Chapter 50 Liability to administrative removal under section 10 (non EEA)

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Section 1 – Removals and appeals system changed by Immigration Act 2014

1.1 Single Power of Removal

From 6 April 2015 a person who requires, but does not have, leave to enter or remain in the United Kingdom is liable to removal[1]. No removal decision is required.

Such a person must still be notified of their liability to removal. If a person is subject to enforcement action for breach of conditions or deception, their leave must be brought to an end to make them removable.

This chapter explains the single power of removal which is introduced by the Immigration Act 2014 and now implemented in full. It outlines the different ways in which notice of liability to removal can be served. It includes guidance on serving

[1]Under section 10 of the [1999] Act, as amended by section 1 of the Immigration Act 2014

RED.0001, which replaces forms IS151A, IS151A part 2 and IS151B from the previous removal system.

Immigration Enforcement should not serve IS151A, IS151A part 2 or IS151B from 6 April. Section 1.6 on transitional arrangements explains where a person can still be removed **in reliance** on an old style removal decision.

Removals under the EEA Regulations are not yet changing and forms IS151A (EEA) and IS151B (EEA) will continue to be used. See chapter 50 (EEA) for guidance.

1.2 New appeals/ administrative review regime

A decision to refuse a protection (asylum or humanitarian protection) claim, a human rights claim or to revoke protection (asylum or humanitarian protection) status where the claim is not certified and the decision is made while the affected individual is in the UK now attracts an in-country right of appeal. This applies to all protection and human rights claims and decisions to revoke protection status decided on or after 6 April, regardless of the date of application.

No other decision made on or after 6 April will attract a right of appeal except for the following transitional appeals:

Under the pre-Immigration Act 2014 appeals regime, the following rights of appeal existed against the refusal of an application:

1. Appeal against a refusal to vary a person's leave to enter or remain in the UK if the result of the refusal is that the person has no leave. To qualify the application had to be made while the applicant had leave to enter or remain – (the application was in-time), and the applicant’s leave had to have expired by the time they were notified of the decision to refuse further leave.
2. Appeals against a refusal of entry clearance, although the available grounds of appeal are limited for some cases by section 88A.
3. Appeals against the refusal of a certificate of entitlement to a right of abode.

These appeal rights continue to exist for decisions made on or after 6 April 2015 where:

1. an application made before 20 October 2014 for leave to remain as a Tier 4 Migrant or their family member;
2. an application made before 2 March 2015 for leave to remain as a Tier 1 Migrant, Tier 2 Migrant or Tier 5 Migrant or their family member;
3. any other application made before 6 April 2015 where the outcome was an appealable decision under the pre-Immigration Act 2014 regime, unless the decision was a refusal of an asylum or human rights claim;
4. a person with continuing leave is examined on arrival in the UK before 6 April 2015 and that leave is cancelled on or after 6 April 2015 under paragraph 2A(8) of Schedule 2 to the Immigration Act 1971, insofar as that person would have been entitled to a right of appeal against the cancellation decision if it had been taken before 6 April 2015.

There is no right of appeal against the refusal of an application for work or study (PBS) leave. (See section 1.6 for transitional arrangements where a Tier 4 application was made before 20 October 2014, or a Tier 1, 2 or 5 application before 2 March 2015). An unsuccessful applicant may apply for administrative review to challenge alleged case working errors. In-time applications continue to have 3C leave until the administrative review is concluded.

There is no right of appeal or administrative review against a decision to curtail leave or against the service of notice of liability to removal where a person has no leave.

See https://www.gov.uk/government/publications/appeals and Key facts: administrative review for further guidance on changes to appeals and administrative review.

1.3 Notice of liability for removal

There are two main types of notice of liability to removal:

1) **RED.0001**

This form replaces IS151A, IS151A part 2 and IS151B for enforcement decisions and removals casework. Sections 2 and 3 provide guidance on how it should be served. It is used:

a) To make a decision to curtail or revoke existing leave – eg when a person with extant (**not** 3C) leave is found working in breach. This makes them liable to removal.

b) To give notice that a person has no leave (eg is an overstayer) and is therefore liable to removal.

RED0001 does not invalidate a pending application, which will need to be refused separately (see below).

2) **Certain casework decisions**

Notice of liability to removal is also included in some letters and decisions produced by caseworkers **where the person is left with no remaining leave and no in-country right of appeal or administrative review**. These include where:

i. an application for administrative review of a refusal is unsuccessful
ii. an application for leave is rejected as invalid or is withdrawn
iii. an asylum or human rights claim is certified under sections 94 or 96 of the 2002 Act
iv. leave is curtailed or revoked with immediate effect.

If notice has been served in such a letter, a RED0001 is not required for removal.[2]

A person who has an in-country right of appeal but no leave will be informed in the decision letter that they are liable to detention or reporting. They will be given notification of a removal window or other appropriate notification of removal when their appeal rights are exhausted.

1.4 What is in a notice of liability to removal

[2] Current templates for in-country letters which may include liability to removal are ICD.3971.IA, ICD.1182.IA, ICD.3051.IA, ICD.3052.IA, ICD.4824.IA, ARN.003, ARN.004, ARN.005, ASL.0015.ACD.IA, ASL.1006.IA, ASL.1956.IA and ASL.2704.IA.

These notices tell the person a) they are liable to removal and b) the country to which they will be removed if they do not leave voluntarily. Notices also include information on the consequences of being in the UK illegally, the help available to return home, and a s.120 one stop notice. This requires the migrant to raise with the Home Office as soon as reasonably practicable any grounds not previously raised as to why they should be allowed to remain in or not be removed from the UK. The duty to raise new grounds under s.120 is ongoing while the person is in the UK without leave. They will also be reminded of their ongoing duty during any contact management and reporting events.

See https://www.gov.uk/government/publications/appeals for guidance on the s.120 notice and the ongoing duty.

1.5 Removal Directions

Individuals can now be notified of a three month removal window during which they will be removable. See updated **Chapter 60 EIG** for full details.

In the section "Liability for Removal" there are now 3 options. These are:

> **A-You will not be removed for the first seven calendar days after you receive this notice. Following the end of this seven day period, and for up to three months from the date of this notice, you may be removed without further notice.**
>
> This box must be ticked for persons who are **not detained** and who therefore have a 7 day notice period in which to seek legal advice before the 3 month removal window begins.
>
> **B-You will not be removed before**_____ ***(insert date and time)*****. After this time, and for up to three months from the date of this notice, you may be removed without further notice.**
>
> This box must be ticked for persons who are **detained** and who therefore have a minimum period of 72 hours in which to seek legal advice before the 3 month removal window begins. The 72 hour period will need to be calculated in accordance with the instructions in chapter 60 EIG.

C-You will be given further notice of when you will be removed.

This box must be ticked for the following:

- Family cases
- Persons without leave who have a protection (asylum or humanitarian protection) or human rights claim or administrative review or appeal pending
- Where the Home Office has evidence (beyond a self declaration) that a person is suffering from a condition listed as a risk factor in the Adults at Risk policy or other condition that would result in the person being regarded as an adult at risk under that policy.

Normally **Protection or Human Rights claimants without leave** will receive a fresh notice starting the 3 month removal window (RED.0004 (fresh)) when they are appeal rights exhausted (ARE) and they become removable. **Vulnerable groups** will receive a further notice by way of removal directions (IS 151D) or limited notice of removal (IS 151G):

1.6 Removal under old style removal decisions - transitional

The Immigration Act powers on removal are fully implemented from 6 April. New notice of liability to removal may be served on <u>any</u> person who requires leave and does not have it (it is no longer restricted by the date of application for certain types of leave).

There are limited circumstances where a person can <u>alternatively</u> be removed under the old system of removal decisions (IS151A, IS151A part 2, IS151B, section 47).

A. Where an old style removal decision has been correctly served on a person prior to 6 April 2015. There is no need to re-serve a new notice of liability to removal.

If IS151A has been served on its own without the second part of the notice, then a new notice of liability to removal should be served.

B. Where a person made an in-country application for Tier 4 before 20 October 2014, or for Tiers 1, 2 or 5 before 2 March 2015 **and this application is decided on or after 6 April 2015**. These applications retain a transitional right of appeal if they were made in time and a section 47 decision should be made by the caseworker **at the point of refusal if the person now has 3C leave**. An overstayer whose PBS application was made within the 28 day grace period and fell into this transitional category could be served an old style s.10 decision.

The only persons who can receive an old style removal decision on or after 6 April 2015 are those in category B, at the point at which their application which retains the transitional right of appeal is decided. If they are unsuccessful in a subsequent application or are encountered as an overstayer, they should be served the appropriate notice of liability to removal under the new system (RED0001 or a casework decision).

Section 2: RED notices

2.1 RED forms

RED forms are available on the CID document generator under both Enforcement Forms and Removals/ Decision Notices.

- **RED0001** form replaces IS151A, IS151 A part 2 and IS151B for encountered overstayers, persons working in breach etc
- **RED0001 FAM** form replaces the IS 151A for family members of a person subject to the RED0001.
- **RED0002** forms are s.120 notices and a reminder notice of the section 120 duty (see section 3.3 below).
- **RED0003** should be served with the RED0001. It is a form for the migrant to respond to the s.120 notice contained in the RED0001.
- **RED0004 (fresh)** should be served where a new three month removal window is being set (see chapter 60.2.1).
- **RED0004 (extension)** should be served before a removal window expires in order to extend that window by 28 days (see chapter 60.2.1).

2.2 When to serve RED0001

For all circumstances listed below, IS151A, IS151A part 2 and IS151B must not be served as it has no effect.

NB: RED0001 contains options which should be deleted as appropriate, depending on whether the person has no leave or leave is being curtailed or revoked. These appear in red on a computer screen. Please make sure you select the appropriate option and delete others.

1. A migrant has extant (not 3C) leave but has eg breached the conditions of this leave (eg when encountered working illegally) or used deception to obtain it. There is no outstanding application.

You will consider if their leave should be curtailed with immediate effect. [For more information on how to consider curtailment, see the curtailment modernised guidance]. If you decide to curtail leave under the Immigration Rules, use the space on the RED0001 to curtail their extant leave with immediate effect. You must include full evidence and reasoning for the decision. Guidance on wording and legal reasoning is provided below. There is no appeal against the decision to curtail leave. Once the decision to curtail leave is served, they are liable to removal as a person with no leave and the RED0001 notifies them of this.

2. A migrant now has no leave, or never had leave – i.e. you encounter them as an overstayer or an illegal entrant. There is no outstanding application.

RED0001 is used to give formal notice that they have no leave. You should include details of how you have come to this conclusion on the form (e.g. the circumstances in which you encountered them and the details of their expired leave).

2.3 When not to serve RED0001

1. A person encountered without leave or in breach of their conditions has a pending application, or pending appeal or administrative review.

Use form IS96 to require them to report to the Home Office or detain them. If it is appropriate to detain, forms IS91 and IS91R should be served as well. Annex G gives more information on serving the IS96

NB: Where an application is still outstanding, you should Immediately contact the relevant casework team for expedition (see below), with evidence of the breach or deception if applicable.

2. If the application is refused, notice of liability to removal will be served as a casework decision, as in section 1.3.2.

3. A person has already been served notice of liability to removal (eg following an unsuccessful administrative review). RED0001 may be served in these circumstances but is not legally required.

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Section 3: Completing RED0001

The RED0001 has two functions – firstly, to enable an individual to be informed that a decision has been made in their case (ie curtailment of leave, etc). They will be removable as a consequence.

Alternatively it allows an individual to be informed that they are removable as a person with no leave under S10 (eg an illegal entrant or overstayer), once the decision that they have no leave has been taken and explained.

3.1 Bringing leave to an end via RED0001

You must include clear evidence and reasoning for your decision and cite the appropriate legal basis for curtailment.

Working in breach

A person is liable to curtailment if found to be working in breach of a restriction or prohibition on employment. The breach must be of sufficient gravity to warrant such action. There must be firm and recent evidence (normally within six months - in other cases a warning should be issued and a report submitted) of working in breach, including one of the following:

- an admission by the offender of working in breach;
- a statement by the employer implicating the suspect;
- documentary evidence such as pay slips, the offender's details on the pay roll, NI records, tax records, P45;
- sight by the IO, or by a police officer who gives a statement to that effect, of the offender working, preferably on two or more separate occasions, or on one occasion over an extended period, or of wearing the employer's uniform. In practice, this should generally be backed up by other evidence.

Deception

A person is liable to curtailment if deception is used in obtaining or seeking to obtained limited leave by deception. [Section 76 (2) of the 2002 Act, as amended by

the Immigration Act 2015, should be used to revoke indefinite leave to enter or remain where it was obtained by deception]

Evidence of deception should be clear and unambiguous. Where possible, original documentary evidence, admissions or statements from two or more witnesses should be obtained which substantiate that deception has been used.

The deception does not need to be material to the decision where it is "active" deception, i.e. where a migrant submits false or fraudulently obtained documentation or makes a false statement. In contrast, where the deception relates to the non-disclosure of facts, it must be material to the immigration decision. In this context "material" deception means that the deception is used in relation to an issue which is or may be determinative of the application for leave

The evidence must always prove **on the balance of probability** (i.e. proof that the fact in issue more probably occurred than not) that deception had been used to gain the leave, whether or not an admission of deception is made. The onus - as always in such situations - is on the officer making the assertion to prove his case and the evidence needs to be of sufficient strength and quality to justify a finding that deception has been used and should be scrutinised carefully before a decision is made.

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Sample wording

As an example this form of wording could apply when dealing with a worker in breach.

> **Decision**
>
> . On [insert date] you were granted leave to remain in the United Kingdom until [insert date]...on condition that you [do not access public funds] and that employment [is prohibited] [is limited to 20/10 hours a week during term time provided you are studying at [name of sponsor]].
>
> You are specifically considered a person who has failed to observe a condition of leave to enter or remain because on [insert date] you were observed to be

> working for [insert employer] and you were observed [state evidence of working]. [Name of employer] has confirmed that you were in employment with them for x hours a week in excess of the hours you could legally work.
>
> It is not considered that the circumstances in your case are such that discretion should be exercised in your favour. The Secretary of State therefore curtails your leave to [enter/remain in] the United Kingdom under paragraph 323(i) with reference to 322(3) of the Immigration Rules so as to expire with immediate effect.

An example for a limited leave to remain deception case would be:

> You have used deception in seeking/gaining leave to remain or a variation of leave to remain, namely, you [insert details]. It is not considered that the circumstances in your case are such that discretion should be exercised in your favour. The Secretary of State therefore curtails your leave to [enter/remain in] the United Kingdom with immediate effect under paragraph 323(ia) of the Immigration Rules.

For examples of curtailment wording see guidance on curtailment letter templates and general grounds for refusal.

For more information on how to consider curtailment, see the curtailment modernised guidance. This guidance also includes information on considering the exercise of discretion if the curtailment is not on a mandatory ground. See Annex B of this chapter for guidance on when a person may be breaching their conditions.

3.2 Serving RED0001 on overstayers and illegal entrants

You must explain here how you reached the view that the individual is an overstayer or illegal entrant. Examples of wording to use are provided in Annex A below.

There must be proof of overstaying, and the following are indications that the person is an overstayer:

- Home Office file,
- Passport*,

- landing card,
- or the offender's own admission as to his date of entry and duration of leave.

*You should not always accept at face value that the last entry in a passport is the last date of entry as he or she may have left and subsequently re-entered on another passport, clandestinely or in some other way, or because they last entered on or after 30 July 2000 under one of the provisions of the Immigration (Leave to Enter and Remain) Order 2000 (see chapters 2.1, 3.9 and 3.12).

Where there is insufficient evidence to support a contention of overstaying, a report should be submitted to the relevant casework section for consideration of further action. Where possible, the report should contain a statement about the suspect's claimed status and circumstances, and should refer to any other supporting evidence.

3.3 Reminder forms

The last page of the **RED.0001** includes instructions on where the response to the s120 notice (the RED.0003 form) should be sent. If a person is detained, this should be filled in with the relevant NRC caseworker details.

There are three RED.0002 notices. Two are s.120 notices and the third is a reminder notice of the s120 duty.

- The RED.0002 (charged) should be used where a person is required to make a charged application if they wish to make an Article 8 claim (eg are not detained and there is no operational reason to waive the requirement)
- The RED.0002 (enforcement non-charged) should be used where they are not required to make a charged application (eg where removals casework are preparing a case for tasking to enforcement, or where a person is detained). If necessary, you can fill in a time limit for response (eg if while not detained, they were given 14 days to respond to an earlier s.120, but they are now detained and this period needs to be shortened).

- The RED.0002 (reminder) reminds a person both of their liability to removal and their s.120 duty and may be adapted to refer to either charged or non charged applications. This may be served at reporting events.

3.4 Recording service

The service of **RED** forms must be recorded on CID. It is important to record them all as:
- the **RED.0001** places the duty on the migrant to notify the Home Office of any changing circumstance or new reason for wishing to remain in the UK
- the **RED.0003** gives them the means to respond (note however it's not a prescribed form and the migrant can respond to the s120 in any way they please).
- the reminder (**RED.0002**) will assist in considering the certification of any subsequent asylum and/or human rights claim under s. 96 if the matter should have been raised earlier.

Where removal action is delayed, for example where we need to obtain a travel document, the migrant can be reminded of the continuing need to provide details at the earliest opportunity by the service of a **RED.0002.** More information on S120 is available in the Appeals Policy guidance

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Section 4: Family members

The new section 10 also provides for the removal of family members and now includes relatives beyond spouses and children. The Section states:-

Section 10(2) Where a person ("P") is liable to be or has been removed from the United Kingdom under subsection (1), a member of P's family who meets the following three conditions may also be removed from the United Kingdom under the authority of the Secretary of State or an immigration officer, provided that the Secretary of State or immigration officer has given the family member written notice of the intention to remove him or her.

(3) The first condition is that the family member is—

(a) P's partner,

(b) P's child, or a child living in the same household as P in circumstances where P has care of the child,

(c) in a case where P is a child, P's parent, or

(d) an adult dependent relative of P.

(4) The second condition is that—

(a) in a case where the family member has leave to enter or remain in the United Kingdom, that leave was granted on the basis of his or her family life with P;

(b) in a case where the family member does not have leave to enter or remain in the United Kingdom, in the opinion of the Secretary of State or immigration officer the family member—

(i) would not, on making an application for such leave, be granted leave in his or her own right, but

(ii) would be granted leave on the basis of his or her family life with P, if P had leave to enter or remain.

(5) The third condition is that the family member is neither a British citizen, nor is he or she entitled to enter or remain in the United Kingdom by virtue of an enforceable EU right or of any provision made under section 2(2) of the European Communities Act 1972.

Notice of removal will invalidate any leave for family members under the new Section 10(6).

The Immigration (Removal of Family Members) Regulations 2014 govern the time period for removal of family members (same as now) and how we will serve the notice of removal.

If the family member is not encountered with the main applicant but comes to attention later removal can take place provided the removal occurs within eight weeks from the removal of the main applicant. After that period the family member should be treated in their own right.

Family members will be served with the **RED.0001 FAM** form.

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Section 5 Testing credibility

When encountered a person may satisfy you that they have outstanding leave to enter or remain but doubts may exist as to whether they continue to qualify for that leave. Where the individual's account seems credible then any necessary enquiries to establish exactly what they are doing can be followed up in a routine manner. However, if the account seems too incredible, for example a student is encountered working during term time in remote area miles away from their claimed place of study, and there are doubts that the individual might not be readily contactable in the days ahead then a short period of detention could be considered.

Clearly in these cases enquiries must be made at the earliest opportunity to determine what action is appropriate in all the circumstances. If, despite the initial doubts, you are satisfied that the person does, in fact, continue to meet the normal requirements of the Rules then they should be released from detention without delay. Where, however, they no longer qualify under the Rules, curtailment may be appropriate. See also guidance on curtailment.

As a guide when students are encountered you should establish

- where they attend their studies
- what they are studying, and
- if they are in term time or vacation time.

You should also contact the place of study and get confirmation that he remains a student and is regularly attending. If there are any doubts over the information being provided by the college you should let the Sponsorship Investigations Team know so they can have regard for this in their dealings with the college.

Annex A

Examples of specific grounds for concluding a person is illegal entrant/overstayer etc

Illegal Entry Cases

No credible account of entry

You are specifically considered a person who has entered the United Kingdom without leave because you are unable to give a credible account of your entry to the United Kingdom.

Entered with assistance of agent

You are specifically considered a person who has entered the United Kingdom without leave because you admit to having entered the United Kingdom unlawfully with the assistance of an agent.

Clandestine entry

You are specifically considered a person who has entered without leave because you have admitted to entering the United Kingdom hidden in a vehicle.

Entry by presenting false or forged British or EEA passports

You are specifically considered a person who has entered the UK **without leave** because you presented a British Passport/EEA ID card/Passport you were not entitled to and as a national of [insert nationality] you have therefore entered the UK without obtaining leave to enter which is a breach under section 3 (1) (a) and an offence under section 24(1)(a) Immigration Act 1971"

or

"You presented a counterfeit/forged British Passport/EEA ID card/Passport to gain entry into the UK and as a national of [insert nationality] you have entered the UK without obtaining leave to enter. You have therefore entered the UK without obtaining leave to enter which is a breach under section 3 (1) (a) and an offence under section 24(1)(a) Immigration Act 1971 (as amended)."

or

"Record checks have shown that the passport you claimed to have used for your last entry was reported lost by its [insert nationality] owner. In addition fingerprint evidence strongly suggests that you are in fact an [insert nationality] national. You are specifically considered a person who has entered by documentary deception because record checks have shown that the passport you claimed to have used for your last entry was reported lost by its [insert nationality] owner. In addition fingerprint evidence strongly suggests that you are in fact an [insert nationality] national

Unable to show evidence of lawful entry (NELE)

You are specifically considered a person who has been unable to show evidence of lawful entry because you cannot produce the passport on which you claim to have entered the UK and you have failed to complete/return a method of entry questionnaire when asked to do so.

or;

You are specifically considered a person who has been unable to show evidence of lawful entry because you cannot produce the passport on which you claim to have entered the United Kingdom.

Entered in breach of a deportation order

You are specifically considered a person who has entered in breach of a deportation order as you were removed from the United Kingdom on (insert date) after a deportation order was signed against you on (insert date). That order has not been revoked and you returned to the United Kingdom on or around (insert date).

Overstayers

Paragraph 6 of the Immigration Rules states:

> "'Overstayed' or 'Overstaying' means the applicant has stayed in the UK beyond the latest of
>
> (i) the time limit attached to the last period of leave granted, or
>
> (ii) beyond the period that his leave was extended under sections 3C or 3D of the Immigration Act 1971.

- **Home Office records show overstayed**

You are specifically considered a person who has overstayed their period of granted leave because landing card records show that on **(insert date)** you were granted leave to enter as a visitor for six months by an Immigration Officer at **(insert Port)**. It was only in **(insert date)** that you applied to regularise your stay here.

♦ **Passport shows overstayed**

You are specifically considered a person who has overstayed their period of granted leave because your passport shows you were given leave to enter as a visitor for six months by an Immigration Officer at **(insert Port)** on **(insert date)** and it was only in **(insert date)** that you applied to regularise your stay here.

♦ **Visa shows overstayed**

You are specifically considered a person who has overstayed their period of granted leave because you were issued with a visit visa on **(insert date)** which was valid until **(insert date)**. Holders of visit visas may only remain in the United Kingdom for a maximum of six months on any one visit[3], or until the visa expires if less than six months. You arrived in the United Kingdom on **(insert date)** and were landed in line with the visa (for example, until **(insert date)**. You did not however seek to regularise your position in the United Kingdom until **(insert date)**.

♦ **British Irish Visa Scheme (BIVS) Overstayer – Irish issued visa**

You are specifically considered a person who has overstayed their period of leave. You were issued with an Irish visa eligible under the British-Irish Visa Scheme (BIVS) on **(insert date)** which was valid until **(insert date),** and given leave to land or be in the Republic of Ireland by the Irish authorities pursuant to that Irish visa which expired on **(insert date)**.

Holders of BIVS visas who travel on to the United Kingdom who fulfil the requirements of the BIVS are only permitted to stay in the United Kingdom for the remaining period of validity of the person's current permission to land or be in Ireland as endorsed in their passport.

You arrived in United Kingdom from the Republic of Ireland on **(insert date)** and had leave to enter the United Kingdom conferred by the Immigration (control of entry through the Republic of Ireland) Order 1972 as the holder of a BIVS visa until (insert date).

[3] Persons accompanying academic visitors can get up to 12 months according to para 42 of the Immigration Rules

You did not however seek to regularise your position in the United Kingdom until **(insert date)**.*delete if not known

- **British Irish Visa Scheme (BIVS) Overstayer – UK issued visa**

You are specifically considered a person who has overstayed their period of leave. You were issued with a United Kingdom visit visa eligible under the British-Irish Visa Scheme (BIVS) on **(insert date)** which was valid until **(insert date).**

Holders of visit visas may only remain in the United Kingdom for a maximum of six months on any one visit, or until the visa expires if less than six months.

You arrived in the United Kingdom on **(insert date)** and were landed in line with the visa (for example, until **(insert date)**. You did not however seek to regularise your position in the United Kingdom until **(insert date)**.*delete if not known

- **No passport but applicant admits to being an overstayer**

You are specifically considered a person who has overstayed their period of granted leave because you admit to having arrived in the United Kingdom on **(insert date)** when you were permitted to enter as a visitor for six months. It was only in **(insert date)** that you applied to regularise your stay here.

Spouse/Family member

You are specifically considered a person who is liable to administrative removal because you are the spouse/ son/ daughter / adult dependent relative of **(insert relation)** who is being administratively removed.

Annex B Guidance on breach of conditions

Students who work

Not all students are entitled to work. Some students are entitled by virtue of the conditions of their leave to take employment either as part of the course they are undertaking or simply as part-time / vacation work. Whether they are permitted to work at all and the duration of work they may undertake during term time depends on the type of course being studied and the type of sponsoring organisation. Further details of permission to work granted to students are provided below.

Permitted employment for students

Date of application	Education Provider	Course Type	Age of migrant?	Work Conditions
Before 2 March 2010	Any	Any	n/a	- Max. 20 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course). - Employment as Student Union Sabbatical Officer (max 2 years). - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person

				(including a sports coach) or an entertainer.
From 3 March 2010 to 3 July 2011 (inclusive)	Any	- Degree level (NQF 6 and above) - Foundation degree course (NQF 5)	n/a	- Max. 20 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course). - Employment as Student Union Sabbatical Officer (max 2 years). - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
	Any	Below degree level (NQF 5 and below) (excluding foundation degree course)	n/a	- Max. 10 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course). - Employment as Student Union Sabbatical Officer (max 2 years). - Employment as a

				postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
On or after 4 July 2011	Tier 4 (General) Students Higher Education Institution (i.e. University) or sponsored by an overseas HEI to undertake a short-term Study Abroad Programme in the UK.	Degree level (NQF 6) or above	n/a	- Max. 20 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course)* - Employment as Student Union Sabbatical Officer (max 2 years) - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
		Below degree level (NQF 5 and below)	n/a	- Max. 10 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course).*

				- Employment as Student Union Sabbatical Officer (max 2 years) - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
	Tier 4 (General) Students at a publicly-funded Further Education College	Any	n/a	- Max. 10 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than a third of the total length of course).* - Employment as Student Union Sabbatical Officer (max 2 years) - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
	Tier 4 (General) Students privately funded	Any	n/a	No work allowed.

	Further Education College			
	Tier 4 (Child) Students (Children under 16 yrs of age may only be educated at independent fee paying schools)	Any	Aged 16 or over	- Max. 10 hours per week during term time - Any duration during vacations. - Employment as part of course related work placement (no more than half of total length of course) - Employment as Student Union Sabbatical Officer (max 2 years) - Employment as a postgraduate doctor or dentist on a recognised Foundation programme. - No self-employment - No employment as a professional sports person (including a sports coach) or an entertainer.
			Under 16	No work allowed

* For Tier 4 (General) Student cases that were granted leave between 4 July 2011 and 5 April 2012 (inclusive), employment as part of a course-related work placement was restricted to half the total length of the course undertaken in the UK. For Tier 4 (General) Student cases granted leave from 6 April 2012 onwards employment as part of a course-related work placement is restricted to no more than one third of the total length of the course undertaken in the UK unless the student is following a course at degree level or above and is sponsored by an HEI or by an overseas HEI to undertake a short-term Study Abroad Programme in the UK, or there is a statutory duty for the course length to be longer than one third of the course length.

Visitors are not permitted to undertake work whilst in the UK, this includes work placements that form part of a course/period of study undertaken as a student/child visitor.

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Students must be following a course to legally work

Under the Immigration Rules paragraphs 245ZW(c)(iii) (for on entry) and 245ZY(c)(iii) (for leave to remain) set out the rules on Tier 4 (General) Student working (245ZZB(c)(iii) and 245ZZD(c)(iii) set out the rules for Tier 4 (Child) Students) and state that the right to work either 20 hours or 10 hours per week, or no work rights at all, arises from the type of institution that the migrant is sponsored by and the particular course the student is following. Therefore any Tier 4 (General) Student encountered working must be:

(1) Following a course of study; and
(2) Following that course of study at the appropriate level and type of institution that permits them to work the number of hours that they are working. A student who has moved to a new sponsor or is undertaking a new course which does not permit the student to work at all or the number of hours he is working then the student is in breach of his conditions but see paragraph 50.7.2 below for further details on students switching colleges. Where the student is working in breach then curtailment action, and subsequent liability to removal under section 10 of the 1999 Act, can be taken against them.

Officers will need to establish:

(1) The type of sponsoring body;

(2) The exact course the individual is on and whether sponsorship continues. Officers may need to contact the sponsoring organisation for this.

However you must be certain that where the conditions of a student's leave permit work that the student in question is not working during a vacation or during the period of leave granted before a course commences or after the course ends, which varies depending on the duration of the course. The following table sets out the periods of leave to be granted before and after a course to Tier 4 (General) Students (often referred to as the wrap-up period) under paragraphs 245ZW(b) and 245ZY(b) of the Rules, as applicable:

Type of course	**Period of leave to remain to be granted before the course starts**	**Period of leave to remain to be granted after the course ends**
12 months or more	1 month	4 months
6 months or more but less than 12 months	1 month	2 months
Pre-sessional course of less than 6 months	1 month	1 month
Course of less than 6 months that is not a pre-sessional course	7 days	7 days
Postgraduate doctor or dentist	1 month	1 month

If the grant of entry clearance or leave to remain is being made less than 1 month, or in the case of a course of less than 6 months that is not a pre-sessional course, less than 7 days before the start of the course, entry clearance / leave to remain will be granted with immediate effect.

Students who have a right to work are allowed to work full time during vacations and during the period of leave that is granted before a course commences or after the course ends. A student who is following the required course of study or who has successfully completed their course and is found working full time during these periods would not be in breach of their conditions of stay. However a student who has ceased studying before completion of their course would have no right to undertake part time or vacation employment as they are no longer following a course of study, independently of whether his leave has been curtailed.

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Students who switch college

Students are allowed under Tier 4 guidance to switch educational establishments but they must seek permission to do so. They can start a new course **before** approval has been given where:

- They have applied to the Home Office for permission to stay and study with a Tier 4 sponsor which has a highly trusted sponsor rating; and
- Their permission to stay and study in the UK with the former sponsor is still valid; and
- Their prospective Tier 4 sponsor has assigned a confirmation of acceptance for studies to them for the new course.

  As the student is permitted to start the course they can undertake part time/vacation work assuming the level of course is such that it would allow for employment (see 50.7 above).

A student cannot start the new course until we have approved the new application where they are applying to us for permission to stay and study with a sponsor that does not have highly trusted sponsor rating. In such circumstances, they also cannot undertake part time/vacation work until such time as permission is granted.

Any student encountered who has changed his educational establishment without seeking approval can be considered for curtailment action if he has failed to seek permission to change college (breach of condition restricting study).

(Note though that a student who is following an approved course of study can additionally undertake supplementary study at any other institution as long as this does not interfere with their main course)

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Students who completed their course early but have not had their leave curtailed to provide for a revised wrap-up period in line with their new course completion date

Migrants working for periods in excess of the wrap up period allowed normally at the end of a course will be liable to curtailment for working in breach. If it appears the sponsor has failed to notify the Home Office of the student completing the course, refer to Sponsorship Investigations Team (SIT) as the sponsoring body may be failing in their duty to notify that the student is no longer attending.

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Students seeking to remain in another capacity

Students can only undertake part time/vacation work where they are attending the course and have permission to do so.

There is provision in the Rules however for a person to be allowed to take employment where they have an outstanding in time Tier 2 application (including to work as a postgraduate Dentist or a Dentist in Training) which is supported by a Certificate of Sponsorship assigned by a licensed Tier 2 Sponsor and made following successful completion of course at degree level or above with a Sponsor that is a Recognised Body or a body in receipt of public funding as a higher education institution (para 245ZT /245ZY).

Some self-employment is allowed where the person has made an application for leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant which is supported by an endorsement from a qualifying Higher Education Institution and which is made following successful completion of a course at degree level or above at a Sponsor that is a Recognised Body or a body in receipt of public funding as a higher education institution

Some employment is allowed where a migrant has successfully completed a PhD at a Sponsor that is a Recognised Body or a body in receipt of public funding as a higher education institution and has been granted leave to remain as a Tier 4 (General) Student on the doctorate extension scheme or has made a valid application for leave to remain as a Tier 4 (General) Student on the doctorate extension scheme but has not yet received a decision on that application.

Also employment as a postgraduate Dentist or a Dentist in Training is allowed where the migrant has a pending in time application for leave to remain as a Tier 4 (General) Student supported by a confirmation of acceptance for studies assigned by a highly trusted sponsor to sponsor the migrant to do a recognised Foundation Programme.

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Sponsor licence revoked or sponsor has ceased to trade

The right to work is dependent on the student (i) following a course of study at the appropriate academic level (ii) with a Sponsor of the specified academic status. If the Sponsor no longer has a sponsor licence because it has been revoked, the student can no longer meet these requirements and therefore will be in breach of their conditions if they are found working. If the Sponsor has ceased trading, the student is unable to meet either requirement and would therefore be in breach of their conditions if they are found working.

In both of these situations, the student will normally be subject to curtailment action. Where the student is encountered in circumstances where it is not appropriate to curtail with immediate effect, then their details should be passed to the Sponsorship Investigation Team with a request that consideration be given to curtailment to 60 days. A student with curtailed leave is normally no longer legally able to undertake part time/vacation work.

Recourse to public funds

The 1996 Act introduced a restriction on the use of public funds for certain persons subject to control. From 8 November 1996, the grant of leave to enter or remain has, where appropriate, included the requirement" that the holder is required to maintain and accommodate themself and any dependants without recourse to public funds".

A person whose leave to enter or remain prohibits recourse to public funds is liable to curtailment if found to be in receipt of a public fund (see 50.11.1). Action may therefore be initiated under the Immigration Rules provided that one of the following is available:

- an admission that the person has been in receipt of public funds; and/or

- a statement from an official from the relevant benefit agency that public funds have been claimed.

A person whose passport endorsement does not expressly prohibit recourse to public funds does not breach a condition of his leave nor commit a criminal offence under section 24(1) (b)(ii) of the 1971 Act if they are in receipt of public funds (Those on temporary admission or illegal entrants who have not been granted leave are not liable to enforcement action in this category, as they have not been granted leave which prohibits recourse to public funds).

When a person started claiming public funds before a restriction was endorsed in their passport, there may have been a legitimate entitlement to claim e.g. Child Benefit. In such a case, a report should be sent to the relevant casework section to enable an approach to be made to the relevant benefit agency with a request that they review the claim. If, after interview, it appears that the person may qualify for benefits, submit a report to the relevant casework section.

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List of public funds

For a definition of what constitutes public funds see paragraph 6 of **Immigration Rules**

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Continuing leave

When a person makes an in-time application for variation of his leave, and the leave then expires before a decision is taken, section 3C of the 1971 Act means that the leave, and any conditions attached to that leave, automatically extends to the point at which the decision on the application is made (including a decision to reject the application as invalid). The 3C leave continues during the period that an appeal or

administrative review (AR) could be brought, even if no appeal/AR is submitted. If no appeal is brought the leave ends at the same time as the deadline for the appeal/AR. If an appeal/AR is lodged, the 3C leave and the conditions attached to that leave continue while the appeal/AR is pending.

Continuing leave and student's right to work: Where a Tier 4 student's leave is extended by virtue of sections 3C of the Immigration Act 1971, such extended leave will continue to have effect subject to the conditions that applied to it immediately prior to it being extended under such provisions of the 1971 Act. Therefore, a student who when section 3C leave commences has ceased studying, and has thereby lost the right to work, will not re-acquire their right to work by virtue of their leave being extended under the 1971 Act.

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Annex C

British Irish Visa Scheme (BIVS)

The British-Irish Visa Scheme, underpinned by amendments by the Immigration (Control of Entry through Republic of Ireland) Order 2014, allows for short term travel between the UK and Ireland, on the basis of one visit visa, by approved nationals who are visa-required for the purpose of travel to or entrance into both the UK and Ireland. The scheme does **not** apply to countries whose nationals are not visa-required in both the UK and Ireland. The following classes of visa come within the scope of the Scheme:

- **UK:** Visas granted to persons seeking leave to enter or remain in the UK as defined in Part 2 of the Immigration Rules of the UK, except those seeking leave to enter as (i) a Visitor in Transit or (ii) a Visitor seeking to enter for the purpose of marriage or to enter a civil partnership.

- **Ireland:** All short-stay 'C' visas, single-entry or multiple-entry, issued for the following purposes of travel to Ireland:
    - Visit (family/friend)
    - Visit (tourist)
    - Conference/Event
    - Business

Visas will be endorsed with the coding "BIVS" when confirmed as eligible for the Scheme.

Holders of BIVS visas will be subject to standard checks on arrival by the relevant border control authority, and enforcement action will be taken against those who are found to abuse the Scheme in either the Republic of Ireland or the UK. The visa holder must enter the state which issued the visa in the first instance.

The first phases of the Scheme commenced in China on the 28 October 2014 and India on 10 February 2015. Further rollout of the Scheme is subject to evaluation of phase one.

Overstayers and workers in breach

If you encounter the holder of a BIVS visa who has abused the conditions of their stay while in the UK, i.e. working in breach of the UK conditions, or overstaying, while in the UK; you must fully consider whether to curtail the leave(if appropriate) and serve a RED0001 You will need to consider where and when the period of leave to enter the UK was conferred by the Immigration (Control of Entry through the Republic of Ireland) Order 1972 as amended in 2014 in order to determine if the holder of a visa issued by Ireland has overstayed:

- **First arrival into the common travel area**
  Holders of UK issued BIVS visas must enter the UK first, and direct travel to the Ireland will not be possible; the reverse applies for BIVS visas issued by the Ireland. If leave to enter the UK is conferred on arrival (in the case of a UK-issued BIVS), or leave to land is granted by the Irish authorities in line with a BIVS visa issued by Ireland, this will be limited to 90 days or less leave to land in Ireland for Irish issued visa, or 180 days or less leave to enter the UK for UK issued visas.

  Where permission to land, enter or reside is denied, the individual will be returned to the **country of embarkation**. The visa will be revoked or cancelled by the issuing country.

- **Subsequent travel to the other jurisdiction**
  Where holders of 'BIVS' endorsed visas travel on from the visa issuing country to the non-issuing country, the duration of stay permitted will vary (see below). If permission to enter is not granted, the individual will be **returned to the issuing country**. This would include those refused leave to enter due to their permission to remain in the issuing country having expired.

  Ireland – arrival from the UK only

  If permission to enter is granted, the duration of stay permitted will be the shorter of the following periods:

  - 90 days or less, or
  - the remaining period of validity of the person's leave to enter the United Kingdom.

  United Kingdom – arrival from Ireland only

  Where a person holds a valid 'BIVS' endorsed Irish Visa and has extant leave to land or remain in Ireland they may enter the UK and remain for the duration of their leave to land/ remain in Ireland, as shown by the appropriate stamp in their passport rather than the dates printed on the visa, which are the dates between which the visa may be used for initial travel to Ireland.

- **Re-entry into the country of first arrival**
  A holder of a UK issued BIVS visa who re-enters the UK from Ireland, having entered Ireland under the terms of the Scheme, will be allowed a maximum stay of the leave to enter originally conferred by the entry clearance on the person's arrival in the UK.

Any discretionary factors and extenuating circumstances should be fully considered and evidenced as with any curtailment or liability to removal, and existing processes for bringing leave to an end should be followed as set out in this guidance.

Removal directions should be set directly to the country from which the person originally departed on their journey (or other country where the person can be returned to, if appropriate) rather than to the BIVS partner country.

Information on administrative removals of individuals travelling under the Scheme will be maintained by each jurisdiction and shared on request.

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Following the administrative removal of any UK visa holder for working in breach while they are in the UK, you should consider whether it is appropriate to request

revocation of the multiple entry BIVS visa by an entry clearance officer (ECO) under paragraph 30A(i) of the Immigration Rules paragraph.

To request revocation of the visa, you should complete the 'visa concerns process' through the Central Reference System (CRS). Guidance is located on pages 6-8 of the Border Force manual - Cancellation of entry clearance.

Irish issued BIVS visas

Following the decision to administratively remove an Irish visa holder for working in breach of condition imposed in line with the BIVS scheme on the person's UK leave, the individual may, where there is extant time on the Irish visa, request to be removed to Ireland to continue their stay as a visitor.

In these cases, you must complete proforma IS 141 (BIVS) requesting a decision on admissibility to Ireland within 48hours of receipt of the form prior to setting removal directions. The IS 141 (BIVS) form requires an UK unique reference number (URN) and AVATS number, both of which can be found on i-search.

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If Ireland confirms that the individual would be inadmissible to Ireland, you should arrange for removal outside the CTA.

If Ireland confirms that the individual would be permitted to re-enter Ireland from the UK on their current visa, removal directions should be set for Ireland.

Individuals, who are subject to removal following an abuse of the British-Irish Visa Scheme (BIVS), should be removed directly to the country from which the person originally departed on their journey (or other country where the person can be returned to, if appropriate) rather than to the BIVS partner country, rather than returned to Ireland.

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Annex D Persons exempt from liability to removal

The following are exempt from administrative removal

- British citizens, including:

  (a) anyone born in the UK or the Falkland Islands prior to 1 January 1983;

  (b) anyone born in the UK or the Falkland Islands on or after 1 January 1983, or in any other qualifying territory (see below) on or after 21 May 2002, whose father (if legitimate) or mother is a British citizen or settled in the UK or relevant territory (as the case may be);

  Note: An illegitimate child whose father is British did not automatically qualify at birth for British citizenship before 1 July 2006. However, if subsequently legitimated by the marriage of their parents, pursuant to section 47 of the 1981 Act, they are treated as if born in wedlock, i.e. as if were a British citizen from birth. For children born on or after 1 July 2006, there is no distinction between married and unmarried parents. From 6 April 2015, persons who did not automatically acquire British citizenship because their parents were unmarried will be entitled to register as British Citizens. See check if you are a British citizen for more details

  (c) anyone who was a British overseas territories citizen immediately before 21 May 2002 by connection with a "qualifying territory" (i.e. a British overseas territory other than the Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus);

- Diplomats: under section 8(3) of the 1971 Act, as amended by section 4 of the 1988 Act, and section 6 of the 1999 Act, those who are exempt from control by virtue of their diplomatic status;

- Consular staff: under section 8(4) of the 1971 Act, those who are exempt from control by virtue of their consular status;

- under section 2(1)(b) of the 1971 Act, children born outside the UK prior to 1 January 1983 who are Commonwealth citizens and have a mother who was a

citizen of the UK and Colonies by birth at the time of the birth and therefore have the right of abode but are not British citizens;

Annex E Summary of changes in legal basis:

Grounds	Old basis – Pre-IA 2014 cases	New basis – IA 2014 Cases
Breach of conditions of leave	S10(1)(a) of the Immigration and Asylum Act 1999	Paragraphs 323(i) / 322(3) of the Immigration Rules for breach of conditions. Paragraphs 323(i) / 322(4) of the immigration Rules for failure to maintain or accommodate himself or dependants without recourse to public funds.
Overstays leave	S10(1)(a) of the Immigration and Asylum Act 1999	S10(1) of the Immigration and Asylum Act 1999 (as amended by the Immigration Act 2014)
Uses deception (successfully or not) in seeking leave to remain	S10(1)(b) of the Immigration and Asylum Act 1999	Paragraph 323(ia) of the Immigration Rules.
Family member of person liable to removal under s10	S10(1)(c) of the Immigration and Asylum Act 1999	S10(2) to (6) of the Immigration and Asylum Act 1999 (as amended by the Immigration Act 2014)

Annex F

Action to be taken when it is claimed an application has been made but it is not on CID

In instances where enforcement staff are provided with information that a suspected immigration offender has lodged an application with the Home Office for consideration, and a search of CID fails to find an application, enquiries may be made to establish whether an application has been made.

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Annex G Completion of an IS96

IS96 was previously served to notify a person (already served with notice of liability to removal) about reporting conditions. It now has multiple uses. **Note: The IS96 Ports notice is not affected by the changes set out below.**

It retains the previous function of placing someone without leave on reporting conditions but it may now also be used to inform a person of their liability to detention and TA/vary leave and impose conditions where they have not previously been notified, such as persons walking into ASU as illegal entrants claiming asylum, or where they still have extant or s.3C leave but are likely to be removed from the UK.

Note: if the person is being detained rather than placed on reporting conditions, the IS96 should accompany but not replace the appropriate IS91 detention notices.

Under the section "Liability to Detention" there are now two options:

A. You are a person without leave who has been served with a notice of liability to removal

This box must be ticked for persons who have already been notified, either in a RED.0001, RED.0001 (FAM), or other refusal decision which includes notice of liability to removal. You do not need to complete the "Statement of Specific Reasons" section as the person will already have been provided with the reasons why they are liable to removal.

B. You are a person where there is reasonable suspicion that you may be liable to removal from the United Kingdom

This box must be ticked for the following categories:

- persons without leave but who are not yet liable to removal due to an outstanding application or a pending administrative review or appeal

(e.g. illegal entrants claiming asylum or overstayers making a human rights claim)

- persons without leave who have not been notified of liability to removal but have asked to make a voluntary departure (e.g. lorry drops)
- persons with extant or s.3C leave who have an application pending where there is reasonable suspicion that their case falls for refusal under the Immigration Rules making them liable to removal (e.g. GGfR where there is evidence of a sham marriage, or curtailment for deception or breach of conditions).
- persons with extant or s.3C leave who have an administrative review or appeal pending where there is reasonable suspicion that, following an adverse decision, their behaviour (e.g. entering a sham marriage or breach of conditions) will make them liable to removal.
- family members of such persons listed within A or B. (see above) who haven't yet received a separate RED.0001(FAM).

You will need to complete the "Statement of Specific Reasons" section providing evidence and the legal basis for why you consider the person to be liable to detention and removal (such as the reasons for the illegal entry or overstayer contention or evidence of breach of conditions or sham marriage). For family members you will need to include the name of the main person who is liable to removal and the family member's relationship to that person.

Under the "Restrictions" section there are now two options:

A. I hereby authorise the variation of your leave subject to the following restrictions

This box must be ticked where the person has extant or s.3C leave which is being varied under s.3(3)(a) of the Immigration Act 1971.

B. I hereby authorise your (further) temporary admission to the United Kingdom subject to the following restrictions

This box must be ticked where the person has no leave to enter or remain.

The rest of the notice, detailing the reporting conditions, is unchanged. If the person is being detained then the "Restrictions" section of the IS96 should be left blank or struck through and the appropriate IS 91 detention notices must be served.

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Revision History

Date change published	Officer/Unit	Specifics of change	Authorised by;	Version number after change (this chapter)
28-02-12	EID	Delete reference to 395c	Richard Quinn	V4
July 2012	, SID	Delete section 50.3.1 (no longer relevant, and insert one line in 50.2 as EEA Admin removals now possible.	Sonia Dower	V5
27/11/2013	Enforcement and Returns Operational Policy	Minor formatting changes, inclusion of restriction box in external version, inclusion of revision history in external version. Amendment to 50.3 on children born in UK	Kristian Armstrong Head of Asylum Enforcement and Criminality Policy	V6
28July 2014	Enforcement and Returns Operational Policy	Change to 50.2 to clarify conditions attached to stay,deletion of 50.5.1 re-regularisation of overstayers scheme,changes to 50.7 on students working, 50.9 domestic workers, new annex A.	Kristian Armstrong Head of Enforcement and Criminality Policy Angela Perfect Central Operations	V7
/10/2014	Enforcement Operational	General housekeeping, hyper-linking, official sensitive markings, re-	Kristian Armstrong	V8

	Policy	instating missing heading for 50.5.2, and new content – 50.14 on tier 4 applications made after 20/10/2014		
08/01/2015	Enforcement Operational Policy	General housekeeping, hyper- new content – Sections 50.2.1 - British Irish Visa Scheme	Kristian Armstrong	V9
26 February 2015	Enforcement Operational Policy	Additions to 50.2 BIVS, revisions to 50.14 on other PBS applications made after March 2015	Andrew Elliot	V10
6 April 2015	Enforcement Policy	Chapter revised to reflect new section 10 removal process from 6 April. Breach of conditions cases which now require curtailment action moved to annex B,BIVS to annex C	Rebecca Handler	V11
17 April 2015	Enforcement Policy	General update, amendments to 1.6 to delete advice on service of old style section 10 notices and 3.3 to effect that time for providing response to 120 notice can be shortened	Philippa Rouse Head of Criminality and Enforcement Unit	V12
12 September 2016	Enforcement Policy	Amended 1.5 ‘option C’ to reflect new ‘adults at risk’ policy	Philippa Rouse Head of Illegal Migration, Identity Security and Enforcement	V13

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