

New Changes Announced to UK Immigration Rules

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Notable changes include changes to application fees, the business visitor rules, and the introduction of a super premium service for applications submitted in the United States.

The **UK Home Office** has released a ***Statement of Changes to the Immigration Rules***, which outlines changes that will take effect on 6 April. These changes are in addition to those we wrote about in our update in February. Set out below are the main changes that will affect employers.

Changes to Codes of Practice and Minimum Salary Thresholds

The Home Office intends to increase the Tier 2 minimum salary thresholds and increase the salary rates set out in some of the current codes of practice. The table below illustrates the new minimum salary thresholds.

Category	Criteria	Current Threshold	New Threshold
Tier 2 (General)	Jobs that qualify for Tier 2 (General)	£20,500	£20,800
Tier 2 (General)	Jobs that are exempt from advertising in Universal Jobmatch (Job Centre Plus)	£71,600	£72,500
Tier 2 (General – High Earner)	Jobs that are exempt from the Resident Labour Market Test and 12-month cooling-off period	£153,500	£155,300
Tier 2 (Intra-Company Transfer)	Jobs that qualify for the Short-Term Staff, Skills Transfer, or Graduate Trainee categories	£24,500	£24,800

	(maximum stay of either six months or one year)		
Tier 2 (Intra-Company Transfer)	Jobs that qualify for the Long-Term Staff category (maximum stay of five years)	£41,000	£41,500
Tier 2 (General) and Tier 2 (Sportsperson)	Earnings that qualify for Indefinite Leave to Remain (ILR) at the time the application is made (those working in a Ph.D. level or shortage occupations are exempt)	£35,800 (for ILR applications made on or after 6 April 2019)	£36,200 (for ILR applications made on or after 6 April 2020)

Application Fees

The Home Office will increase the majority of visa application fees. The most notable increase, however, will be for in-country Tier 1 (Investor) applications and for those applying for same-day processing for an application for ILR for which the application fee will increase to £1,500.

Tier 2 Cooling-Off Period

The cooling-off period will no longer apply to those individuals who have been granted Tier 2 leave of three months or less, which will improve flexibility for businesses that need to transfer key staff for short periods, rather than to fill ongoing vacancies in the UK.

Visitors

The current visitor routes will be consolidated into four routes:

Category	Maximum Length of Stay
Visit (Standard)	Up to six months, except for the following: (i) A visitor who is coming to the UK for private medical treatment may be granted a visit visa of up to 11 months (ii) An academic, who is employed by an overseas institution and is carrying out specific permitted activities, along with his or her spouse or partner and children, may be granted a visit visa of up to 12 months (iii) A visitor under the Approved Destination Status Agreement (ADS Agreement) may be granted a visit visa for a period of up to 30 days
Marriage/Civil Partnership Visit	Up to six months
Permitted Paid Engagement Visit	Up to one month
Transit Visit	Up to 48 hours, except for leave to enter as a transit visitor under the Transit Without Visa

Student visitors will be rebranded as short-term study routes and will form part of Tier 4 of the Points Based-System.

The permitted activities for each of the four visitor routes will be expanded to allow the following:

- Unpaid volunteering for up to 30 days at a UK-registered charity
- Overseas trainers to deliver training to UK-based employees of multinational companies where the training is part of a contract to deliver global training to the corporate group
- UK-based organisations that are not corporate entities to provide training to overseas visitors on work practices and techniques needed for their employment overseas
- Overseas lawyers to advise UK clients on international transactions and litigation provided that they remain paid overseas

There will be no changes to the rules for permitted paid engagements, marriage and civil partnership, and transit visitors.

Changes to Tier 1 of the Points-Based System

Tier 1 (General) Route

Starting on 6 April 2015, the Tier 1 (General) route will close to extension applications and Tier 1 (General) migrants will no longer be permitted to switch into the Tier 1 (Entrepreneur) category unless an individual has already established a UK business before 6 April 2015 or he or she has funding from a government department or endorsed seed funding competition.

Tier 1 (General) migrants will have until 6 April 2018 to apply for Indefinite Leave to Remain, after which applications will no longer be permitted.

Tier 1 (Investor)

The minimum age of applicants is being increased to 18, and all prospective Tier 1 (Investors) will now be required to open a UK-regulated investment account before making an initial application. This will ensure that UK banks carry out due diligence on investors before they apply to come to the UK. Once a Tier 1 (Investors) application is approved, the applicant will be required to maintain all capital within its investment portfolios. Buying and selling will be permitted provided that the capital is not withdrawn.

The changes set out above are in addition to the changes in our February update.

Super Priority Service: New York

The British Consulate General New York has launched a super priority visa service to enable applicants to receive a decision on their application within 24 hours.

The service costs an additional \$936 (approximately £613) and is available to eligible customers (including Tier 2 applicants) who are or can be in New York.

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