

Name

Address

Your ref.

Our ref.

Date

Decision regarding discontinuation of offer of accommodation

The Directorate of Immigration refers to its advance notice of xx.xx.xx to the effect that a decision will be made to discontinue the offer of a place in an asylum reception centre, and to your reply dated xx.xx.xx.

Ministry of Local Government and Regional Development in a letter of 31.10.03 has instructed the Directorate of Immigration to discontinue the offer of accommodation in an asylum reception centre following the final rejection of the application for asylum, with effect as from January 2004. The main rule now is that only persons whose application for asylum is being processed and persons waiting for settlement in a municipality after having been granted a settlement permit, are allowed to stay in an asylum reception centre and will receive financial assistance. For persons whose application for asylum has been rejected, the offer is valid up to the expiry of the time limit for exit.

UDI may in special cases decide that the offer shall be extended for a longer period of time. At present the UDI makes an exception for specially vulnerable groups, such as families with children, and persons with health problems. These may stay on in the asylum reception centre until the time of their exit. Persons who report for the IOM programme concerning a voluntary return and cooperate actively to make their return journey possible, are also allowed to stay on in the reception centre until their return journey.

Your application for asylum was rejected on xx.xx.xx and you have not left Norway within the expiry of the time limit. Your reply to the advance notice does not contain any information to indicate that you belong to the special groups referred to above, which would have allowed you to keep your place in the asylum reception centre for a longer period of time. You have not entered into an active cooperation concerning a voluntary return to your native country, and nor does the information provided indicate that you have a special need to keep the offer for a longer period of time. The offer of accommodation in the asylum reception centre, therefore, has been discontinued and we ask you to leave the reception centre within three - 3 - weeks of the date when you received this letter.

The decision may be appealed and the time limit for the appeal is three - 3 - weeks from the date when you received this letter, cf. s. 29 of the Public Administration Act. This means that you must have posted the appeal before the time limit expires. In your letter of appeal, if any,

you must state the date when you received the letter. If your appeal comes too late, you may forfeit your right to have your appeal processed. If you feel you need a longer time-limit than three weeks, you may apply to the Directorate of Immigration in this respect. You must then state your reasons for thinking the time limit should be extended. An application, if any, for a longer time limit must be filed before the normal time limit for an appeal has expired.

Ministry of Local Government and Regional Development is the administrative appeal body. An appeal, however, if any, must be sent to the Directorate of Immigration, c/o the Integration Office. If the Directorate does not reverse the decision, the appeal will be forwarded to the Ministry of Local Government and Regional Development. You do not have the right to appeal against the decision of the Ministry in the appeal case, cf. s. 28 third paragraph of the Public Administration Act.

You also have the right to see the documents of the case, cf. s. 18, of the Public Administration Act, cf. s. 19.

If you do lodge an appeal, this must contain all the information you feel may be of importance to the consideration of the appeal. The appeal must be signed.

The fact that you appeal against the decision to discontinue the offer of accommodation does not mean that you are guaranteed the right to live in the asylum reception centre until the appeal has been processed. You are entitled, however, to apply for a postponement of the implementation of the decision, cf. s. 42 of the Public Administration Act. This means that you may apply for permission to live in the reception centre until the appeal has been finally decided. This may be done in the appeal letter. In that case you must explain in your appeal why you feel you should be allowed to stay on in the asylum reception centre until your appeal has been decided. A rejection, if any, of such an application is a decision against which you may not appeal.

If you do not apply for permission to stay on in the reception centre until the Ministry has processed your appeal, if any, you must leave the reception centre within the prescribed time limit of three weeks. If you apply for such permission and it is rejected and the 3-week time limit to leave the reception centre has expired, you must leave the reception centre immediately. If not, the Directorate will ask the enforcement authorities to carry out an eviction order.

We draw your attention to the fact that the right to free legal aid without means testing in the event of a rejection by the Directorate of Immigration in an asylum case, cf. s. 42 of the Immigration Act, does not apply to the Directorate of Immigration's decision concerning a discontinuation of the accommodation offer.

Yours faithfully,

for the Directorate of Immigration