

Policy on Entry Control to Ascension

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Ascension Island Government



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Background

1. The UK government has in force a policy that there is no right of abode in Ascension. As such, there is no automatic right to remain in Ascension and the right of entry to Ascension is subject to certain conditions. This principle is established in Section 4(1) of the Entry Control Ordinance 2007. The Entry Control Ordinance 2007 is in place to provide authorities with the powers necessary to manage entry to the territory in most instances. It does however exempt certain categories of individual from the requirement to seek permission prior to entry to Ascension, as does the Bahamas Agreement¹.
2. Where persons are exempt from entry control requirements by virtue of their relationship to their employer, their employer is expected to comply with the provisions of this policy.

Context

3. Whilst guidelines for the consideration of visa applications were put in place in 2017, these were not published. As such, the system applied by decision makers was not open to scrutiny, and was not open to interrogation by the people to which it applied. It was therefore

¹ Bahamas Long Range Proving Ground Agreement – 25 June 1956

not an appropriate system and required revision, less it be subjected to legal challenge or a judicial review process.

4. In order to ensure clarity and openness in decision making, a wider review and assessment of entry control policy was undertaken, the result of which is this policy.
5. This policy has been agreed by the Governor of St Helena, Ascension and Tristan da Cunha in accordance with Section 16 of the Entry Control Ordinance 2007.

Issue

6. A robust system of entry control is a core function of government and is necessary for the good governance of the territory.
7. The Entry Control Ordinance 2007 provides powers to authorities to manage permission to enter, or to remain in, Ascension for most categories of individual.
8. In order to ensure that the powers provided within this Ordinance are applied fairly, openly and consistently, a policy concerning entry control is required.
9. In order that decisions concerning entry control are made fairly, openly and consistently, and that these are open to scrutiny, this policy is publicly available.

Principles and Objectives

10. For those falling outside of the categories identified in Section 5(2) of the Entry Control Ordinance 2007 there is no automatic right of entry to, or right to remain in, Ascension.
11. A person who lands in Ascension but remains in a secure area approved by the Administrator for the temporary accommodation of passengers who are in transit, is deemed not to have landed in Ascension for the purposes of this policy.
12. Policies and procedures concerning entry control should provide for open, consistent and proportionate decisions to be taken by decision makers.
13. Entry control decisions should seek to further public protection, public security, safeguarding of the population, national security and should reflect the need to discharge AIGs constitutional duties.
14. Entry control decisions should reflect the fact that there is no right of abode in Ascension, there are multiple military presences on the island and that there are installations of national security importance present in the territory.
15. Decisions taken with regard to entry control, including where permission to enter or remain is refused, should be transparent and open to challenge or appeal.

Application of Policy

16. Subject to the provisions of this policy, the Administrator has delegated the exercise of the powers under Section 6 and Section 7 of the Entry Control Ordinance 2007 to the Chief Immigration Officer and Immigration Officers.
17. Where persons are exempt from entry control requirements by virtue of their relationship to their employer, their employer is expected to comply with the provisions of this policy.

Applications for permission to enter or remain in Ascension

18. Applications must be made in the prescribed form and submitted to the Royal St Helena Police Ascension Island Detachment, and payment made in accordance with the fee specified.
19. When making an application, an applicant must detail which category of visa it is they are applying for. The categories of visas are detailed in Annex A.
20. Depending on the type of visa being applied for, the applicant may be asked to provide documentation in support of that application.
21. During the application process, an applicant may be asked to provide a background criminal record check. The requirement to provide such evidence will be considered against any pre-employment or pre-arrival checks undertaken by the employing or sponsoring organisation of the applicant.
22. If the application does not clearly fall into one of the categories outlined in Annex A, or there are doubts about the applicant's character or any of the information submitted in support of the application, then a decision maker may request further information from the applicant or an interview in order to confirm their final assessment of the application.

Approval of applications

23. If there are no legitimate grounds for refusal, as detailed in Annex B, an applicant will be granted permission to enter, or remain in, Ascension.

Refusal of applications

24. An application for entry clearance, permission to enter or permission to remain may be refused on certain grounds.
25. Whilst past offending may be a barrier to an application being approved, it should not be in and of itself. In line with the principle of the Rehabilitation of Offenders Act 1974, spent convictions will be considered against the nature of the offending and the time since the conviction for that offending. Only convictions for the most serious of offences against other persons, or against the state, will automatically preclude an application from being considered for approval.
26. Grounds for which a refusal may take place are detailed at Annex B. There may be more than one factor which would lead to an application being refused.
27. It is the responsibility of the decision maker to outline on what grounds an application is being refused and the evidence used to reach this determination. This should then be

communicated in writing to the applicant, and the process for appealing that decision explained.

Appeals process

28. In order to ensure that the system of Entry Control remains robust and fair, an appeals process must be in place. This process should allow an applicant to appeal a decision made by a decision maker during the course of an application to enter or remain in Ascension.
29. If after having been refused permission to enter, or remain in, Ascension, an applicant believes they have grounds to appeal, an appeal must be submitted within 28 days. Grounds for appealing a refusal are detailed in Annex B.
30. If the person is already present in Ascension, unless they have been convicted of a serious offence, they can ordinarily expect to be allowed to remain in Ascension whilst a decision is taken regarding their appeal.
31. An applicant is entitled to have their appeal considered by an official that was not involved in the original decision.
32. A first stage appeal is an internal appeal and will be considered by an official that was not involved in making the original decision. As the original decision would usually have been made by an Immigration Officer, this appeal made be considered by the Chief Immigration Officer, or if they were involved in the original decision, a senior official within AIG (such as a member of the Administrator's Office).
33. A second stage appeal is a statutory appeal made under Section 12 of the Entry Control Ordinance 2007. This appeal is made to the Governor following an initial decision and the completion of a first stage appeal decision.
34. As with the initial consideration of the application, in both stages of an appeal, the appeal authority should consider the application, and any supporting evidence, in line with this policy.
35. It is the responsibility of the appeal authority to communicate their decision in writing to the applicant within seven days of an appeal being received, outlining on what grounds they made their decision and the evidence used to reach this determination.

Removal from Ascension

36. The Administrator may order that any person who is in Ascension in contravention of this policy or the Entry Control Ordinance 2007 be removed from Ascension, as provided for by Section 10 of the Entry Control Ordinance 2007. This includes persons who have been refused permission to enter or to remain in Ascension.
37. Such an order may provide that the person in respect of whom it is made is to be arrested and detained until a suitable vessel is available for their removal and they are placed on board such vessel. It may also provide that all or part of the money or other property of the person in respect of whom it has been made is to be forfeited to the Crown and applied to the purposes of settling any expense incurred by any public officer in and about the maintenance of the person and their removal from Ascension.

Annex A – Categories of Visas

There are 10 main visa categories, several of which have sub-categories. They are:

- 1) Visitor
- 2) Business
- 3) Scientific / Research Visitor
- 4) Transit / Double Transit
- 5) Contractor
- 6) Employment
- 7) Accompanying Dependant
- 8) Landing Permit
- 9) Completion of On-island Education
- 10) Deemed permit, visa and exemptions

To note: Applicants seeking a visa of **any** category may be required to provide a police vetting certificate at the time of application. The police vetting certificate, will need to detail an applicant's criminal record, if any, and must have been issued within the preceding six months from the country or territory of residence.

Police vetting certificates must be in one of the following forms:

Association of Chief Police Officers Criminal Records Office (ACRO).

St Helena / Falkland Islands issued criminal record check detailing all unspent and spent convictions.

Where the applicant is not originating in one of the territories outlined above, they should provide a relevant check from the competent authority in their country of origin detailing their criminal history.

Subject access requests and DBS checks are not accepted for these purposes.

1) Visitor

This allows a single stay of up to a maximum of three months, or up to the earliest available departure from Ascension following the three month period.

Multiple Visitor visas can be issued to the same individual, however no individual may remain in Ascension for more than a cumulative total of over six months' duration in any 12 month period.

This condition is applicable for persons wishing to come to Ascension Island purely for a holiday, visiting family and friends, for a general visit, or if they are awaiting transport to another destination and the period is longer than the seven days transit criteria. Someone may apply for a Visitor visa at the expiry of another type of visa, such as an employment visa. A person on a Visitor visa may seek employment with the prior permission of the

Administrator, which would ordinarily be approved, but employment itself is prohibited without a relevant visa.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder's entry visa ceases to be valid if the holder leaves Ascension prior to the expiry date. The holder may arrive up to 72 hours after the start of the visa. Provided their medical insurance remains valid, the holder may also depart up to 72 hours after the stated departure date of the visa, as long as the circumstances relate to unforeseen changes, such as delays to flight or shipping schedules.

2) Business

This allows a single stay of up to a maximum of two months.

This is applicable for persons wishing to visit Ascension Island to undertake short term business or to consult temporarily with one of the employing organisations based in Ascension Island. A business visit might include activities such as delivering training, auditing, inspecting, tendering, etc.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder's entry visa ceases to be valid if the holder leaves Ascension prior to the expiry date. The holder may arrive up to 72 hours after the start of the visa. Provided their medical insurance remains valid, the holder may also depart up to 72 hours after the stated departure date of the visa, as long as the circumstances relate to unforeseen changes, such as delays to flight or shipping schedules.

There are two sub-categories of Business Visa:

Short Term Business (for stays of 1 – 14 days validity)

To enable business representatives to visit Ascension Island as part of their work related activities for a period of 14 days or less. The requirement to register with the Director of Resources and pay income tax liability is waived for holders of this visa.

Long Term Business (for stays longer than 14 days, up to a maximum period of two months)

To enable business representatives to visit Ascension Island as part of their work related activities. As this stay is for a period longer than 14 days, there is a requirement to register with the Director of Resources and pay income tax. The maximum period permitted under this visa is two calendar months.

3) Scientific / Research Visitor

This allows a single stay of up to a maximum of three months.

This is applicable for persons visiting Ascension Island to undertake scientific activities, research or environmental conservation related activities. A short term extension may be possible on application.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder's entry visa ceases to be valid if the holder leaves Ascension prior to the expiry date. The holder may arrive up to 72 hours after the start of the visa. Provided their medical insurance remains valid, the holder may also depart up to 72 hours after the stated departure date of

the visa, as long as the circumstances relate to unforeseen changes, such as delays to flight or shipping schedules.

Before applying for a Scientific / Research Visitor visa the applicant must have an approved Research Permit. This can be obtained by emailing conservationenquires@ascension.gov.ac or can be found through the AIG Website at www.ascension.gov.ac/public-document/ascension-island-research-permit-application.

4) Transit / Double Transit

A Single Transit visa allows a single stay for a maximum of seven days for each journey until they have connected with the next available outgoing flight or ship.

Applications for stays longer than this should be made under a Visitor visa (see above).

A Double Transit visa allows for two stays for a maximum of seven days where a return journey within three months of the first visit will involve a stopover in Ascension Island.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder's entry visa ceases to be valid if the holder leaves Ascension prior to the expiry date. The holder may arrive up to 72 hours after the start of the visa. Provided their medical insurance remains valid, the holder may also depart up to 72 hours after the stated departure date of the visa, as long as the circumstances relate to unforeseen changes, such as delays to flight or shipping schedules.

5) Contractor

A Contractor visa allows a stay for the duration of the projected contracted work and is specifically for off-island contractors who undertake projects on behalf of a local employing organisation.

There are three types of Contractor visas:

Contractor A – Single entry for a maximum period of three months;

Contractor B – Multiple entry for a maximum period of six months; and

Contractor C – Multiple entry for a maximum period of one year.

One of the conditions will be for the contractor (and any sub-contractors) to make arrangements with the AIG Finance Office on arrival as to settlement of any tax liability under the Income Tax Ordinance. It is also a condition of this visa that all contract work undertaken must comply with local employment legislation.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder may arrive up to 72 hours after the start of the visa. Provided their medical insurance remains valid, the holder may also depart up to 72 hours after the stated departure date of the visa, as long as the circumstances relate to unforeseen changes, such as delays to flight or shipping schedules.

6) Employment

An Employment visa is only available for persons coming to Ascension to work on local employment contracts with one of the local employing organisations. It allows an employee and any accompanying dependants, once on island, to obtain an Employment or Accompanying Dependant Stamp from an Immigration Officer. It allows for multiple entries to

Ascension up to the end date to which their employer's obligations apply to them, in accordance with the Employment Ordinance 2022.

7) Accompanying Dependant

An Accompanying Dependant visa is only for the accompanying spouse, partner or dependent children under the age of 18, of a person who has been issued (or is applying in tandem for) an Employment visa, or a person that is an AIG employee.

When applying for an Accompanying Dependant visa, appropriate evidence should be submitted in support, such as the principal Employment visa and confirmation that the holder of the Employment visa holds an accompanied status contract of employment, or in the case of an accompanying dependant of an AIG employee, a letter of employment confirmation from AIG.

8) Landing Permit

A Landing Permit allows a single stay of up to three days.

This is applicable for persons that land at Ascension, ordinarily by sea, and who only intend to stay for a short period of time. A Landing Permit places a number of conditions on the individual, such as restricting their movement only to Georgetown unless on an organised tour, restricting their ability to stay ashore overnight and restricting their ability to hire a car.

The holder must present evidence of their medical insurance and proof of suitable and recognised accommodation during their stay in Ascension prior to arrival. The holder's entry visa ceases to be valid if the holder leaves Ascension prior to the expiry date.

9) Completion of On-island Education

A Completion of On-island Education visa is for persons completing post-16 study (such as A-Levels) in Ascension, but who have turned 18 years of age during their studies. As they will no longer qualify as a child dependant under the terms of an Accompanying Visa, this visa permits the individual to remain in Ascension during the period between their eighteenth birthday and the end of the academic year in which they turn eighteen, for the purposes of completing A-level studies only.

When applying for a Completion of On-island Education visa, appropriate evidence should be submitted in support, such as confirmation from Two Boats School that the applicant is currently studying for exams. The applicant should also provide confirmation that they have appropriate medical insurance and access to suitable and recognised accommodation, or alternatively confirmation that the employing organisation of their parent or guardian will continue to consider the individual as an accompanying dependant for the purposes of accommodation, medical cover and transport to and from Ascension in line with the principles of the Employment Ordinance 2022.

This visa can only be issued to those less than 19 years of age.

10) Deemed permit, visas and exemptions

A person who remains in Ascension after the departure of the means of conveyance by which the person arrived, or after the expiry of an entry visa or a landing permit, for one of the following reasons is deemed under Section 5(1) of the Entry Control Ordinance 2007 to have been granted an entry visa which expires when the reason for the person's remaining in Ascension ceases to exist:

- (a) is detained in Ascension in lawful custody;
- (b) is required by law to remain in Ascension;
- (c) landed at Ascension because of misadventure at sea or in the air; or
- (d) is unable by reason of illness or injury to make application for an entry permit, and remains in Ascension by reason of such illness or injury as certified by a medical practitioner.

The following groups of persons are exempt under Section 5(2) of the Entry Control Ordinance 2007 from the requirements of this policy with regard to seeking an entry visa prior to entry to Ascension, or for permission to remain in Ascension:

- (a) active members (and any accompanying dependants) of Her Majesty's Armed Forces;
- (b) persons in the service of the Crown in right of Her Majesty's Government of Ascension;
- (c) persons (and any accompanying dependants) in the service of the Crown in right of Her Majesty's Governments of the United Kingdom, of the Falkland Islands, of St Helena, or of Tristan da Cunha, when visiting Ascension in connection with their official duties;
- (d) persons (and any accompanying dependants) in the service of the Government of the United States of America, or of a contractor of that Government, as provided for by Article XII of the Bahamas Long Range Proving Ground Agreement dated 25 June 1956;
- (e) persons (and any accompanying dependants) in the service of the North Atlantic Treaty Organisation when visiting Ascension in connection with their official duties;
- (f) exempt dependants, as defined in subsection (3); and
- (g) any other persons or classes of persons the Governor from time to time, by notice in the Gazette, appoints.

Annex B – Guidelines for Decision Makers

In order that authorities can be assured that persons entering Ascension do not pose a security threat or a risk to others, or that the person's behaviour calls into question their character and / or conduct and / or associations such that it makes it undesirable to grant them permission to enter or remain in Ascension, the following guidelines are in place to guide decision making.

It is the responsibility of the decision maker to ensure that these guidelines are followed and that the rationale in applying these guidelines is accurately recorded and transmitted to the applicant.

Grounds for refusal

A decision maker may refuse an application for entry clearance, permission to enter or permission to remain if the applicant meets any the following criteria set out in this section.

While a person does not necessarily need to have been convicted of a criminal offence for refusal to take place, the key to establishing legitimate grounds for refusal will be the existence of reliable evidence necessary to support the decision that the person's behaviour calls into question their character and / or conduct and / or associations such that it makes it undesirable to grant them permission to enter or remain in Ascension, as reflected by on the categories listed below.

Exclusion

An application for entry clearance, permission to enter or permission to remain must be refused where the Governor or Administrator has personally directed that the applicant be excluded from Ascension.

Entry clearance or permission held by a person must be cancelled where the Governor or Administrator has personally directed that the person be excluded from Ascension.

Criminality grounds

An application for entry clearance, permission to enter or permission to remain must be refused where the applicant:

- (a) has been convicted of an offence for which they have been sentenced to a period of imprisonment of at least five years; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more where less than 10 years has elapsed since the end of the sentence; or
- (c) is a persistent offender who shows a particular disregard for the law; or
- (d) has committed a criminal offence, or offences, which caused serious harm.

Entry clearance or permission held by a person must be cancelled where the person:

- (a) has been convicted of an offence for which they have been sentenced to a period of imprisonment of at least five years; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more where less than 10 years has elapsed since the end of the sentence; or

- (c) is a persistent offender who shows a particular disregard for the law; or
- (d) has committed a criminal offence, or offences, which caused serious harm.

An application for entry clearance, permission to enter or permission to remain may be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of five years has passed since the end of the sentence; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

Entry clearance or permission held by a person may be cancelled where the person:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of five years has passed since the end of the sentence; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

An indicative, non-exhaustive list of criminal convictions and the impact of these on applications is provided below:

Type of offending	Actual crime	Presumption in favour
Serious assault	Murder	Refuse
	Attempted murder	Refuse
	Manslaughter	Refuse
	Unlawful wounding	Refuse
	Grievous Bodily Harm	Refuse
	Actual Bodily Harm	Refuse if unspent
Indecency	Involving 2nd party	Refuse if unspent
	Rape	Refuse
	Indecent assault	Refuse if unspent
	Indecent images of children	Refuse
Serious acquisitive crime	Serious fraud or illegal monetary gain	Refuse if unspent
	Burglary	Refuse
	Robbery	Refuse
	Deception	Refuse if unspent

	Theft	Refuse if unspent
Drugs	Supply of class A	Refuse
	Supply of class B or C	Refuse if unspent
Criminal Damage	Arson	Refuse
	Criminal damage in excess of £5,000	Refuse if unspent
Other	Three or more convictions over the last five years	Refuse

When considering applications where criminality grounds are established as a relevant factor, decision-makers should consider the nature of the offending, the impact of the offending on the victim and the community, offending by the perpetrator before and since, and the possible impact on the wider community of that individual being granted permission to remain in, or enter, Ascension.

Exclusion from asylum or humanitarian protection grounds

An application for entry clearance, permission to enter or permission to remain may be refused where the Administrator has at any time decided that the person has previously made a claim for asylum in either the UK, an Overseas Territory or another territory.

Entry clearance or permission held by a person may be cancelled where the Administrator has at any time decided that the person has previously made a claim for asylum in either the UK, an Overseas Territory or another territory.

False representations, etc. grounds

Under Section 14 of the Entry Control Ordinance 2007 a person commits an offence where false representations are made, or false documents or false information is submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge).

An application for entry clearance, permission to enter or permission to remain must be refused where, in relation to the application, or in order to obtain documents from the Administrator or a third party provided in support of the application:

- (a) false representations are made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
- (b) relevant facts are not disclosed.

An application for entry clearance, permission to enter or permission to remain must be refused where the decision maker can prove that it is more likely than not the applicant used deception in the application.

Entry clearance or permission held by a person must be cancelled where, in relation to an application, or in order to obtain documents from the Administrator or a third party provided in support of the application:

- (a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
- (b) relevant facts were not disclosed.

Permission to remain must be cancelled where the decision maker can prove that it is more likely than not the applicant used deception in the application for permission to remain.

A person who has previously been refused entry to Ascension due to a false statement or representation must be refused entry for a period of at least three years from the date of that previous refusal.

Failure to provide required information in support of the application, etc. grounds

An application for entry clearance, permission to enter or permission to remain may be refused where a person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics (whether or not requested as part of an application); or
- (d) undergo a medical examination; or
- (e) provide a medical report.

Any entry clearance or permission held by a person may be cancelled where the person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics; or
- (d) undergo a medical examination; or
- (e) provide a medical report.

Failure to produce recognised passport or travel document grounds

Permission to enter must be refused if the person seeking entry fails to produce a passport or other travel document that satisfies the decision maker as to their identity and nationality, unless the person holds a travel document issued by the national authority of a state of which the person is not a national and the person's statelessness or other status prevents the person from obtaining a document satisfactorily establishing their identity and nationality.

Permission to enter may be refused if the person seeking entry produces a passport or other travel document which:

- (a) was issued by a territorial entity or authority which is not recognised by Her Majesty's Government as a state, or is not dealt with as a government by them; or
- (b) was issued by a territorial entity or authority which does not accept valid UK passports for the purpose of its own immigration controls; or
- (c) does not comply with international passport practice.

Entry clearance or permission held by a person may be cancelled where on arrival a person fails to produce a passport or other travel document that meets these requirements.

Medical grounds

Permission to enter must be refused where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person, unless the decision maker is satisfied that there are strong compassionate reasons justifying admission.

Entry clearance or permission held by a person may be cancelled where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person.

Such medical grounds might include a contagious or infectious disease, a physical or mental illness which is likely to require medical treatment for which the medical facilities available in Ascension are inadequate, or suspicion that the primary reason for travel is for medical purposes.

Entry clearance or permission held by a person may be cancelled where a person fails to submit to a medical examination, when so required, to establish any of the above.

Consent for a child to travel grounds

A child may be refused permission to enter if they are not travelling with their parent or legal guardian and, if directed to do so, the child's parent or legal guardian fails to provide the decision maker with written consent to the child seeking entry to Ascension.

Adequate means of support grounds

Entry clearance or permission held by a person may be cancelled if the person to whom it was granted is unable to show that they have financial means to adequately maintain and accommodate themselves (including medical emergencies) and any accompanying dependants for the duration of their intended stay, and to pay for their repatriation.

Appropriate and recognised accommodation

Entry clearance may be refused, or permission held by a person may be cancelled, if the person to whom it relates is unable to show proof of suitable and recognised accommodation during their stay in Ascension.

HM Customs breaches grounds

Permission to enter may be refused where the decision maker is satisfied that a person has committed an intentional and flagrant customs breach, whether or not a criminal prosecution is pursued.

Where the decision maker is satisfied that a person has committed an intentional and flagrant customs breach, whether or not a criminal prosecution is pursued, any entry clearance or permission held by the person may be cancelled.

Debt to AIG grounds

An application for entry clearance, permission to enter or permission to remain may be refused where the Director of Resources has notified the Administrator that the applicant has failed to pay monies owed to AIG and the outstanding charges have a total value of at least £500.

Unpaid litigation costs grounds

An application for entry clearance, permission to enter or permission to remain may be refused where a person has failed to pay litigation costs awarded by a court in Ascension.

Change of circumstances or purpose grounds

Entry clearance or permission held by a person may be cancelled where there has been such a change in circumstances since the entry clearance or permission was granted that it should be cancelled.

Entry clearance or permission to enter held by a person on arrival at Ascension may be cancelled where the person's purpose in seeking entry is different from the purpose specified in their entry clearance.

Ceasing to meet requirement of rules

Entry clearance or permission held by a person may be cancelled if they cease to meet the requirements of the rules under which the entry clearance or permission was granted.

Accompanying dependant grounds

Entry clearance or permission held by a person may be cancelled where they are the accompanying dependant of another person whose permission is, or has been, cancelled.

Public interest or non-conducive grounds

An application for entry clearance, permission to enter or permission to remain may be refused where, in the opinion of the Administrator, their presence in Ascension would, for any other reason, be undesirable in the public interest or not conducive to the public good. This may include, but is not limited to, a determination as to that person's adverse character, conduct, associations or other reasons. Decision makers may consider reliable evidence of the following when making such determinations:

- Repeated evidence of criminal offending / criminal history.
- Association with known criminals.
- Involvement with gangs.
- Pending prosecutions.
- Extradition requests, removal orders or deportation orders.
- Public order risks.
- Membership of prescribed organisations.
- Subject to a travel ban.
- War crimes.
- Article 1F of the Convention Relating to the Status of Refugees.
- Proceeds of crime and finances of questionable origins.
- Corruption.

- Engaging in deceitful or dishonest dealings with Her Majesty’s Governments of the UK, Ascension Island or other territorial governments.
- Malfeasance in a public office.
- Any convictions under the Official Secrets Act.

Restricted list of nationalities

Given the nature of Ascension, and corresponding national security considerations, AIG maintains a list of restricted nationalities.

An application may therefore be refused on the grounds that they are a national of one of the following countries or territories: Belarus, China, Egypt, Hong Kong, Iran, Libya, Macau, North Korea, Russia, Syria, Taiwan, Ukraine and Vietnam.

Offending under the Entry Control Ordinance 2007 grounds

Permission to enter may be refused where that person has been accused, or found guilty, of committing an offence under the Entry Control Ordinance 2007.

Where a person has been found guilty of committing offence under the Entry Control Ordinance 2007, any entry clearance or permission held by the person may be cancelled.

Purpose not covered by the Immigration Rules grounds

An application for entry clearance, permission to enter or permission to remain may be refused where a person is seeking to come to or remain in Ascension for a purpose not covered by these rules.

Grounds for appeal

Once a decision has been taken with regard to approval of an application for entry clearance, permission to enter or permission to remain, an applicant may have grounds to appeal that decision. An applicant will have grounds for appeal to a decision taken if:

1. An applicant is of the belief that a decision maker has not applied a decision in a way that is consistent with the Policy on Entry Control to Ascension.
2. An applicant is of the belief that a decision maker has not applied a decision in a way that is consistent with the Entry Control Ordinance 2007.
3. An applicant is of the belief that they have been unfairly discriminated against during the application process on the grounds of race, gender, sexual orientation, ethnicity or other defining feature. This does not include nationality, which AIG reserves the right to consider when making a determination regarding entry control for the reasons noted in this policy.
4. An applicant is of the belief that a decision maker has not adequately considered all the evidence provided in support of the application.

Appeals are to be made in line with the process set out in this policy.