



Late notice of Appeal (Out of Time)

Rule 10 of Asylum and Immigration Tribunal (procedure) Rules 2005

Name:

Post ref:

AIT ref:

The appellant was handed (sent) his/her* notice of refusal and AIT 2 appeal form (by courier/post)* on The appeal form should have been received by Post/Outsource agent/AIT* by

The AIT 2 notice of appeal (and supporting documentation) was received at Post/Outsource agent/AIT* on days after the deadline for receipt. The appellant has/has not* included an application for an extension of time.

I request that the timing of receipt of this appeal should therefore be considered as a preliminary issue under Paragraph 10 of the Asylum and Immigration (Procedure) Rules 2005.

ECO
POST
DATE

* Delete as appropriate

Preliminary Issue: Validity

Rule 9 of Asylum and Immigration Tribunal (procedure) Rules 2005

Name:

Post ref:

AIT ref:

..... [Name] applied for entry clearance as a[visitor, family visitor, student, dependent etc]* He/She* was refused on[date]. In accordance with Section 88/90/91* of the Nationality and Immigration Act 2002, the appellant's right to appeal is limited to any or all of the grounds referred to in section 84(1)(b) and (c) of the Nationality, Immigration and Asylum Act 2002.



On [date] an appeal was received at Post/from AIT indicating that a full right of appeal existed against the Immigration decision. However,[insert here the reasons for disputing the validity of the appeal]* . The applicant is therefore not entitled to the full right of appeal. Furthermore, the appellant does not qualify for the limited grounds of appeal as he/she* does not make reference to section 84(1)(b) or (c) of the Nationality, Immigration and Asylum Act 2002 in the grounds of appeal.

I request that the validity of this appeal should therefore be considered as a preliminary issue under rule 9 of the Asylum and Immigration (Procedure) Rules 2005. Insert here your reasons for disputing the validity of the appeal ie not visiting a qualifying family member as defined by regulation, is a student 6 months or less, is a dependent of a student again coming for 6 months or less, is a dependent of the main applicant whose application has been refused. etc (These are not exclusive and are examples only)*

ECO/ECM
POST
DATE

*Delete as appropriate.

POST REF:
AIT REF: (if known)

WITHDRAWAL OF APPEAL
Rule 17 of Asylum and Immigration Tribunal (procedure) Rules 2005

Name:

Date of birth:

The decision to refuse the above named entry clearance as a..... has now been overturned by the ECM on review. I am notifying the Asylum and immigration Tribunal that the decision to which this appeal relates has been withdrawn.

Signed ECM

POST:



DATE:

Pro-forma September 2006

SECTION ONE

For Home Office

WP (UK) Ref No:

Post & Reference No:

Home Office REF:

Today's Date:

Case Type or reason for request (please specify):

Last Name:

Other Given Names:

Date of Birth

Nationality

This application has been sent (please specify):

- For a decision to be taken on an EC application (By IND Home Office NCC2)
- As a mandatory referral (To Home office)
- Asking for information or details to be sought (i.e. from H/O file - IND E&E)

Please Specify:

- All supporting material Scanned and attached
- All supporting material sent by Fax to 0208 196 3682
- All supporting Material sent by Dip Bag – to leave on
- This case was previously referred on

SECTION TWO

To ECM

Our time scale for the resolution of this enquiry is

- From today's date



- From the date we receive all the supporting papers and information

SECTION THREE

To ECM

Further Update:

- HO reference number has now been assigned to this case.
- We received the supporting documents which you forwarded by fax/bag/email

Received here on

Decision made on

- Issue
- Refused
- Other (Please specify):

Full details and written confirmation are attached.

Mandatory referrals and to whom they must be referred:

NCC2

All applications that do not (not) fall within the Immigration Rules this will include:

- Dependants of a person with Humanitarian Leave to Remain (HLR) which was granted before 30 August 2005 (see AECIP 84/05)
- Other dependant relatives of a recognised refugee (e.g children over 18) (DSP 16)
- Other dependants of a person present and settled in the UK (DSP 15)

Persons exercising rights of access to a child (DSP 10)

Dependants of a person with Exceptional or Discretionary Leave to Remain (ELR or DLR) who have yet to obtain their ILR (DSP 16)

BCU

- Investors



- Setting up a business
- Innovator

UK Border Agency, Visa Services Directorate

- Nationality referrals (see AECIP 140/04)
- Non conducive refusals
- Witnesses to attend a trial in the UK
- Issuance of a EU UFF for a person who does not hold another form of acceptable Identification
- Surrogacy cases