



Home Office

## UK Border Agency

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### Managed Migration Policy

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24<sup>th</sup> April 2008

Dear Ambassador

### **New immigration rules- ban on return for people who break our immigration laws**

We are writing to let you know about a change to the way in which we treat applications to come back to the UK from people who have breached our immigration laws in the past (e.g. by overstaying their visas).

The new immigration rules on this subject, which came into force on 1 April, have two main purposes:

- To provide a **stronger sanction** for breaches of our immigration laws- reinforcing the message that newcomers to Britain should obey the law or face the consequences; and
- To give migrants who are here illegally a clear incentive to go home of their own accord, by subjecting those who do so to a much shorter ban than they would receive if they waited for the UK Borders Agency to remove them.

The new rules provide that:

- anyone who has previously used deception in an **entry clearance application** will have all future applications to come here refused for ten years;
- anyone who has previously breached our immigration laws in any other way (that is, by overstaying, entering the UK illegally, telling lies in an immigration application or breaching the conditions of their leave- e.g. by working illegally) will be banned from returning for the following periods, depending on how they left the UK following their breach:
  - 1 year if they left voluntarily at their own expense;
  - 5 years if they left voluntarily at public expense; and
  - 10 years if they were removed or deported.

In order to reinforce our objective of encouraging people to go home of their own accord, we have announced that we will not apply these new rules to anyone who was in the UK on 17

March 2008, and who goes home of his or her own accord before **1 October 2008**. In effect, we are giving anyone here illegally a last chance to go before the new Rules kick in. If they leave before 1 October we will not automatically apply the ban to them, though they will still need to meet the other requirements of the immigration rules if they wish to obtain a visa.

We are sending this to you for your information as you may find it useful when advising your nationals in the UK. If you need any further information, please contact the UK Border Agency's Managed Migration Policy unit on 020 8760 8711.

Yours sincerely

A handwritten signature in black ink that reads "Marc Owen". The signature is written in a cursive, slightly slanted style.

Marc Owen  
Head of Unit  
Managed Migration Policy