



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

Appeal Numbers: IA/26943/2013  
IA/26946/2013

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 28 July 2014**

**Determination  
Promulgated  
On 18<sup>th</sup> Aug 2014**

**Before**

**UPPER TRIBUNAL JUDGE PITT**

**Between**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Appellant

**and**

**MRS MARYJANE PAMITTAN BUQUEL  
MISS ZIETH ALEXANDRA MCKHYLLA MANANGAN MANAGAN**

Respondents

**Representation:**

For the Appellant: Ms A Everett, Home Office Presenting Officer  
For the Respondents: Mr M Iqbal, Counsel instructed by Farani Javid Taylor  
Solicitors

**DETERMINATION AND REASONS**


1. This is an appeal brought by the respondent against the decision of First-tier Tribunal Judge K S H Miller, whose decision promulgated on 4 April 2014 allowed the appeal of the appellants who maintained that they

should be granted further leave to remain as Tier 1 (Entrepreneur) Migrants.

2. By the time that the hearing came before me the issue in dispute was very narrow. It was accepted for the respondent that the initial reason for refusal in the respondent's decision dated 20 June 2013 had fallen away as the respondent had treated the application as if it had been made with third party funding and this was not the case. The point was conceded for the respondent at the hearing before Judge Miller; see [9] of the determination of the First-tier Tribunal.
3. The issue before me arose from paragraph [10] of the decision of Judge Miller. He found there that the document contained at page 24 of the appellants' bundle was sufficient to meet the requirements of the Immigration Rules as it was a letter from a legal representative which was in line with the requirements of paragraph 41-SD(b)(ii) of Appendix A of the Immigration Rules.
4. Mr Iqbal was present at the hearing before the First-tier Tribunal and what he told me about the submissions made to Judge Miller concerning the legal representative's letter was confirmed by the Record of Proceedings. The question of whether the letter at page 24 of the appellants' bundle was sufficient to meet the requirements of the Immigration Rules was clearly litigated before the First-tier Tribunal. Mr Iqbal submitted to Judge Miller that the document at page 24 was a copy of an original letter sent to the respondent as part of the appellants' original documentation with the application. The letter was not required to be on headed paper, a point conceded before me by Ms Everett. The original copy sent to the respondent had contained a date and, so it was submitted for the appellants, met the documentary requirements of the Immigration Rules.
5. As above, the materials before me confirmed the submission made by Mr Iqbal that an original, dated document was before the respondent at the time of the decision, having been submitted with the original application. Ms Everett conceded that she was not in a position to dispute the point. It therefore appeared to me that it could not be said that Judge Miller erred at [10] of his decision in finding that the letter was sufficient to meet the requirements of the Immigration Rules.
6. As this was the only head of challenge brought by the respondent before me I therefore did not find that it had been shown that there was an error on a point of law in the decision of the First-tier Tribunal and I dismiss the appeal.

## **Decision**

7. The decision of the First-tier Tribunal does not disclose an error on a point of law and shall stand.

Signed:   
Upper Tribunal Judge Pitt

Date: 18 August 2014