

SCHEDULES

SCHEDULE 6

ILLEGAL WORKING CLOSURE NOTICES AND ILLEGAL WORKING COMPLIANCE ORDERS

Cancellation of illegal working closure notices

- 3 (1) An immigration officer may by the issue of a cancellation notice cancel an illegal working closure notice if—
- (a) the immigration officer considers that the condition in paragraph 1(3) or (6) is not met, or
 - (b) the employer shows in relation to the employment of each illegal worker that if a penalty notice were given under section 15 of the 2006 Act the employer would be excused under subsection (3) of that section from paying the penalty.
- (2) A cancellation notice may be issued only—
- (a) by an immigration officer of at least the rank of the immigration officer who issued the illegal working closure notice, or
 - (b) where the illegal working closure notice has been extended by an extension notice, by an immigration officer of at least the rank of the immigration officer who issued the extension notice.