



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Numbers: OA/21597/2012

THE IMMIGRATION ACTS

No hearing

On 1 July 2013

**Determination
Promulgated**

On 5 July 2013

Before

Mr C M G Ockelton, Vice President

Between

THE ENTRY CLEARANCE OFFICER, DUBLIN

and

Appellant

SAEED HAJEBI

Respondent

DETERMINATION AND REASONS

1. The respondent is a national of Iran. He entered a notice of appeal to the First-tier Tribunal against a decision of the Entry Clearance Officer Dublin, refusing him Entry Clearance for a business visit. Judge Gurung-Thapa allowed his appeal. The Entry Clearance Officer sought and obtained permission to appeal to this Tribunal on the ground that the judge had no jurisdiction in this case.
2. The respondent has been asked for his observation on the issue of jurisdiction. He has submitted documents going to the substance of his case, in essence repeating what he has said earlier, but has not offered any challenge to the Entry Clearance Officer's observations about jurisdiction. In these circumstances no useful purpose would be served by holding a hearing.

3. I note that, throughout, the respondent has claimed that he made an application for a “two-year business visa” and that it was “refused” by the sending of his passport back to him. The only decision, to which he can point, however, is that to which I have referred above; and the supporting documentation suggests that the intention was to enable him to make a number of short visits to the United Kingdom in the period from February 2012 to April 2015. It seems to me that the application was correctly processed as for a visit visa, which, if issued rather than refused, would have allowed multiple entries.
4. The right of appeal against refusal of a visit visa is greatly limited by statute. There is a general right of appeal against refusal of a visa for a family visit, but this application was not for a family visit. There is a right of appeal on human rights on discrimination grounds, but none were raised in this case.
5. It follows that the respondent had no right of appeal in the present case. The judge was wrong in law to entertain it. I set aside her decision and substitute a decision dismissing the appeal to the First-tier Tribunal for want of jurisdiction.

TRIBUNAL

C M G OCKELTON
VICE PRESIDENT OF THE UPPER

IMMIGRATION AND ASYLUM CHAMBER
Date: 1 July 2013