

CHAPTER 4  
SECTION 1

ANNEX B

"AU PAIR" PLACEMENTS

REFUSAL FORMULAE

**PLEASE NOTE:** *The following wordings are examples - they do not constitute an exhaustive list of all possible formulae.*

ON ENTRY

"You have asked for leave to enter the United Kingdom as an "au pair" with (.....) ....."

**Not within definition:**

**Purpose not to learn English**

"... but I am not satisfied that you are coming to the United Kingdom for the purpose of learning the English Language, or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition set out in Paragraph 88 of the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(a)**

{Refusal Code Z1}

**Not English speaking family**

"... but I am not satisfied that you will be living with an English-speaking family, or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition set out in Paragraph 88 of the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(b)**

{Refusal Code Z1}

**No opportunities for study**

"... but I am not satisfied that you will have appropriate opportunities for study, or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition set out in Paragraph 88 of the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(b)**

{Refusal Code Z1}

**Full time domestic employment**

".... but I am not satisfied that you will only help in the home for a maximum of 5 hours per day in return for a reasonable allowance and with 2 free days per week or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition set out in Paragraph 88 of the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(c)**

{Refusal Code Z1}

**Under/over age**

"... but I am not satisfied that you are aged between 17 - 27 inclusive/ were aged between 17 - 27 inclusive when first given leave to enter in this capacity."

**Paragraph 91 with reference to 89(ii)**

*\* No entitlement to appeal by virtue of section 13(3B)(b)*

{Refusal Code Z1}

**Married**

"... but I am not satisfied you are unmarried."

**Paragraph 91 with reference to 89(iii)**

{Refusal Code Z1}

**Dependants**

"... but I am not satisfied that you are without dependants."

**Paragraph 91 with reference to 89(iv)**

{Refusal Code Z1}

**Ineligible nationality**

"... but you are a national of ..... and consequently I am not satisfied that you are a national of one of the countries included in the au pair placement arrangements listed in the Immigration Rules."

**Paragraph 91 with reference to 89(v)**

*\* No entitlement to appeal by virtue of section 13(3B)(b)*

{Refusal Code Z1}

**Intention to stay more than 2 years as an au pair**

"... but I am not satisfied that you do not intend to stay in the United Kingdom for more than 2 years as an au pair."

**Paragraph 91 with reference to 89(vi)**

{Refusal Code Z1}

**Intention to leave**

"... but I am not satisfied that you intend to leave the United Kingdom on completion of your stay as an "au pair"."

**Paragraph 91 with reference to 89(vii)**

{Refusal Code Z1}

**2 year limit**

"... but you have previously spent time in the United Kingdom as an "au pair", having been given leave to enter as such on ..., and I am therefore not satisfied that you are not seeking leave to enter to a date beyond 2 years from the date on which you were first given leave to enter in this capacity."

**Paragraph 91 with reference to 89(viii)**

*\* No entitlement to appeal by virtue of Section 13(3B)(b)*

{Refusal Code Z1}

**AFTER ENTRY**

"You have applied for leave to remain in the United Kingdom as an au pair ..."

**No switching**

"... but the Secretary of State is not satisfied that you were given leave to enter the United Kingdom as an au pair."

**Paragraph 94 with reference to 92(i)**

{INDECS Code: A9}

**Purpose not to learn English**

"... but [? in view of ...] the Secretary of State is not satisfied that you are in the United Kingdom for the purpose of learning the English language or, therefore, that you are in an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 94 with reference to 92(ii) and 88(a)**

{INDECS Code: A8} }

**Not an English speaking family**

"... but [? in view of ...] the Secretary of State is not satisfied that you will live for a time as a member of an English speaking family or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 94 with reference to 92(ii) and 88(b)**

{INDECS Code: A8}

**Opportunities for study**

"... but [? in view of ...] the Secretary of State is not satisfied that you [will] have appropriate opportunities for study or, therefore, that you are in an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 94 with reference to 92(ii) and 88(b)**

{INDECS Code: A8}

**Home help arrangements**

"... but [? in view of ...] the Secretary of State is not satisfied that you [will] only help in the home for a maximum of 5 hours per day in return for a reasonable allowance and with 2 free days per week or, therefore, that you are in an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 94 with reference to 92(ii) and 88(c)**

{INDECS Code: A8}

**Under/over age**

"... but [? as you were born on ...] the Secretary of State is not satisfied that you are aged between 17 - 27 inclusive [or was so aged when first given leave to enter in this capacity]."

**Paragraph 94 with reference to 92(iii) and 89(ii)***\* No entitlement to appeal by virtue of section 14(2A)(b)*

{INDECS Code: A5}

**Married**

"... but [? in view of ...] the Secretary of State is not satisfied that you are unmarried."

**Paragraph 94 with reference to 92(iii) and 89(iii)**

{INDECS Code: A8}

**Dependants**

"... but [? in view of ...] the Secretary of State is not satisfied that you are without dependants."

**Paragraph 94 with reference to 92(iii) and 89(iv)**

{INDECS Code: A8}

**Ineligible nationality**

"... but you are a national of ... and consequently the Secretary of State is not satisfied that you are a national of one of the countries included in the au pair placement arrangements listed in the Immigration Rules."

**Paragraph 94 with reference to 92(iii) and 89(v)***\* No entitlement to appeal by virtue of section 14(2A)(b)*

{INDECS Code: A7}

**Intention to stay more than 2 years as an au pair**

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to stay in the United Kingdom for more than 2 years as an au pair."

**Paragraph 94 with reference to 92(iii) and 89(vi)**

{INDECS Code: A8}

**Intention to leave**

"... but [? in view of ...] the Secretary of State is not satisfied that you intend to leave the United Kingdom on completion of your stay as an au pair."

**Paragraph 94 with reference to 92(iii) and 89(vii)**

{INDECS Code: A8}

**2 year limit**

"... but [? in view of ...] the Secretary of State is not satisfied that you would not, as a result of an extension of stay remain in the United Kingdom as an au pair to a date beyond 2 years from the date on which you were first given leave to enter the United Kingdom in this capacity."

**Paragraph 94 with reference to 92(iv)**

*\* No entitlement to appeal by virtue of section 14(2A)(c)*

{INDECS Code: A6}

**ENTRY CLEARANCE**

"You have applied for entry clearance to the United Kingdom as an au pair ..."

**Purpose not to learn English**

"... but [? in view of ...] the Secretary of State is not satisfied that you are going to the United Kingdom for the purpose of learning the English language or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(a)****Not an English speaking family**

"... but [? in view of ...] the Secretary of State is not satisfied that you will live for a time as a member of an English speaking family or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(b)****Opportunities for study**

"... but [? in view of ...] the Secretary of State is not satisfied that you will have appropriate opportunities for study or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(b)****Home help arrangements**

"... but [? in view of ...] the Secretary of State is not satisfied that you will only help in the home for a maximum of 5 hours per day in return for a reasonable allowance and with 2 free days per week or, therefore, that you will be taking up an arranged placement which can be shown to fall within the definition of an au pair placement as set out in the Immigration Rules."

**Paragraph 91 with reference to 89(i) and 88(c)****Under/over age**

"... but [? as you were born on .../as you have failed to produce [satisfactory] evidence of your date of birth] the Secretary of State is not satisfied that you are aged between 17 - 27 inclusive."

**Paragraph 91 with reference to 89(ii)**

*\* No entitlement to appeal by virtue of section 13(3B)(b)*

**Married**

"... but [? in view of ...] the Secretary of State is not satisfied that you are unmarried."

**Paragraph 91 with reference to 89(iii)****Dependants**

"... but [? in view of ...] the Secretary of State is not satisfied that you are without dependants."

**Paragraph 91 with reference to 89(iv)**

**Ineligible nationality**

"... but you are a national of ... and consequently the Secretary of State is not satisfied that you are a national of one of the countries included in the au pair placement arrangements listed in the Immigration Rules."

**Paragraph 91 with reference to 89(v)**

*\* No entitlement to appeal by virtue of section 13(3B)(b)*

**Intention to stay more than 2 years as an au pair**

"... but [? in view of ...] the Secretary of State is not satisfied that you do not intend to stay in the United Kingdom for more than 2 years as an au pair."

**Paragraph 91 with reference to 89(vi)****Intention to leave**

"... but [? in view of ...] the Secretary of State is not satisfied that you intend to leave the United Kingdom on completion of your stay as an au pair."

**Paragraph 91 with reference to 89(vii)****2 year limit**

"... but you have previously spent time in the United Kingdom as an "au pair", having been given leave to enter as such on ..., and the Secretary of State is not satisfied that you are not seeking to be re-admitted to a date beyond 2 years from the date on which you were first given leave to enter in this capacity."

**Paragraph 91 with reference to 89(viii)**

*\* No entitlement to appeal by virtue of section 13(3B)(c)*