

DEPORTATION LIABILITY NOTICE
(Section 162 of the Immigration Act 2009)

To: Ahamed Aathil Mohamed Samsudeen

CN: 48173125

You are liable for deportation

You are liable for deportation from New Zealand under section 162(1) of the Immigration Act 2009 ("the Act").

Why you are liable for deportation

You are a residence class visa holder. You first held a residence class visa on 2 April 2014. The grounds for your deportation liability are:

1. On 20 December 2013, the Immigration and Protection Tribunal determined that you were a refugee within the meaning of the Refugee Convention.
2. On 1 February 2019, Immigration New Zealand's Refugee Status Branch (RSB) cancelled your recognition as a refugee under section 146(1) of the Act.
3. On 27 February 2019, the Refugee and Protection Officer reissued his decision to cancel your recognition as a refugee under section 146(1) of the Act.
4. The RSB found that your grant of refugee status on 20 December 2013 was improperly made and that the decision may have been procured through fraud, forgery, false or misleading representation, or concealment of relevant information. The RSB also found that there was not a real chance of you being persecuted if you return to Sri Lanka now, and your fear of being persecuted is not therefore well-founded. The RSB also concluded that you are not recognised as a protected person under the Convention Against Torture or the International Covenant on Civil and Political Rights.
5. You are therefore liable for deportation under section 162(1) of the Act.

Your appeal rights

You may appeal to the Immigration and Protection Tribunal on the facts and on humanitarian grounds against your liability for deportation (see ss 162(2)(b), 201(1)(c) and 206(1)(d) of the Act). You must submit any appeal on the form enclosed with this notice. The Tribunal must receive the appeal no later than 28 days after the date of service of this notice (see s 162(2) of the Act).

Consequences of deportation

You are deported from New Zealand if:

- you leave New Zealand (whether or not at the expense of the Crown) on or after the date a deportation order may be served on you, or after a deportation order has been served on you; or
- a deportation order is served on you while you are outside New Zealand.

If you are deported from New Zealand, you will be permanently prohibited from re-entering New Zealand. If the Crown incurs any costs in respect of your deportation you must repay that debt to the Crown. If you attempt to return to New Zealand after you have been deported, you will not be granted a visa or entry permission. If you re-enter New Zealand, you may be detained under the Act.

Visa cancellation

In accordance with section 64(1)(a) and 64(1)(ab) of the Act, your visa will be cancelled the earlier of:

- a. The day you are deported from New Zealand; or
- b. The day after the first date a deportation order may be served on you.

Signed:

Date: 13/3/19.



Arron Baker
Delegated Decision Maker
For Minister of Immigration

Proof of Service

I acknowledge that this deportation liability notice was served on me by personal service

on:

Refused to sign.

at:

mt Eden prison
15.4.2019.

Signed:

Ahamed Aathil Mohamed Samsudeen


Alistair Murray.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

IMPORTANT INFORMATION FOR PERSON NAMED IN DEPORTATION LIABILITY NOTICE

Transitional provisions

If you held a residence permit under the former Immigration Act 1987, then under section 415(1) of the Immigration Act 2009 you are now deemed to hold a residence class visa. Under section 434(1) of the Immigration Act 2009 you are liable for deportation whether the reason for your deportation liability arose before or after you were deemed to hold a visa.

If you arrived in New Zealand before 29 November 2010, have not departed since that date, and were exempt from holding a permit under the former Immigration Act 1987, then under section 417(3) of the Immigration Act 2009 you are now deemed to hold a residence class visa. Under section 434(1) of the Immigration Act 2009 you are liable for deportation whether the reason for your deportation liability arose before or after you were deemed to hold a visa.

Rights of appeal

If you wish to appeal to the Immigration and Protection Tribunal (the Tribunal) against your liability for deportation you must do so on the enclosed appeal form. Your appeal must be received by the Tribunal no later than 28 days after the date of service of the deportation liability notice. You can also download the form and further information on how to lodge an appeal from the Tribunal's website at www.justice.govt.nz/tribunals/immigration-protection-tribunal/

Date of service of deportation liability notice

If the deportation liability notice was served on you in person, it is treated as being served on that day.

If the deportation liability notice was served on you in New Zealand by registered post, the notice will be treated as having been served on you on the earlier of:

- The date it was delivered, or
- Seven days after the date it was posted, unless you can prove you did not receive the notice by that date, and that this was not your fault.

If the deportation liability notice was served on you outside New Zealand by registered post, the notice will be treated as having been served on you on the earlier of:

- The date it was delivered, or
- Fourteen days after the date it was posted, unless you can prove you did not receive the notice by that date, and that this was not your fault.

When a deportation order may be served

Under section 175A of the Immigration Act 2009, a deportation order may be served on you if you do not lodge any appeal within the appeal period specified in this notice. If you do lodge an appeal, a deportation order may be served on you at the conclusion of any appeal proceedings (if any such appeal is determined against you), or on the day after your appeal is withdrawn. If you leave New Zealand at any time after lodging your appeal and before your appeal is determined your appeal is deemed to have been withdrawn.

Your immigration status

If you have submitted an application for a permanent resident visa, or citizenship, the processing of that application will be suspended while you are liable for deportation.

If you are outside New Zealand when the deportation liability notice was served on you and you hold a visa, you may lodge an appeal against your deportation liability to the Tribunal within the prescribed timeframe and you may travel to New Zealand during the period in which the appeal can be made. Additionally, if you do appeal you may travel to New Zealand pending the determination of that appeal.

Seeking advice

You may contact a lawyer or an immigration adviser. If you are under 18 years of age and you are not married or in a civil union, you may also contact a responsible adult who can represent your interests.

Supporting or sponsoring other applications

Someone who is liable for deportation is not able to support or sponsor any residence or temporary entry visa applications.

If your deportation liability has been suspended, you are only able to support or sponsor family for temporary visas if the person you are supporting already holds a temporary visa based on their relationship to you. Apart from that exception, someone is not able to support or sponsor any residence or temporary entry visa applications while their deportation liability is suspended. These rules apply to residence applications lodged on or after 29 May 2017 and to all temporary entry visa applications.

END

DEPORTATION LIABILITY NOTICE
(Section 161 of the Immigration Act 2009)

To: Ahamed Aathil Mohamed Samsudeen

CN: 48173125

You are liable for deportation

You are liable for deportation from New Zealand under section 161(1)(b) of the Immigration Act 2009 ("the Act").

Why you are liable for deportation

You are a residence class visa holder. Pursuant to section 161(5) of the Act you first held a residence class visa on 2 April 2014. The grounds for your deportation liability are:

1. You were convicted and on 19 September 2018 sentenced in the Auckland High Court for two offences of take/obtain/use document for pecuniary advantage.
2. The Court had the power to impose a sentence of imprisonment of seven years for each offence.
3. You committed the offences on 9 April 2016 and 13 April 2016, which was not later than five years after you first held a residence class visa.

Your appeal rights

You may appeal to the Immigration and Protection Tribunal on humanitarian grounds against your liability for deportation (see ss 161(2)(a) and 206(1)(c) of the Act). You must submit any appeal on the form enclosed with this notice. The Tribunal must receive the appeal no later than 28 days after the date of service of this notice (see s 161(2)(a) of the Act).

Consequences of deportation

You are deported from New Zealand if:

- you leave New Zealand (whether or not at the expense of the Crown) on or after the date a deportation order may be served on you, or after a deportation order has been served on you; or
- a deportation order is served on you while you are outside New Zealand.

If you are deported from New Zealand, you will be permanently prohibited from re-entering New Zealand. If the Crown incurs any costs in respect of your deportation you must repay that debt to the Crown. If you attempt to return to New Zealand after you have been deported, you will not be granted a visa or entry permission. If you re-enter New Zealand, you may be detained under the Act.

Visa cancellation

In accordance with section 64(1)(a) and 64(1)(ab) of the Act, your visa will be cancelled the earlier of:

- a. The day you are deported from New Zealand; or
- b. The day after the first date a deportation order may be served on you.

Signed:

Date: 13/3/19



Arron Baker
Delegated Decision Maker
For Minister of Immigration

Proof of Service

I acknowledge that this deportation liability notice was served on me by personal service

on:

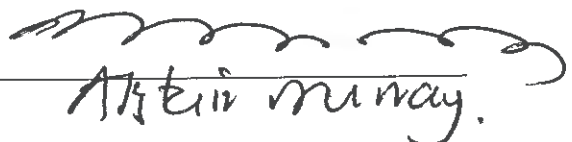
Refused to sign

at:

Mt Eden prison
15-4-2019

Signed:

Ahamed Aathil Mohamed Samsudeen



Ahmed Aathil Mohamed Samsudeen

IMPORTANT INFORMATION FOR PERSON NAMED IN DEPORTATION LIABILITY NOTICE

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Rights of appeal

If you wish to appeal to the Immigration and Protection Tribunal (the Tribunal) on humanitarian grounds against your liability for deportation you must do so on the enclosed appeal form. Your appeal must be received by the Tribunal no later than 28 days after the date of service of the deportation liability notice. You can also download the form and further information on how to lodge an appeal from the Tribunal's website at www.justice.govt.nz/tribunals/immigration-protection-tribunal/

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- The date it was delivered, or
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When a deportation order may be served

Under section 175A of the Immigration Act 2009, a deportation order may be served on you if you do not lodge any appeal within the appeal period specified in this notice. If you do lodge an appeal, a deportation order may be served on you at the conclusion of any appeal proceedings (if any such appeal is determined against you), or on the day after your appeal is withdrawn. If you leave New Zealand at any time after lodging your appeal and before your appeal is determined your appeal is deemed to have been withdrawn.

Your immigration status

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If you are outside New Zealand when the deportation liability notice was served on you and you hold a visa, you may lodge an appeal against your deportation liability to the Tribunal within the prescribed timeframe and you may travel to New Zealand during the period in which the appeal can be made. Additionally, if you do appeal you may travel to New Zealand pending the determination of that appeal.

Seeking advice

You may contact a lawyer or an immigration adviser. If you are under 18 years of age and you are not married or in a civil union, you may also contact a responsible adult who can represent your interests.

Supporting or sponsoring other applications

Someone who is liable for deportation is not able to support or sponsor any residence or temporary entry visa applications.

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END