



## Woolley Bevis Diplock LLP

- Illegal Working -

The Immigration, Asylum and Nationality Act 2006 (Commencement Number 8 and Transitional and Saving Provisions) Order 2008 has brought into force on 29 February 2008 further far reaching changes to the law to prevent illegal working. Section 15 of the 2006 Act will impose two new penalties for employing illegal workers as from 29 February 2008:

- A civil penalty of up to £10,000 for employing an illegal worker (section 15).
- A criminal offence of knowingly employing an illegal worker, which would render an employer liable to a custodial sentence of up to 2 years and/or an unlimited fine (section 21). Businesses could be fined £10,000 for each illegal worker they negligently hire. To establish a defence, employers must check the potential employee's documents at the start of employment and then every 12 months if the person has limited leave to remain in the UK.

For employers who wish to ensure that they take the necessary steps to avoid employing illegal workers please contact Charles Terry in our employment department for further information.

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