

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. Please advise what the entitlements are with respect to a UK multiple travel visitor visa.

RESPONSE

1. Please advise what the entitlements are with respect to a UK multiple travel visitor visa.

The British High Commission, Consular Section (Canberra) information telephone service was contacted on 1902 941 555 on 15 June 2007. Communication between the researcher of the RRT Country Section and an officer of the Consular Section was undertaken with regard to the entitlements of a holder of a multiple travel visitor visa for the UK. Subsequently, a request for written information on the entitlements of a UK multiple travel visitor visa was sent to the Visa Section of the British High Commission in Canberra via its enquiry box. This request is provided in Attachment 1 (RRT Country Research 2007, Email to Visa Section of the British High Commission, Canberra, 15 June – Attachment 1). The officer from the British High Commission in Canberra replied by email on 25 June 2007:

I refer to your email and our telephone conversation regarding your email enquiry about entry into the United Kingdom. A person on a 5-year Type-C MUlti entry visit visa may enter as many times as he wishes during that 5 year period. His maximum period of stay on any entry would be for 180 days. There are conditions on his stay in that he may not work or seek recourse to public funds. **On arrival in the UK should an Immigration Officer believe his circumstances may have changed since the issue of the visa he may be refused entry. For example if the Immigration Officer was satisfied that the person was entering for work purposes, or he may be entering to get married, or is seeking to settle permanently in the UK are just a few that spring to mind** (British High Commission, Canberra 2007, Email to RRT Country Research, 25 June – Attachment 2)

General guidance on the entitlements for a holder of the most common visitor visa to the United Kingdom is available on the UK government's UKvisas website. This visa type has an entitlement to remain for up to six months for any one visit, valid for periods of one, two, five, and ten years. It does not entitle the visa holder to paid work. The website states that the holder of the visa "has permission to enter the UK" and that entry to the United Kingdom "will not normally" be refused "unless...circumstances have changed, or you gave false information or did not tell us important facts when you applied for your visa". The entitlements with regard to how long a person may remain in the UK, their work rights, and what activities can be carried out as a visitor, as stated on this website are:

What is a visa?

A visa is a certificate that is put into your passport or travel document by an Entry Clearance Officer at a British mission overseas. The visa gives you **permission** to enter the UK.

If you have a valid UK visa we will not normally refuse you entry to the UK unless your circumstances have changed, or you gave false information or did not tell us important facts when you applied for your visa.

When you arrive in the UK, an Immigration Officer may ask you questions, so take all relevant documents in your hand luggage.

...How long will my visa be valid for?

With a visit visa you can usually enter and leave the UK any number of times while the visa is still valid. **You cannot stay for longer than six months on each visit. Visit visas can be valid for six months, one year, two years, five years or 10 years.** You can apply for a visa valid for any of these periods. The Entry Clearance Officer may decide to make your visa valid for a shorter time than you have asked for, for example if you are not a regular traveller or have never visited the UK before.

... What are public funds?

Under the Immigration Rules, if you want to travel to the UK as a visitor you must be able to support yourself and live without claiming certain state benefits. Use this link to see a list of them:

Public funds

You are not allowed to enter the UK or stay as a visitor in the UK to receive medical treatment on the National Health Service (NHS). Information on how you can enter the UK to have private medical treatment is in this guidance.

You can find more information about public funds in the Immigration Directorate Instructions (IDIs) and Immigration Rules on the Border and Immigration Agency website. Border and Immigration Agency.

Can I carry out any business during my visit?

As a visitor, you can do the following.

Go to meetings, conferences, trade fairs or seminars – including being a guest speaker – as long as the conference or seminar is a one-off event and not part of an ongoing business arrangement.

Buy, check details of or examine goods.

Deliver goods from abroad, for example as a lorry driver.

Negotiate or sign trade agreements or contracts.

Go for interviews – this can include a sportsperson going for trial, or an entertainer going for an audition.

Carry out fact-finding missions, such as a journalist going on a short assignment to cover a story.

Act as an adviser, consultant, trainer or investigator, as long as you are employed abroad, either directly or under contract, by the same company (or group of companies) to which the UK client firm belongs, but:

your involvement must not include actually managing the project or providing consultancy services direct to the UK company's clients, and

training should be for a specific, one-off purpose, should not go beyond classroom instruction, and should not be otherwise readily available in the UK.

Act as tour-group carriers working for a firm outside the UK who want to enter the UK to carry out short-term duties but do not want to base themselves permanently in the UK.

Act as interpreters or translators if you already work for an overseas company and you are travelling with business visitors from the company and working for them only.

Act as representatives of computer-software companies coming to install, upgrade or repair their products. You can also visit the UK to find out the requirements of a UK customer.

However, if you would be expected to provide a detailed assessment of a possible new customer's needs, we would consider this to be consultancy work and you would need a work permit for it.

Act as a representative of a foreign company coming to put up, take down, install, service, repair or give advice about machinery made abroad.

Take part in training techniques and work practices that we use in the UK, as long as training just involves watching demonstrations and classroom instruction only.

You cannot: take paid or unpaid work, produce goods or provide services in the UK, or sell goods and services to members of the public ('Guidance – Visitors (INF 2): Visitor

Visa to UK' 2007, UK visas website, 23 May

<http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1018696642519> – Accessed 15 June 2007 – Attachment 3).

List of Sources Consulted

Internet Sources:

Government Information & Reports

UK visas website <http://www.ukvisas.gov.uk/>

British High Commission, Consular Section, Canberra.

Search Engines

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. RRT Country Research 2007, Email to Visa Section of the British High Commission, Canberra, 15 June.
2. British High Commission, Canberra 2007, Email to RRT Country Research, 25 June.
3. 'Guidance – Visitors (INF 2): Visitor Visa to UK' 2007, UK visas website, 23 May <http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1018696642519> – Accessed 15 June 2007.