

# Press release: Directors of a Kingston restaurant disqualified for six years for employing illegal workers

Both men have given undertakings to the Secretary of State for Business, Energy & Industrial Strategy, which prevents them from becoming directly or indirectly involved in the promotion, formation or management of a company for six years.

Mr Islam and Mr Monaf were the directors of M & Y Enterprises Ltd, a company trading as a restaurant, and on 27 January 2015 Home Office Immigration Enforcement Officers discovered that they were employing two workers who were not eligible to work in the UK, an offence under the Immigration, Asylum and Nationality Act 2006.

The company went into liquidation on 29 February 2016 owing £76,853 to creditors, of which £30,000 was the outstanding penalty imposed by the Home Office Immigration and Enforcement for employing the illegal workers.

Commenting on the disqualification, Martin Gitner, Deputy Head of Investigations with the Insolvency Service said:

Illegal workers are not protected under employment law, and as well as cheating legitimate job seekers out of employment opportunities these employers defraud the tax payer and undercut honest competitors.

The Immigration, Asylum and Nationality Act 2006, makes employers responsible for preventing illegal workers in the UK. To comply with the law, a company must check and be able to prove documents have been checked prior to recruitment that show a person is entitled to work.

The public has a right to expect that those who break the law will face the consequences and this should serve as a warning to other directors tempted to take on illegal staff.

## **Notes to editors**

Mr Abu Muhammod Yusuf Islam resides in Ilford. and his date of birth is 23 December 1967.

Mr Muhammod Abdul Monaf resides in Twickenham and his date of birth is 24

September 1958.

M & Y Enterprises Limited (CR0 04611913) was incorporated on 9 December 2002. The company traded as Deea Restaurant from 145-147 Richmond Road, Kingston.

Mr Islam was a director from 12 December 2002 to 29 April 2015 and Mr Monaf was a director from 12 December 2002 to liquidation. The Company went into Creditors Voluntary Liquidation on 29 February 2016 with an estimated deficiency of £70,353.

On 03 January 2017, the Secretary of State accepted a Disqualification Undertaking from Mr Islam, effective from 24 January 2017, for a period of 6 years.

On 5 January 2017, the Secretary of State accepted a Disqualification Undertaking from Mr Monaf, effective from 26 January 2017, for 6 years.

The matters of unfitness, which Mr Islam and Mr Monaf did not dispute in the Disqualification Undertakings, were that:

I failed to ensure that M & Y Enterprises Limited (M&Y) complied with its obligations as an employer under The Immigration, Asylum and Nationality Act 2006 in that M&Y employed two illegal workers and following a visit to M&Y's trading premises by Home Office Immigration Enforcement on 27 January 2015, was fined £30,000. M&Y failed to pay the penalty in full and the sum of £30,000 remained outstanding at the date of liquidation.

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings. Persons subject to a disqualification order are bound by a [range of other restrictions](#).

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures.

BEIS' mission is to build a dynamic and competitive UK economy that works for

all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

The agency also authorises and regulates the insolvency profession, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

### **Contact Press Office**

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on: