



## NOTICE OF IMMIGRATION DECISION

In compliance with the Immigration (Notices) Regulations 2003 made under section 105 of the Nationality, Immigration and Asylum Act 2002

## REFUSAL OF ENTRY CLEARANCE

Post reference: \

To:

Date of Birth:

Nationality:

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### The evidence that the Entry Clearance Officer has taken into account

In order to reach a decision, I have taken into account:

- Your completed application form
- Your passport and the original documents that you provided (list each document provided in detail)

### The Entry Clearance Officer's decision

You have applied for admission to the United Kingdom by virtue of European Community Law as the family member of a European Economic Area national who is exercising, or wishes to exercise, rights of free movement under the Treaty of Rome in the United Kingdom.

I have refused your EEA family permit application on this occasion because I am not satisfied that you meet all of the requirements of Regulation 12 of the Immigration (European Economic Area) Regulations 2006. This decision will not prejudice any future UK visa or EEA family permit application that you make.

### The Entry Clearance Officer's reasons and supporting evidence

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## Your right of appeal

You are entitled to appeal against this decision under Regulation 29 of the Immigration (European Economic Area) (Amendment) Regulations 2003.

Under Regulation 30 of the Immigration (European Economic Area) (Amendment) Regulations 2003 you may only appeal from outside the United Kingdom. The appeal can only be made on one or more of the following grounds:

- That the decision breaches rights you have as an EEA National or member of such a person's family under Community Treaties relating to entry or to residence in the United Kingdom;
- That the decision is otherwise not in accordance with the law;
- That the decision is unlawful because it racially discriminates against you;
- That the decision is unlawful because it is incompatible with your rights under the European Convention on Human Rights;

You should not appeal on grounds which do not apply to you. If you decide to appeal against the refusal of your application, the decision will be reviewed in conjunction with your grounds of appeal. If you have any additional documentation which addresses the reasons for refusal, you are strongly advised to submit it with your notice of appeal, as it may be possible to resolve the points at issue without the necessity for an appeal hearing.

You must lodge your appeal at the First-tier Tribunal (Immigration and Asylum Chamber). You can do this by:

- Fax to: +44(0)1509221699; or
- Post to: First-tier Tribunal (Immigration and Asylum Chamber), PO Box 7866, Loughborough, LE11 2XZ, United Kingdom; or
- Returning your appeal papers to the *Visa Section*, *add full postal address*.

The completed appeal form must arrive no later than 28 days after the date of this notice, and you must make sure that it is signed and dated.

Entry Clearance Officer:

Date of refusal:

If posted to applicant date of posting:

If sent to VFS or CSC for forwarding to applicant, date sent:

If a copy of this notice was personally handed to you by an Entry Clearance Officer, then please sign below:

Applicant's signature:

Date



## Form IAFT-2 - Information Sheet

### APPEAL TO THE FIRST-TIER TRIBUNAL (IMMIGRATION AND ASYLUM CHAMBER) against A DECISION of an ENTRY CLEARANCE OFFICER

Complete this form if you are appealing from outside the United Kingdom against a decision of an Entry Clearance Officer (ECO). If you are appealing from outside the United Kingdom against any other decision, you must use appeal form IAFT-3.

To help you complete this form, refer to the guidance provided. Help can also be found at [www.tribunals.gsi.gov.uk](http://www.tribunals.gsi.gov.uk).

### Completing the form

The completed form should be:

- Written in **English**
- Written in **BLOCK CAPITAL LETTERS**
- Received by the visa section in the country where you applied for a visa **or** with the First-tier Tribunal **not later than 28 days** after you were served with notice of the decision.

Where you see a tick box , please put a tick  where appropriate to show your answer.

### Returning the form

- You must detach this information sheet and retain for your records, do not send it with the completed form.
- You can send the completed form to **either** the visa section which made the decision, **or** the First-tier Tribunal in the United Kingdom.
- If you send the form to the visa section the address is on your Notice of Decision.
- You can **either** post **or** fax your appeal but you should not post **and** fax it, **as this could cause delays to your appeal.**
- If you have a representative in the United Kingdom and have decided not to complete the form yourself, they can complete and send the form on your behalf.

The address in the United Kingdom is: **OR**  
**First-tier Tribunal (Immigration and Asylum Chamber)**  
**PO Box 7866**  
**Loughborough**  
**United Kingdom LE11 2XZ**

Fax to:  
**0044 (0)1509 221 699**

### Documents to send

You must send:

- The **signed and completed Appeal Form (IAFT-2)**
- Your **Notice of Decision** (If you do not send this you should explain why)
- **Photocopies of any other documents in support of your appeal** (in English or a certified translation). You **should not** send original documents (for example: passports, marriage certificates, birth certificates etc).

### Changes and contacting us

You **must** notify the Tribunal in writing if you change your address or representative. If you need to contact us after you have made your appeal, the details are:

By telephone to: 0044 (0)845 6000 877

By fax to: 0044 (0)116 249 4130 or 4252

By email: [Customer.Service@tribunals.gsi.gov.uk](mailto:Customer.Service@tribunals.gsi.gov.uk)

By Letter to:  
First-tier Tribunal (Immigration and Asylum Chamber)  
PO Box 6987  
Leicester  
United Kingdom.  
LE1 6ZX

**APPEAL TO THE FIRST-TIER TRIBUNAL (IMMIGRATION AND ASYLUM CHAMBER) against A DECISION of an ENTRY CLEARANCE OFFICER**

<b>UKBA International Group:</b> (for UKBAIG use only)	<b>Appeal Lodged:</b> (For FT(IAC) use only)	<b>Type of decision:</b> <i>Tick one box</i> Settlement <input type="checkbox"/> Non Settlement <input type="checkbox"/> Family Visit <input type="checkbox"/>
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<b>Do you wish to have your appeal decided on the papers or at an oral hearing?</b> <i>Oral hearings take place in the UK and your representative and / or sponsor may attend. If you do not have a UK representative or a sponsor, your case is likely to be decided on the papers.</i>		<i>Tick one box</i>
	<b>Oral Hearing</b>	<input type="checkbox"/>
	<b>Papers</b>	<input type="checkbox"/>

**Section 1 - Personal Information**

A. Family Name or Surname  
(As shown on your passport)

B. Given or First Name(s)  
(As shown on your passport)

C. Title (Mr / Mrs / Miss / Ms or Other)

D. Date of birth (Day/Month/Year)

E. Gender  Male  Female

F. Your address or an address where you can be contacted.  
*Notice: If you change your address, you must notify the Tribunal immediately in writing.*

G. Nationality (if more than one, state all)

**Section 2 – Your ECO Decision** (refer to your Notice of Decision)

A. Is your refusal a points based system (PBS) decision?  No  Yes

B. Post Reference Number

C. Name of decision making Post

D. Method of Service by ECO  Post  Fax or Personal Service  
 Courier  Other (please specify below)

E. Date you received your Notice of Decision

F. Are you sending your Notice of Decision with this form?

Yes

No – Please explain below

If you do not send the Notice of Decision with the appeal form, your appeal may be treated on the papers unless a satisfactory reason is given here.

### Section 3 – Your Appeal

#### A. Late appeal

Your appeal must be received at the Visa section or the First-tier Tribunal within 28 days of you receiving your Notice of Decision. If you know your appeal is late, or you are not sure if it will be received in time, you must apply for an extension of time. Explain why your appeal is late in the box below. Attach any evidence / additional sheets if necessary.

B. If you are sending any other documents with this form to support your appeal, they must be in English or a certified translation. Please list them here:

C. If you are intending to send other documents that are not yet available to you. Please list them here:

**D. Grounds of your appeal**

- You **must** let us know the reasons you disagree with the decision on the Notice of Decision document.
- Include any information that has not been mentioned in the Notice of Decision and say whether you have raised these issues before.
- You **must** give as much detail as possible as you may not be allowed to mention any further grounds at a later date. Attach any evidence / additional sheets of paper if necessary.

E. Have you appealed against any other immigration decision in the United Kingdom or overseas?

No

Yes – give details below:

Date	Appeal number (if known)
/ /	
/ /	
/ /	

F. Has any member of your family or anyone planning to accompany you made an appeal or are they planning to appeal against an immigration decision?

No

Yes – give details in the table below:

Name	Relationship	Appeal number / Post reference number

G. If you have chosen to have an oral hearing, who will be attending?

Sponsor

Your representative

Witnesses

H. Your hearing will be in **English**. Will anyone attending need an interpreter?

No

Yes – give details below:

Who:
Language:
Dialect:

I. If anyone attending the hearing has a disability, state any special requirements they have.

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### Section 4 - Your declaration

If you are the appellant and are completing this form yourself, you must sign and date this declaration.

**Declaration** - I, the appellant, believe the facts stated in this notice of appeal are true.

Signature:		Date
		/ /

### Data Protection statement

Information, including personal details that you have provided in this form will not be used by the Visa Section, or First-tier Tribunal, for any purpose other than the determination of your application. The information may be disclosed to other government departments and public authorities only, for related immigration or asylum purposes.

**Section 5 – Representative Details (refer to guidance notes)**

A. Name of Representative	
B. Name of Representative's Organisation (if any)	
C. Postal address for correspondence	
D. Reference for correspondence	
E. Telephone / mobile number	
F. Fax number	
G. Email address	

**Declaration by the representative - to be completed only when signing on behalf of the person named in Section 1 of this form**

I, the representative, am giving notice of appeal in accordance with the appellant's instructions and the appellant believes that the facts stated in this notice of appeal are true.

Representative's Signature:		Date
		/ /

**Section 6 – Sponsor Details (refer to guidance notes)**

A. Family / Surname	
B. Given / First Name(s)	
C. Title	
D. Postal Address for correspondence	
E. Telephone / mobile number	
F. Email address	

<b>I give authorisation for my sponsor to receive information relating to my appeal</b>	Yes	No

Appellant's / Representative's signature:		Date
		/ /

**Please note that if a sponsor is named in this section, the First-tier Tribunal may write to him / her to ask for confirmation of that person's intention to act as a sponsor.**

# **IMMIGRATION ACTS**

## **A GUIDE TO COMPLETING IAFT-2 APPEAL FORM**

**Notice of Appeal to the First-tier Tribunal (Immigration and Asylum  
Chamber)  
Overseas Entry Clearance**

# Information on appealing to the First-tier Tribunal (Immigration and Asylum Chamber)

This leaflet provides further information on how to decide whether to appeal, and how to bring an appeal to the Tribunal if that is what you decide to do.

If you want to know more about the appeals process, please see the Frequently Asked questions (FAQ) pages at [www.tribunals.gov.uk](http://www.tribunals.gov.uk).

## Deciding whether to appeal

The notice of decision explains the grounds on which you may appeal if you think the Home Office decision is wrong.

## Representatives

You may nominate someone to present your appeal on your behalf. This person is referred to as your representative. A representative can help you prepare your case for appeal, prepare and submit the appeal form and evidence on your behalf, and represent you at hearings before the Tribunal.

You must maintain contact with your representative until the appeal has been finally determined, and notify the Tribunal, through your representative of any change of address. If your representative ceases to act for you, you and your representative must notify the Tribunal immediately.

You should be aware that if the Tribunal's records state that you have a current representative, any document served on that representative will be deemed to have been served on you. This includes all notices and the determination. This applies to all persons nominated as a representative, irrespective of whether or not they are professional representatives, as described in the next section of this Guide.

## Professional Representatives

A professional representative provides immigration services in the course of a business (whether or not for profit), you should ensure that he or she is qualified to provide such services on your behalf. Information to who is permitted by law to provide such services in the United Kingdom can be obtained from the Office of the Immigration Services Commissioner (OISC), at [www.oisc.gov.uk](http://www.oisc.gov.uk) or by telephone on 0044 (0) 845 000 0046.

If you appoint a representative you should provide their details in Section 5 of the appeal form.

The requirement to be qualified does not apply to representatives operating outside the United Kingdom.

## Other Representatives

Should you not want to nominate a professional representative (as described above), you may nominate another person to represent you in your appeal, as long as that person does not have the provision of immigration advice and services as part of his business (whether or not for profit.)

You should seek **their** agreement before nominating that person as your representative, and ensure that he or she understands what **is expected of them** and their responsibilities.

In addition to nominating a representative, you can name a person resident in the UK as your sponsor (Section 6). A **sponsor** is a person resident in the UK who is prepared to provide support and accommodation to you. A sponsor can be a family member, a friend or anyone who is willing and able to provide the necessary support.

You should name the same person on your appeal form as you named in your application to the Entry Clearance Officer (ECO). Where you did not name a person as your sponsor for your application to the ECO you may name the person you wish to visit as the sponsor to your appeal.

**Your sponsor can act as your representative only if he or she has been nominated as such and is able to act as a representative.**

### **Is there a form for appealing to the Tribunal?**

Yes. If you are appealing against a decision of an Entry Clearance Officer you should complete the appeal form **IAFT-2** which you should have received with your notice of decision. If you haven't received an IAFT-2, you should contact the Entry Clearance Officer immediately at the visa section in the country where you applied.

If you require an extra copy of the appeal form, you can obtain one from:

- [www.tribunals.gov.uk](http://www.tribunals.gov.uk)
- [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk)
- the address given in your notice of decision or
- Tribunals Customer Service Centre on 0845 6000 877 or Minicom text phone on 0845 6060 766.

### **How do I complete the appeal form?**

You should read the information sheet at the beginning of the appeal form and this guidance. Please write in BLOCK LETTERS.

### **Where and when should I lodge my appeal?**

You must lodge your appeal **either** with the First-tier Tribunal or the post that made the decision against which you are appealing. (You will find the address on your notice of decision) Please lodge your appeal at only **one** location.

If you send your appeal to the visa or consular section, check that your representative or sponsor has not already lodged the appeal on your behalf. If they have, please do not send the appeal form.

If you lodge your appeal to the First- tier Tribunal, you can **either**:

**Fax to:** +44 (0) 1509 221 699  
**Post to:** First-tier Tribunal (Immigration and Asylum Chamber)  
PO Box 7866  
Loughborough  
United Kingdom  
LE11 2XZ

Your appeal form must be received either at the post where you applied or by the Tribunal **within 28 days** of the date you were served with the notice of decision.

If you are sending your appeal to the First-tier Tribunal, you should allow sufficient time from the day you post your appeal for the Tribunal to receive it.

If possible you are advised to send your appeal by recorded delivery or by any other service where a receipt of postage and acknowledgement of receipt can be obtained.

**Note: your appeal is not lodged until it has been received by the post that made the decision or the Tribunal. An appeal that is late may only be considered if the Tribunal decides to give an extension of time.**

### **Further information about specific sections on the IAFT-2**

#### **Type of decision**

You should be able to find the information you need in the notice of decision. If you are uncertain you can leave this blank.

## **Do you wish to have your appeal decided on papers or at an oral hearing?**

*On papers* means that the appeal will be decided on the information you provide on the appeal form and any other documents submitted as evidence.

*An oral hearing* you will not be able to attend however if you have a representative or witnesses (including a sponsor) they may be able to attend the hearing.

If you do not tick either of the boxes, the appeal will be decided on the papers unless you have a representative.

## **Section 1 – Personal information**

This section relates to personal information about you.

## **Section 2 – Your ECO Decision**

Refer to the notice of decision to complete this section. If you are not sending the notice of decision with the appeal form, you must explain why in **section F**.

## **Section 3 – Your appeal**

**Section A-C** - You must complete this section if your appeal is late or if you are not sure whether it will be received in time. The Tribunal **cannot** allow a late appeal to proceed unless there are special circumstances. It is therefore essential that you give full reasons why your appeal is late.

**Section D** - In this section you should clearly set out the reasons why you disagree with the decision made by the Entry Clearance Officer. Provide as much detail as you can to support these grounds. You must do this now because you may not be allowed to mention any further grounds at a later date.

Use additional sheets of paper if you need to.

**Section E–F** - If this applies to you, you should provide the information to the best of your knowledge. If you have a reference number but are unsure if it is an appeal reference, please insert it. The Tribunal may be able to match it with their records.

**Section G-I** - Complete this section if you have chosen to have an **Oral hearing**. The hearing will be conducted in **English**, if your witness does not speak English, please fully state the language and dialect of interpreter required.

A **witness** is anyone who comes to the court to give evidence in support of your appeal.

An **interpreter** will translate the oral evidence given at the hearing.

If anyone attending the hearing has a disability please state any special requirements they need.

## **Section 4 – Your declaration**

If you are the appellant and you are completing the form yourself, you must sign and date the appeal form.

## **Section 5 – Representative Details**

If you have a representative he or she must complete and sign this section of the form.

## **Section 6 – Sponsor Details**

If you have decided to have a sponsor (see page 2) enter their details in this section.

By ticking the box in this section, the named sponsor can obtain information that relates to your appeal such as confirmation of any hearing dates and venue, and the status of the appeal (i.e. decision reserved, the outcome will be sent to the appellant in due course). If you wish your sponsor to receive all information relating to your appeal, including copies of any determinations and appeal bundles, they must be named as a non-legal representative in section 5.

## **What do I do after I have completed the appeal form?**

Once you have completed the appeal form you should:

- keep the front sheet of the appeal form for reference.

- send your appeal form together with the notice of decision and any other documents to **either** the post that made the decision, or the Tribunal, (addresses are on page 3 of this guide and on the appeal form). You are advised to keep copies of the appeal form and all other documents you send with the form.

If you cannot send the notice of decision with your appeal form, you should clearly state the reasons why in Section 2F.

**It is important that you attach any evidence that you wish the judge to consider as part of your appeal with this form. The Home Office will be given the opportunity to consider reviewing the original decision prior to a hearing date being set.**

Please make sure that all documents sent to the tribunal are in English, or accompanied by a translation into English and signed by a translator to certify that the translation is accurate.

When the Tribunal receives your appeal form you will receive written confirmation of when and where any hearing will take place.

**Who do I contact if there are any questions after I have sent my form to the Tribunal?**

If you have any queries after you have lodged your appeal you can contact the Tribunal:

**By post:**                      **First-tier Tribunal (Immigration & Asylum Chamber)**  
**Tribunals Support Centre**  
**PO Box 6987**  
**Leicester**  
**United Kingdom**  
**LE1 6ZX**

**By telephone:**              Tribunals Customer Service Centre on **+44 (0) 845 6000 877**

**Please have your appeal reference number available.**

**By email:**                      [Customer.Service@tribunals.gsi.gov.uk](mailto:Customer.Service@tribunals.gsi.gov.uk)

**Please clearly state the subject of your enquiry and your appeal number**