



Home Office

UK Visas and Immigration

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Web www.gov.uk/uk-visas-immigration

Served via email

Case ID XXXX1234

Date 18 August 2017

Dear Mr Student

CURTAILMENT OF LEAVE

We have curtailed your immigration leave.

Your leave to enter has been curtailed so that it now expires on 17 October 2017.

What this means for you.

You now have until this date to either make arrangements to leave the United Kingdom or submit an application for further leave to remain.

Further information

The enclosed notice sets out the reasons for your curtailment.

Yours sincerely,

J Weaver
Notifications and Curtailments Team
UK Visas and Immigration
On behalf of the Secretary of State

NOTICE OF CURTAILMENT

Date of decision: 08 August 2017

Our ref: XXXX1234

DECISION SUMMARY

The decision has been made to curtail your leave so that it now expires on 17 October 2017.

REASONS FOR DECISION

The Home Office was informed by your sponsor (licence number ending XXXXABCD as shown on your Entry Clearance Visa) on 09 May 2017 that you ceased studying with them.

Home Office records have been checked and there is no evidence that you have made a fresh application for entry clearance, leave to enter or leave to remain in the United Kingdom in any capacity.

Therefore, as you have ceased studying, as notified by your Tier 4 sponsor, your leave is curtailed under paragraph 323A(a)(ii)(2) of the Immigration Rules until 17 October 2017.

RIGHT TO WORK

Please be aware that where a Tier 4 PBS migrant has a right to work, the conditions of leave under the Immigration Rules only permit work where the person is both:

- (i) following a course of study at the appropriate academic level, and
- (ii) studying with their Sponsor who must have the specified academic status.

If you no longer meet either of these criteria you can not work lawfully in the UK. If you are encountered working unlawfully you will be in breach of your conditions of leave and may be removed from the UK and subject to a re-entry ban that could prevent you from returning to the UK for up to 10 years. Your employer may also be liable to a civil penalty of up to £20,000.

Before your current leave to enter or remain expires you must either leave the United Kingdom or submit a fresh application for leave to remain.

If you hold a biometric residence permit (BRP), you are required to return it to the Home Office. You should cut up the card and post it in a plain windowless envelope to: Freepost RRYX-GLYU-GXHZ, Returns Unit, PO Box 163, Bristol BS20 1AB or if you have left the United Kingdom and are still in possession of your BRP card please return it to your British Embassy/High Commission.

You may be issued with a fine of up to £1,000 should you fail to send your BRP to the Home Office. If your BRP is lost or stolen you must tell the Home Office or risk a fine. Details about reporting lost and stolen BRPs are on our website at: <https://www.gov.uk/biometric-residence-permits/lost-stolen-damaged>.

If you leave the Common Travel Area (the UK, the Channel Islands, the Isle of Man and the Republic of Ireland) your leave to enter or remain will lapse under Article 13(3) of the Immigration (Leave to Enter and Remain) Order 2000 and you may require a visa to enter the UK.

NO RIGHT OF APPEAL - NO ADMINISTRATIVE REVIEW

Right of appeal

You do not have a right of appeal against this decision.

Administrative review

You may not seek administrative review of this decision because it is not an eligible decision for the purposes of administrative review, as defined in the administrative review Appendix of the Immigration Rules.

LIABILITY TO REMOVAL

You are not required to leave the United Kingdom as a result of this decision. You still have leave to enter or remain where your current conditions continue to apply until 17 October 2017. Please ensure that you understand the conditions of your stay.

Although you are not required to leave the UK at this time your leave to enter or remain in the UK is due to expire on 17 October 2017. You need to make arrangements to plan your departure before your leave expires. If you intend to remain in the UK after this time you should make a further application for leave before your current leave expires. Please see the Home Office website for details of how you can make an application.

Please be aware that if you fail to leave the United Kingdom or seek to regularise your stay by the time that your leave expires you will be liable to enforced removal from the United Kingdom under section 10 of the Immigration and Asylum Act 1999 (as amended by the Immigration Act 2014).

CONSEQUENCES OF ILLEGALLY STAYING IN THE UK

Persons who remain in the UK without lawful basis may be prosecuted for the offence of overstaying under the Immigration Act 1971, the penalty for which is a fine and/or up to 6 months imprisonment. If you do not leave voluntarily and removal action is required you may face a re-entry ban of up to 10 years. If you decide to stay, then your life in the UK will become increasingly more difficult. For example, some of the consequences of not leaving immediately will be that:

- You will not be allowed to work in the UK. Immigration Enforcement Officers visit workplaces and any employer found to be employing an illegal immigrant may be liable for a civil penalty of up to £20,000 per illegal worker.
- The Immigration Act 2014 may require landlords to conduct immigration checks. Landlords may face a penalty if they let a property to an illegal migrant.
- You are not entitled to claim benefits. Immigration Enforcement will share your details with HMRC or DWP. You may be liable for prosecution if you make a false declaration to these organisations or fail to inform them of a change in your circumstances which affects your entitlement to benefits.
- You may be charged for any secondary healthcare you receive.
- Immigration Enforcement may share your details with financial fraud prevention organisations to allow service providers to decide whether you should have access to financial products such as bank accounts and credit agreements.
- Immigration Enforcement will ask the DVLA not to issue you with a driving licence. If you already have one, we will ask the DVLA to consider cancelling it. If your licence is cancelled, you will then be unable to drive legally in the UK.

We would also like to take this opportunity to remind you of the Immigration Rules that govern the way in which applications to enter the United Kingdom are treated from persons who have previously breached the UK's immigration laws.

In accordance with paragraph 320(7B) of the Immigration Rules, any person who previously overstayed for more than 30 days will have their application refused unless they meet one of the exceptions set out in the Rules. Those who have breached the UK's immigration laws could see applications to re-enter the UK refused for the following periods;

- 1 year if, following the breach, they left the UK voluntarily at their own expense;
- 2 or 5 years if, following the breach, they left the UK voluntarily at public expense;
- 10 years if they were removed or deported from the UK following their breach.

Paragraph 320(7B) of the Immigration Rules can be found on the Home Office website at:
<https://www.gov.uk/government/collections/immigration-rules>

Further information on the re-entry ban can be found on the Home Office website at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270043/cha-pter62.pdf.

Therefore, if you do not wish to apply for further leave to remain, you should make your own arrangements to leave the UK before your leave expires.

HELP AND ADVICE ON RETURNING HOME

The Home Office Voluntary Departure Service can be contacted for help on returning home.

The team can discuss your return, obtain your travel document and send it to the port of departure, help with the cost of your tickets or provide other practical assistance:

Telephone: 0300 004 0202 (Monday- Friday between 9.00 and 17.30)

Fax: 0870 336 9544

You can email the teams. E-mail:

voluntarydeparture@homeoffice.gsi.gov.uk if you are planning a voluntary departure from the UK and need help with your travel document or cost of flight but do not require any special assistance.

AssistedVoluntaryReturns@homeoffice.gsi.gov.uk if you are planning a voluntary departure from the UK but require special assistance which includes help with your medical needs or reintegration into the country of your return. This service is known as an Assisted Voluntary Return.

Yours sincerely,

J Weaver
Notifications and Curtailments Team
UK Visas and Immigration
On behalf of the Secretary of State