration Rules - HC464

March 2004

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), 30 May (Cmnd 5829), 24 August 2003 (Cmnd 5949) and 12 November 2003 (HC 1224) and 17 December 2003 (HC 95) and 12 January 2004 (HC176) and 26 February 2004 (HC 370).

These changes take effect on 1st April 2004.

After Paragraph 135K, insert:

"Requirements for an extension of stay for Sector-Based employment

135L. The requirements for an extension of stay for Sector-Based employment are that the applicant:

- (i) entered the United Kingdom with a valid Home Office immigration employment document issued under the sectors-Based Scheme and;
- (ii) has written approval from the Home Office for the continuation of his employment under the Sectors-Based Scheme; and
- (iii) meets the requirements of paragraph 135I (ii) to (vi); and
- (iv) would not, as a result of the extension of stay sought, remain in the United Kingdom for Sector-Based Scheme employment to a date beyond 12 months from the date on which he was given leave to enter the United Kingdom on this occasion in this capacity.

Extension of stay for Sectors-Based Scheme employment

135M. An extension of stay for Sectors-Based Scheme employment may be granted for a period not exceeding the period of approved employment recommended by the Home Office provided the Secretary of State is satisfied that each of the requirements of paragraph 135L are met. An extension of stay is to be subject to a condition restricting the applicant to employment approved by the Home Office.

Refusal of extension of stay for Sectors-Based Scheme employment

135N. An extension of stay for Sector-Based Scheme employment is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 135L is met."