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**350-6259**

15th of May, 2013

Mr.Emmanuel George

Ministry of National Security

Temple Court

321-33 Abercromby Street

Port of Spain

Dear Honourable Minister George

**Re: Consideration of Application to Quash the deportation Orders/ Issue Voluntary Departure Notices.**

This office has been retained to act on behalf of the above mentioned Chinese nationals, who have all been issued deportation orders following the conclusion of special inquiries conducted at the immigration Detention Centre, Aripo on 14th and 15th of May, 2013 by Mr.Steve Jack , Special Inquiry Officer.

A very critical examination of the scope of the procedural fairness doctrine adopted by the Special Inquiry Officer on would demonstrate that this decision may be very biased and highly prejudicial. The following facts are hereby outlined for your persusal and eventual action under Section 26(5) of the Immigration Regulations, Chapter 18:01

Bearing in mind the powers reposed in your office, such an appeal under Section 26(5) can allowed, dismissed or the decision of the Special Inquiry Officer be quashed. Of significant import is the fact that there may exist humanitarian and compassionate factors that warrant special relief pursuant to 28 (1) (b) (ii).

**Reasons for Inadmissibility and Inquiry**

Section 25 of the Immigration Regulations outlines the procedures to be followed upon inquiries by special inquiry officers and appeals to the Minister under the Act and the duties and obligations of immigration officers and the methods and procedure for carrying out such duties and obligations. As such, one must look at the issue of jurisdiction and the exercise of discretion.

**Jurisdiction and the Exercise of Discretion.**

There are four key requirements that relates to this case. The first is that the decision maker is bound to pursue the aims of the legislation rather than act

We Act for Mr. Adrian Ache, the owner of the above captioned property.

We have been instructed by Mr. Adrian Ache that he is in the process of regularizing the properties and possibly in disposing the properties he owns in Arima and Environs.

We have been instructed that you are a tenant of the above captioned parcel of land who has built a chattel house on the property before 1981. As per Section 4 of the Land Tenants ( Security of Tenure Act, 1981) you would be statutory tenant for 30 years until May 31st , 2011. The said section also provides for the renewal of the lease for a further period of 30years, on the condition that the tenant serve on the landlord a written notice of renewal of at least six months before the expiration of the original term of the statutory lease, which is the 30th of November, 2010. However, the act was amended to allow statutory tenants to give their land lord notice of the renewal of the lease on or before 31st of May, 2011.

Mr. Adrian Ache instructs us that notice of renewal was not served on him, hence you are no longer a statutory tenant and are not protected by the Act.

**Your tenancy is now terminated and no longer comes under the statutory tenancy.**

Have you been a statutory tenant the act provides that you have an option to purchase the land for half the market price. This option should have been used by a written notice to the land lord. We inform you that you have lost that option to purchase the land at half the market price.

However, Mr. Adrian Ache instructs us he would still give you one more opportunity to purchase the land for half the market price, which would be determined by a valuator mutually agreed by both you and him. This option remains open for one month from the receipt of this letter. If we do not hear from you within that time, legal action will be taken to evict you from the parcel of land situate at the above address and may compensate you for the structure you built on the said parcel of land.

Please be guided accordingly

Yours faithfully

Christopher Ross Gidla

Attorney at Law