

# STATEMENT OF CHANGES IN IMMIGRATION RULES

*Presented to Parliament pursuant to section 3(2) of  
the Immigration Act 1971*

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*Ordered by the House of Commons to be printed  
10 September 2021*

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*(This document is accompanied by an Explanatory Memorandum)*



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## **<sup>1</sup>STATEMENT OF CHANGES IN IMMIGRATION RULES**

The Home Secretary has made the changes hereinafter stated in the rules laid down by them as to the practice to be followed in the administration of the Immigration Acts for regulating entry into and the stay of persons in the United Kingdom and contained in the statement laid before Parliament on 23 May 1994 (HC 395) as amended. The amending statements were laid before, or presented to, Parliament on 20 September 1994 (Cm 2663), 26 October 1995 (HC 797), 4 January 1996 (Cm 3073), 7 March 1996 (HC 274), 2 April 1996 (HC 329), 29 August 1996 (Cm 3365), 31 October 1996 (HC 31), 27 February 1997 (HC 338), 29 May 1997 (Cm 3669), 5 June 1997 (HC 26), 30 July 1997 (HC 161), 11 May 1998 (Cm 3953), 7 October 1998 (Cm 4065), 18 November 1999 (HC 22), 28 July 2000 (HC 704), 20 September 2000 (Cm 4851), 28 August 2001 (Cm 5253), 16 April 2002 (HC 735), 27 August 2002 (Cm 5597), 7 November 2002 (HC 1301), 26 November 2002 (HC 104), 8 January 2003 (HC 180), 10 February 2003 (HC 389), 31 March 2003 (HC 538), 30 May 2003 (Cm 5829), 24 August 2003 (Cm 5949), 12 November 2003 (HC 1224), 17 December 2003 (HC 95), 12 January 2004 (HC 176), 26 February 2004 (HC 370), 31 March 2004 (HC 464), 29 April 2004 (HC 523), 3 August 2004 (Cm 6297), 24 September 2004 (Cm 6339), 18 October 2004 (HC 1112), 20 December 2004 (HC 164), 11 January 2005 (HC 194), 7 February 2005 (HC 302), 22 February 2005 (HC 346), 24 March 2005 (HC 486), 15 June 2005 (HC 104), 12 July 2005 (HC 299), 24 October 2005 (HC 582), 9 November 2005 (HC 645), 21 November 2005 (HC 697), 19 December 2005 (HC 769), 23 January 2006 (HC 819), 1 March 2006 (HC 949), 30 March 2006 (HC 1016), 20 April 2006 (HC 1053), 19 July 2006 (HC 1337), 18 September 2006 (Cm 6918), 7 November 2006 (HC 1702), 11 December 2006 (HC 130), 19 March 2007 (HC 398), 3 April 2007 (Cm 7074), 4 April 2007 (Cm 7075), 7 November 2007 (HC 28), 13 November 2007 (HC 40), 19 November 2007 (HC 82), 6 February 2008 (HC 321), 17 March 2008 (HC 420), 9 June 2008 (HC 607), 10 July 2008 (HC 951), 15 July 2008 (HC 971), 4 November 2008 (HC 1113), 9 February 2009 (HC 227), 9 March 2009 (HC 314), 24 April 2009 (HC 413), 9 September 2009 (Cm 7701), 23 September 2009 (Cm 7711), 10 December 2009 (HC 120), 10 February 2010 (HC 367), 18 March 2010 (HC 439), 28 June 2010 (HC 59), 15 July 2010 (HC 96), 22 July 2010 (HC 382), 19 August 2010 (Cm 7929), 1 October 2010 (Cm 7944), 21 December 2010 (HC 698), 16 March 2011 (HC 863), 31 March 2011 (HC 908), 13 June 2011 (HC 1148), 19 July 2011 (HC 1436), 10 October 2011 (HC 1511), 7 November 2011 (HC 1622), 8 December 2011 (HC 1693), 20 December 2011 (HC 1719), 19 January 2012 (HC 1733), 15 March 2012 (HC 1888), 4 April 2012 (Cm 8337), 13 June 2012 (HC 194), 9 July 2012 (HC 514), 19 July 2012 (Cm 8423), 5 September 2012 (HC 565), 22 November 2012 (HC 760), 12 December 2012 (HC 820), 20 December 2012 (HC 847), 30 January 2013 (HC 943), 7 February 2013 (HC 967), 11 March 2013 (HC 1038), 14 March 2013 (HC 1039), 9 April 2013 (Cm 8599), 10 June 2013 (HC 244), 31 July 2013 (Cm 8690), 6 September 2013 (HC 628), 9 October 2013 (HC 686), 8 November 2013 (HC 803), 9 December 2013 (HC 887), 10 December 2013 (HC 901), 18 December 2013 (HC 938), 10 March 2014

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<sup>1</sup> This Statement of Changes can be viewed at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

(HC 1130), 13 March 2014 (HC 1138), 1 April 2014 (HC 1201), 10 June 2014 (HC 198), 10 July 2014 (HC 532), 16 October 2014 (HC 693), 26 February 2015 (HC 1025), 16 March 2015 (HC1116), 13 July 2015 (HC 297), 17 September 2015 (HC 437), 29 October 2015 (HC535), 11 March 2016 (HC 877), 3 November 2016 (HC 667), 16 March 2017 (HC 1078), 20 July 2017 (HC 290), 7 December 2017 (HC 309), 15 March 2018 (HC 895), 15 June 2018 (HC 1154), 20 July 2018 (Cm 9675), 11 October 2018 (HC 1534), 11 December 2018 (HC 1779), 20 December 2018 (HC 1849), 7 March 2019 (HC 1919), 1 April 2019 (HC 2099), 9 September 2019 (HC 2631), 24 October 2019 (HC 170), 30 January 2020 (HC 56), 12 March 2020 (HC 120), 14 May 2020 (CP 232), 10 September 2020 (HC 707), 22 October 2020 (HC 813), 10 December 2020 (HC 1043), 31 December 2020 (CP 361) and 4 March 2021 (HC 1248).

## **Implementation**

The following paragraphs shall take effect on 1 October 2021:

- 1.1 to 1.5
- APP VN4

The following paragraphs shall take effect on 6 October 2021. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 6 October 2021, such applications will be decided in accordance with the Immigration Rules in force on 5 October 2021:

- INTRO4 and INTRO5
- INTRO10 to INTRO12
- INTRO15
- INTRO18 to INTRO20
- 1.6 and 1.7
- 1.16 to 1.19
- 8.1
- 9.2 and 9.3
- 9.14
- 11.1 to 11.3
- APP AF1
- B1
- APP FM1
- APP FM-SE1
- APP KOLL1
- APP STP1
- APP V1 to APP V47
- APP PA1 to APP PA11
- APP VN1 to APP VN3
- APP VN5 to APP VN7
- APP TWOV1 to APP TWOV3

- APP ST1
- APP SW2 to APP SW4
- APP SW6 to APP SW7
- APP SW9 to APP SW13
- APP IC1 and APP IC2
- APP SOL1
- APP MOR1 and APP MOR2
- APP ROB1 to APP ROB6
- APP UKA1
- APP GT1 to APP GT27
- APP GTPP1 and APP GTPP2
- APP SU1 to APP SU3
- APP INN1 to APP INN8
- APP DW2 to APP DW4
- APP HK1 to APP HK4
- APP HK6 and APP HK7
- APP HK9
- APP EL2 to APP EL4
- APP CR2 and APP CR3

The following paragraphs shall take effect on 6 October 2021:

- 7.1
- 9.12
- A1 and A2
- APP AR1
- APP AR(EU)1 and APP AR(EU)2
- APP EU1 to APP EU23
- APP EU(FP)1 to APP EU(FP)10
- APP ST3
- APP ST5 and APP ST6
- APP STS1
- APP GR1
- APP HK5
- APP HK8

The following paragraphs shall take effect at 0900 on 11 October 2021. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 0900 on 11 October 2021, such applications will be decided in accordance with the Immigration Rules in force on 10 October 2021:

- INTRO1 to INTRO3
- INTRO6 to INTRO9
- INTRO13 and INTRO14
- INTRO16 and INTRO17

- INTRO21
- 1.8-1.15
- 5.1
- 9.1
- 9.4 to 9.11
- 9.13
- 7OWPH1
- APP AR2 and APP AR3
- M1
- N1
- APP SW5
- APP MOR3 and APP MOR4
- T2SP1
- APP ISP1
- APP SGB1
- APP ODW1 to APP ODW3
- APP DW1
- APP DWMS1 to APP DWMS5
- APP DWS1
- APP SAW1
- APP YMS1 and APP YMS2
- APP CRV1
- APP RW1
- APP CW1
- APP IA1
- APP GAE1
- APP GAES1
- APP CWCOP1 and APP CWCOP2
- APP EL1
- APP FIN1
- APP CR1

The following paragraphs shall take effect on 30 November 2021. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 30 November 2021, such applications will be decided in accordance with the Immigration Rules in force on 29 November 2021:

- APP ST2
- APP ST4
- APP CS1
- APP SW1
- APP SW8

The following paragraphs shall take effect on 1 January 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has



been made before 1 January 2022, such applications will be decided in accordance with the Immigration Rules in force on 31 December 2021:

- APP YMS3
- APP YMSEN1

## **Review**

Before the end of each review period, the Secretary of State undertakes to review all of the relevant Immigration Rules including any Relevant Rule amended or added by these changes. The Secretary of State will set out the conclusions of the review in a report and publish the report.

The report must in particular:

- (a) consider each of the Relevant Rules and whether or not each Relevant Rule achieves its objectives and is still appropriate; and
- (b) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

“Review period” means:

- (a) the period of five years beginning on 6 April 2017; and
- (b) subject to the paragraph below, each successive period of five years.

If a report under this provision is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

“Relevant Rule” means an Immigration Rule which:

- (a) imposes requirements, restrictions or conditions, or sets standards, in relation to any activity carried on by a business or voluntary or community body; or
- (b) relates to the securing of compliance with, or the enforcement of, requirements, restrictions, conditions or standards which relate to any activity carried on by a business or voluntary or community body.

## **Changes to the Introduction**

INTRO1. In paragraph 6.2, for the definition of “**Charity Worker**”, substitute:

“**Charity Worker**” means a person who has, or had, permission under any of the following:

- (i) Appendix Temporary Work – Charity Worker; or
- (ii) Appendix T5 (Temporary Worker) Charity Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) as a Tier 5 (Temporary Worker) migrant in the Charity Worker sub-category under part 6A of the rules in force before 1 December 2020.”.

INTRO2. In paragraph 6.2, for the definition of “**Creative or Sporting Worker**”, substitute:

“**Creative Worker**” means a person who has, or had, permission under any of the following:

- (i) Appendix Temporary Work – Creative Worker; or
- (ii) Appendix T5 (Temporary Worker) Creative or Sporting Worker, working in the creative sector under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) as a Tier 5 (Temporary Worker) migrant in the Creative and Sporting sub-category working in the creative sector under part 6A of the rules in force before 1 December 2020 (inclusive).”.

INTRO3. In paragraph 6.2, for the definition of “**Deemed sponsorship status**”, substitute:

“**Deemed sponsorship status**” means that the country or territory is not required to issue its nationals or passport holders with a Certificate of Sponsorship in order to enable a successful application under either of the following:

- (i) Appendix Youth Mobility; or
- (ii) Appendix T5 (Temporary Worker) Youth Mobility Scheme under the rules in force between 1 December 2020 and 10 October 2012,

and is a status held by a country or territory listed as such at Appendix Youth Mobility Scheme eligible nationals.”.

INTRO4. In paragraph 6.2, after the definition of “**Deportation Order**”, insert:

“**Distance learning course**” means a course being undertaken at a UK Accredited Institution by a person who is overseas, and which does not

require the person to be physically present in the UK for the majority of the course.”.

INTRO5. In paragraph 6.2, after the definition for “**ECAA route**”, insert:

“**“Ecctis”** is a service which provides information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world, set out at: <https://ecctis.com/>.”.

INTRO6. In paragraph 6.2, delete the definition of “**EU national**”.

INTRO7. In paragraph 6.2, for the definition of “**Government Authorised Exchange Worker**”, substitute:

“**“Government Authorised Exchange route”** means any of the following:

- (i) the route in Appendix Temporary Work – Government Authorised Exchange; or
- (ii) the route in Appendix T5 (Temporary Worker) Government Authorised Exchange Worker, under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) the Government Authorised Exchange sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 1 December 2020.”.

INTRO8. In paragraph 6.2, for the definition of “**International Agreement Worker**”, substitute:

“**“International Agreement route”** means any of the following:

- (i) the route in Appendix Temporary Work – International Agreement; or
- (ii) the route in Appendix T5 (Temporary Worker) International Agreement Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) the International Agreement sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 1 December 2020.”.

INTRO9. In paragraph 6.2, after the definition of “**International scholarship agency**”, insert:

“**“International Sportsperson”** means a person who has, or had,

permission under any of the following:

- (i) Appendix International Sportsperson; or
- (ii) Appendix T2 Sportsperson under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) as a sporting worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iv) as a Tier 5 (Temporary Worker) migrant in the Creative and Sporting sub-category as a sporting worker under part 6A of the rules in force before 1 December 2020, and/or (v) as a Tier 2 (Sportsperson) Migrant under part 6A of the rules in force before 1 December 2020.”.

INTRO10. In paragraph 6.2, for “**Marriage and Civil Partnership visitor**”, substitute “**Marriage/Civil Partnership Visitor**”.

INTRO11. In paragraph 6.2 “**Overseas higher education institution**”, for “UK NARIC”, substitute “Ecctis”.

INTRO12. In paragraph 6.2, for “**Permitted Paid Engagement visitor**”, substitute “**Permitted Paid Engagement Visitor**”.

INTRO13. In paragraph 6.2, for the definition of “**Religious Worker**”, substitute:

““**Religious Worker**” means a person who has, or had, permission under any of the following:

- (i) Appendix Temporary Work – Religious Worker; or
- (ii) Appendix T5 (Temporary Worker) Religious Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or
- (iii) as a Tier 5 (Temporary Worker) migrant in the Religious Worker sub-category under part 6A of the rules in force before 1 December 2020.”.

INTRO14. In paragraph 6.2, for the definition of “**Seasonal Worker**”, substitute:

““**Seasonal Worker**” means a person who has, or had, permission under any of the following:

- (i) Appendix Temporary Work – Seasonal Worker; or

(ii) Appendix T5 (Temporary Worker) Seasonal Worker under the rules in force between 1 December 2020 and 10 October 2021 (inclusive); or

(iii) as a Tier 5 (Temporary Worker) migrant in the Seasonal Worker sub-category under part 6A of the rules in force before 1 December 2020.”.

INTRO15. In paragraph 6.2, for “**Standard visitor**”, substitute “**Standard Visitor**”.

INTRO16. In paragraph 6.2, for the definition of “**T5 (Temporary Worker)**”, substitute:

““**Temporary Worker**” means a person who has, or had, permission as a Charity Worker, Creative Worker, Religious Worker, Seasonal Worker, on the International Agreement route, Youth Mobility Scheme or Government Authorised Exchange route.”.

INTRO17. In paragraph 6.2, delete the definition of “**T2 Sportsperson**”.

INTRO18. In paragraph 6.2, after the definition of “**Training Programme**”, insert:

““**Transit Visitor**” means a person who has, or had, permission under Appendix V: Visitor, or Appendix Visitor: Transit Without Visa Scheme, to transit the UK on route to another country outside the Common Travel Area.”.

INTRO19. In paragraph 6.2, delete the definition of “**UK NARIC**”.

INTRO20. In paragraph 6.2, for the definition of “**UK Regulated Profession**”, substitute:

““**UK Regulated Profession**” means a profession regulated by UK law which is listed at:  
<https://cpq.ecctis.com/Individuals/Inbound/Regulated%20Professions>.”.

INTRO21. In paragraph 6.2, for the definition of “**Youth Mobility Scheme route**”, substitute:

““**Youth Mobility Scheme**” means a person who has, or had, permission under any of the following:

- (i) Appendix Youth Mobility Scheme; or
- (ii) Appendix T5 (Temporary Worker) Youth Mobility Scheme under the rules in force between 1 December 2020 and 10 October 2021(inclusive); or
- (iii) as a Tier 5 Youth Mobility Scheme migrant under part 6A of the rules in force before 1 December 2020.”.

## Changes to Part 1

- 1.1 In paragraph 11, for “the immigration officer”, substitute “an immigration officer”.
- 1.2 In paragraph 11(i), after “or”, insert “, subject to paragraph 11A, ”.
- 1.3 In paragraph 11(i), for “his”, substitute “their”.
- 1.4 In paragraph 11(ii), for “he requires”, substitute “they require”.
- 1.5 After paragraph 11, insert:

“11A. A national identity card is not valid for the purposes of paragraph 11(i), except where the holder is one of the following:

- (a) a British citizen of Gibraltar; or
- (b) a national of Switzerland with a valid entry clearance granted under Appendix Service Providers from Switzerland to these Rules; or
- (c) a national of one of the countries listed in paragraph 11B with valid indefinite or limited leave to enter or remain granted under Appendix EU to these Rules, or who has made a valid application under that Appendix (other than as a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined; or
- (d) a national of one of the countries listed at paragraph 11B with a valid entry clearance in the form of an EU Settlement Scheme Family Permit; or
- (e) a national of one of the countries listed at paragraph 11B with a frontier worker permit; or
- (f) a national of one of the countries listed at paragraph 11B seeking to come to the UK as an S2 Healthcare Visitor; or
- (g) a national of one of the countries listed at paragraph 11B who has been granted immigration permission equivalent to that set out in subparagraphs (b) to (f) above by the Islands, or who has made a valid application under the equivalent in the Islands of Appendix EU to these rules (other than as the equivalent of a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined.

11B. For the purposes of subparagraphs (c) to (g) of paragraph 11A, the holder must be a national of one of the following countries:

Austria  
Belgium  
Bulgaria  
Croatia  
Cyprus  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Iceland  
Italy  
Latvia  
Liechtenstein  
Lithuania  
Luxembourg  
Malta  
Netherlands  
Norway  
Poland  
Portugal  
Romania  
Slovakia  
Slovenia  
Spain  
Sweden  
Switzerland.”.

- 1.6 In paragraph A34, before “Appendix V: Visitor” insert “Appendix Settlement Protection: settlement for people on a protection route”.
- 1.7 In paragraph A34, after Appendix Short-term Student, insert “Appendix Graduate”.
- 1.8 In paragraph A34, for “Appendix T2 Sports person”, substitute “Appendix International Sports person”.
- 1.9 In paragraph A34, for “Appendix T5 (Temporary Worker) Seasonal Worker”, substitute “Appendix Temporary Work - Seasonal Worker”.
- 1.10 In paragraph A34, for “Appendix T5 (Temporary Worker) Youth Mobility

Scheme”, substitute “Appendix Youth Mobility Scheme”.

- 1.11 In paragraph A34, for “Appendix T5 (Temporary Worker) Creative or Sporting Worker”, substitute “Appendix Temporary Work - Creative Worker”.
- 1.12 In paragraph A34, for “Appendix T5 (Temporary Worker) Religious Worker”, substitute “Appendix Temporary Work - Religious Worker”.
- 1.13 In paragraph A34, for “Appendix T5 (Temporary Worker) Charity Worker”, substitute “Appendix Temporary Work - Charity Worker”.
- 1.14 In paragraph A34, for “Appendix T5 (Temporary Worker) International Agreement Worker” substitute “Appendix Temporary Worker-International Agreement”.
- 1.15 In paragraph A34, for “Appendix T5 (Temporary Worker) Government Authorised Exchange Worker”, substitute “Appendix Temporary Work - Government Authorised Exchange”.
- 1.16 In paragraph 34(C), after “included.”, insert “Otherwise, a dependent must make a separate application.”.
- 1.17 Delete paragraphs 34E-34K.
- 1.18 After paragraph 34D, insert:

**“Variation of application for permission to stay**

34E. If a person wishes to vary the purpose of an application for permission to stay, the variation must comply with the requirements of paragraph 34, or the validity requirements for the route now applied for (if different), as if the variation were a new application. If it does not, subject to paragraph 34B, the variation will be invalid and will not be considered.

34F. Any valid variation of an application for permission to stay will be decided in accordance with the immigration rules in force at the date the variation is made.

**Date of application (or variation of application) for permission to stay**

34G. For the purposes of these rules, and subject to paragraph 34GB, the date on which an application is made is:

- (1) where the paper application form is sent by post by Royal Mail, whether or not accompanied by a fee waiver request form, the date of posting as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or



- (2) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office; or
- (3) where the application is made via the online application process, and there is no request for a fee waiver, the date on which the online application is submitted; or
- (4) where the online application includes a request for a fee waiver, the date on which the online request for a fee waiver is submitted, as long as the completed application for permission to stay is submitted within 10 days of the receipt of the decision on the fee waiver application.

34GA. Where an application is rejected as invalid that decision will be served in accordance with Appendix SN.

34GB. Where a variation application is made in accordance with paragraph 34E, the date the variation application (the new application) is made is deemed to be the date the application was made prior to it being varied (the old application).

34GC. Where a partner, child or other dependent is included in the variation application (the new application) and was not included in the application which has been varied (the old application) the date of application for the dependant's application is the date the variation application (the new application) was made.

#### **Withdrawal of an application for entry clearance, permission to enter and permission to stay in the United Kingdom**

34H. An applicant may ask to withdraw their application for entry clearance, permission to enter or permission to stay at any time before a decision is made on the application by making a request in writing or by completing the withdrawal process at [www.gov.uk/cancel-visa](http://www.gov.uk/cancel-visa). If the request to withdraw the application is accepted the date of withdrawal is the date on which the request was received by the Home Office.

34I. There is no requirement to agree to the withdrawal of an application for entry clearance, permission to enter or permission to stay and the decision maker may instead decide the application.

34J. The proof of identity provided under paragraph 34(5), or any other application for permission to stay, will be returned to the applicant whilst their application is being considered, unless the Secretary of State considers it necessary to retain it.

34K. Where a decision on an application for permission to stay has not been made and the applicant travels outside the common travel area their application will be treated as withdrawn on the date the applicant left the common travel area.”.

1.19 For paragraph 39E, substitute:

“39E. This paragraph applies where:

(1) the application was made within 14 days of the applicant’s leave expiring and the Secretary of State considers that there was a good reason beyond the control of the applicant or their representative, provided in or with the application, why the application could not be made in-time; or

(2) the application was made:

(a) following the refusal of a previous application for leave which was made in-time; and

(b) within 14 days of:

(i) the refusal of the previous application for leave; or

(ii) the expiry of any leave extended by section 3C of the Immigration Act 1971; or

(iii) the expiry of the time-limit for making an in-time application for administrative review or appeal (where applicable); or

(iv) any administrative review or appeal being concluded, withdrawn, abandoned or lapsing; or

(3) the period of overstaying was between 24 January and 31 August 2020; or

(4) where the applicant has, or had, permission on the Hong Kong BN(O) route, and the period of overstaying was between 1 July 2020 and 31 January 2021.”.

## **Changes to Part 5**

5.1. Delete paragraphs 159A to 159K.

## **Changes to Part 7**

7.1. For paragraphs 276BA1 to 276BS4, substitute:

**“Entry clearance to come to the United Kingdom as a relevant Afghan citizen**

276BA1 A person seeking to come to the UK as a relevant Afghan citizen must apply for and obtain entry clearance as a relevant Afghan citizen before they arrive in the UK.

276BA2 Where the requirements for entry clearance as a relevant Afghan

citizen are met, they will be granted entry clearance, which will have effect on arrival in the UK as indefinite leave to enter, unless the application falls for refusal under paragraph 276BC1.

**Definition of a “relevant Afghan citizen”**

276BB1. A relevant Afghan citizen is a person who:

- (i) is an Afghan citizen; and
- (ii) is aged 18 years or over; and
- (iii) if applying on the basis of redundancy:
  - a) was employed in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office; and
  - b) was made redundant on or after 1 May 2006; and
  - c) the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development, or the Foreign, Commonwealth and Development Office has determined should meet the criteria to qualify for relocation under the ex-gratia redundancy / resignation package; or
- (iv) if applying on the basis of the Relocations and Assistance Scheme:
  - a) is or was employed in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office for any period since 2001; and
  - b) submits an application on or after 1 April 2021; and
  - c) qualifies under one of the following categories:
    - i) imminent risk to life; or
    - ii) eligible for relocation; or
    - iii) special cases; and
  - d) if applying because they qualify under c) ii) above, is or was employed in an exposed, meaningful or enabling role that made a substantive, material difference to the delivery of the UK mission in Afghanistan and without which operations would have been adversely affected;
  - e) and has been determined by the Secretary of State as being in need of relocation to the UK;
- (v) if applying on the basis of resignation:
  - a) was employed in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office; and
  - b) resigned on or after 1 May 2006; and

- c) served for a minimum of 12 months prior to resignation and served ‘on frontline duties outside the wire in Helmand’; and
- d) submits an application for consideration not later than 30 November 2022; and
- (e) the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office has determined should qualify for relocation under the ex-gratia redundancy / resignation package, including confirmation that they served ‘on frontline duties outside the wire in Helmand’.

**Refusal of entry clearance as a relevant Afghan citizen**

276BC1. An applicant will be refused entry clearance as a relevant Afghan citizen if their application falls for refusal under the grounds of refusal contained in Part 9 of these Rules.

**Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain in the United Kingdom as a relevant Afghan citizen**

276BD1. Entry clearance, leave to enter or remain or indefinite leave to enter or remain in the UK as a relevant Afghan citizen may be cancelled in accordance with Part 9 of these Rules, to the extent permitted by the Immigration Acts.

**Dependants of a relevant Afghan citizen**

276BE1. A partner and minor dependent child of a relevant Afghan citizen may apply for entry clearance or indefinite leave to remain as their dependants.

276BF1. All dependants applying for entry clearance or indefinite leave to remain to the UK must be Afghan citizens.

276BG1. The relevant Afghan citizen must include details of all dependants seeking relocation in their application at the time their application is made, including any dependants who intend to relocate to the UK after the relevant Afghan citizen.

276BH1. DELETED

276BI1. If the relevant Afghan citizen is in a polygamous marriage, only one partner can apply to come to, or remain in the UK.

**Entry clearance to come to the United Kingdom as the partner of a relevant Afghan citizen**

276BJ1. A person seeking to come to the UK as the partner of a relevant Afghan citizen must apply for and obtain entry clearance as the partner of a relevant Afghan citizen before they arrive in the UK.

276BJ2. Where the partner of a relevant Afghan citizen meets the requirements for entry clearance and:

- (i) the relationship requirements under paragraph 276BL1 are met; and
- (ii) the application does not fall for refusal under paragraph 276BM1, they will be granted entry clearance to enter the UK, which will have effect on arrival in the UK as indefinite leave to enter.

**Definition of “partner” of a relevant Afghan citizen**

276BK1. For the purposes of this section a partner of a relevant Afghan citizen, including where the relevant Afghan citizen has already been granted entry clearance, leave to enter or remain or indefinite leave to enter or remain, is a person who:

- (i) is the relevant Afghan citizen’s spouse; or
- (ii) is the relevant Afghan citizen’s civil partner; or
- (iii) has been living together with the relevant Afghan citizen in a relationship akin to a marriage or civil partnership for at least two years prior to the date of application.

**Relationship requirements for a partner of a relevant Afghan citizen**

276BL1. The relationship requirements for a partner of a relevant Afghan citizen are that:

- (i) they are aged 18 or over at the date of application; and
- (ii) they are in a relationship with the principal applicant that is not within the prohibited degree of relationship; and
- (iii) they have met the principal applicant in person; and
- (iv) they are in a genuine and subsisting relationship with the principal applicant; and
- (v) if the principal applicant and partner are married or in a civil partnership, they must be in a valid marriage or civil partnership and must provide reasonable evidence to the equivalent of a marriage certificate or civil partnership certificate issued in the UK and valid under the law in force in the relevant country; and
- (vi) any previous relationship of the relevant Afghan citizen or their partner must have broken down permanently, unless it is a relationship which falls with paragraph 278(i) of these rules; and
- (vii) they must intend to live together permanently in the UK with the principal applicant.

**Refusal of entry clearance as the partner of a relevant Afghan citizen**

276BM1. A partner of a relevant Afghan citizen will be refused entry clearance to the UK where the requirements of these Rules are not met, or if their application falls for refusal under the grounds of refusal contained in Part

9 of these Rules.

**Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain the United Kingdom as the partner of a relevant Afghan citizen**

276BN1. Entry clearance, leave to enter or remain or indefinite leave to enter or remain in the UK as the partner of a relevant Afghan citizen may be cancelled in accordance with Part 9 of these rules, to the extent permitted by the Immigration Acts.

**Entry clearance to come to the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner**

276BO1. A person seeking to come to the UK as a minor dependent child of a relevant Afghan citizen or of their partner must apply for and obtain entry clearance as a minor dependent child of a relevant Afghan citizen or of their partner before they arrive in the UK

276BO2. Where the minor dependent child of a relevant Afghan citizen or of their partner meets the requirements for entry clearance and:

- (i) the relationship requirements under paragraph 276BQ1 are met; and
- (ii) the application does not fall for refusal under paragraph 276BR1, they will be granted indefinite leave to enter the UK, which will have effect on arrival in the UK as indefinite leave to enter.

**Definition of “minor dependent child” of a relevant Afghan citizen or of their partner**

276BP1. For the purposes of paragraphs 276BO1, 276BQ1, 276BR1 and 276BS1 a minor dependent child of a relevant Afghan citizen or of their partner is a person who:

- (i) is the child of the relevant Afghan citizen or of their partner subject to paragraph 276BQ1; and who
- (ii) is under the age of 18 at time of application;
- (iii) is not married or in a civil partnership;
- (iv) has not formed an independent family unit; and
- (v) is not leading an independent life.

**Relationship requirements for a minor dependent child of a relevant Afghan citizen or of their partner**

276BQ1. The relationship requirements for a minor dependent child of a relevant Afghan citizen or of their partner are that the person:

- (i) is the child of the relevant Afghan citizen and the child’s other parent is their partner; or
- (ii) is the child of the relevant Afghan citizen; and
  - (a) the child’s other parent is dead; or

- (b) the relevant Afghan citizen has sole responsibility for the child's upbringing; or
- (iii) is the child of the relevant Afghan citizen's partner; and
  - (a) the child's other parent is dead; or
  - (b) the relevant Afghan citizen's partner has sole responsibility for the child's upbringing; or
- (iv) is the adopted child of the relevant Afghan citizen as defined at paragraphs 309A or 309B of these Rules and where the requirements at paragraph 310 (vi) - (xi) of these Rules are fulfilled; or
- (v) is the adopted child of the relevant Afghan citizen's partner and as defined at paragraphs 309A or 309B of these Rules and where the requirements at paragraph 310 (vi) - (xi) of these Rules are fulfilled.

**Refusal of entry clearance the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner**

276BR1. A minor dependent child of a relevant Afghan citizen or of their partner will be refused entry clearance where the requirements of these Rules are not met, or if their application falls for refusal under the grounds of refusal contained in Part 9 of these Rules.

**Cancellation of entry clearance, leave to enter or remain or indefinite leave to enter or remain in the United Kingdom as the minor dependent child of a relevant Afghan citizen or of their partner**

276BS1. Entry clearance, leave to enter or remain or indefinite leave to enter or remain in the UK as the minor dependent child of a relevant Afghan citizen or of their partner may be cancelled in accordance with Part 9 of these rules, to the extent permitted by the Immigration Acts.

**Indefinite leave to remain as a relevant Afghan citizen or their dependant**

276BS2. Indefinite leave to remain as a relevant Afghan citizen, or their dependant, will be granted where each of the requirements in paragraph 276BS3 is met.

276BS3. The requirements for indefinite leave to remain as a relevant Afghan citizen, or their dependant are that they do not fall for refusal under the grounds for refusal under Part 9 of these Rules.

**Refusal of indefinite leave to remain as a relevant Afghan citizen or their dependant**

276BS4. Indefinite leave to remain as a relevant Afghan citizen, their partner, or minor dependent child will be refused if any of the requirements of paragraph 276BS3 is not met.

**Cancellation of leave to remain in the United Kingdom as a relevant**

### **Afghan citizen or their dependants**

276BS5. Limited leave to remain in the UK as a relevant Afghan citizen, their partner, or their minor dependent child may be cancelled in accordance with Part 9 of these rules, to the extent permitted by the Immigration Acts.”.

### **Changes to Part 8**

- 8.1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

### **Changes to Part 9**

- 9.1. For paragraph 9.1.1 (f) substitute:

“(f) Paragraph DWMS 2.1, except paragraphs 9.2.1(c), 9.2.2, 9.3.1, 9.3.2, 9.4.1(b), 9.4.1(c), 9.4.2, 9.4.5, 9.7.1, 9.7.2, 9.7.3, 9.9.1, 9.9.2, 9.16.2, 9.20.1, 9.23.1, 9.24.1; and”.

- 9.2. For paragraph 9.7.3. substitute:

“9.7.3. Entry clearance or permission held by a person may be cancelled where, in relation to an application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:

- (a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant’s knowledge); or
- (b) relevant facts were not disclosed.”.

- 9.3. After paragraph 9.8.3 insert:

“9.8.3A. An application for permission to stay may be refused where a person used deception in relation to a previous application (whether or not successfully).”.

- 9.4. For paragraph 9.25.1 (h) substitute:

“(h) International Sportsperson; or”.

- 9.5. For paragraph 9.25.1(i) substitute:

“(i) Temporary Worker; or”.

- 9.6. In paragraph 9.27.1, for “T2 Sportsperson or T5 (Temporary Worker)”, substitute “International Sportsperson or Temporary Worker”.

- 9.7. In paragraph 9.28.1, for “T2 Sportsperson, or Tier 5 (Temporary Worker)”, substitute “International Sportsperson or Temporary Worker”.



- 9.8. In paragraph 9.29.1, for “T2 Sports person, or T5 (Temporary Worker)”, substitute “International Sports person or Temporary Worker”.
- 9.9. For paragraph 9.29.1 (a) substitute:  
“(a) they are a person on the Government Authorised Exchange route or a Seasonal Worker and the change of employer is authorised by the sponsor; or”.
- 9.10. In paragraph 9.29.1 (c), for “a T2 Sports person or a T5 (Temporary Worker): Creative or Sporting Worker” substitute “an International Sports person”.
- 9.11. In paragraph 9.30.1, for “T2 Sports person or T5 (Temporary Worker)”, substitute “International Sports person or Temporary Worker”.
- 9.12. For paragraph 9.30.1(a), substitute:  
“(a) statutory maternity leave, paternity leave, parental leave, or shared parental leave; or”.
- 9.13. In paragraph 9.31.1, for “T5 (Temporary Worker)”, substitute “Temporary Worker”.
- 9.14. For paragraph 9.31.3(c), substitute:  
“(c) the person is a Skilled Worker and:  
(i) if the person has permission under Appendix Skilled Worker, they would, after the change to the job, score 20 tradeable points in either the same option in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), whichever they had scored points under when obtaining their most recent grant of permission; or  
(ii) if the person has permission as a Tier 2 (General) Migrant, they would, after the change to the job, score 20 tradeable points under option A or F in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), if they were to apply under Appendix Skilled Worker; or  
(iii) if the person has permission as a Tier 2 (General) Migrant who was considered a new entrant in their application for that Tier 2 (General) permission, they would, after the change to the job, score 20 tradeable points under option E in the table in paragraph SW 4.2, if they were to apply under Appendix Skilled Worker.”.

## **Changes to Part 11**

11.1. Delete paragraph 339R.

11.2. Delete paragraph 339S.

11.3. Delete paragraph 339T.

## **Changes to Appendix 7**

7OWPH1. Delete Appendix 7

## **Changes to Appendix A: attributes**

A1. In table 6, line 3, after “the date of application.” insert

“In respect of an applicant who was granted a COVID-19 related extension of leave, the applicant must have:

- (i) created two jobs meeting the criteria in (a) or (b) for at least the 12-month period referred to above; and
- (ii) created at least a further two jobs meeting the criteria in (a) or (b) that have been in existence for at least 12 months by the date of application (these jobs can be the same as (i) providing they meet the requirement of existing for at least a further 12 months).”.

A2. In table 6, line 4 (b)(i), delete “two”.

## **Changes to Appendix AR**

APP AR1. For Appendix AR2.11, substitute:

“AR2.11(a) Where the original decision maker’s decision to:

(i) refuse an application on the basis of paragraph 9.7.1, 9.7.2, 9.8.1 or 9.8.2 of Part 9 of these Rules; or

(ii) cancel entry clearance or permission which is in force under paragraph 9.7.3 of Part 9 of these Rules; or

(iii) refuse an application of the type specified in paragraph AR3.2(d) of these Rules on grounds of deception; or

(iv) cancel leave to enter or remain which is in force under paragraph A3.2(b) of Annex 3 to Appendix EU or paragraph A3.4(b) of Annex 3 to Appendix EU (Family Permit) of these Rules; or

(v) cancel permission to enter or stay which is in force under paragraph HV11.1(c) of Appendix S2 Healthcare Visitor; or

(vi) cancel permission to enter which is in force under paragraph SPS9.1(c) of Appendix Service Providers from Switzerland;

is incorrect;”.

APP AR2. After AR3.2(i), insert:

“(j) A decision on an application where the application was made on or after 0900 on 11 October 2021 for permission to stay as:

(i) an International Sportsperson under Appendix International Sportsperson; or

(ii) a Seasonal Worker under Appendix Temporary Work - Seasonal Worker; or

(iii) a person on the Youth Mobility Scheme route under Appendix Youth Mobility Scheme; or

(iv) a Religious Worker under Appendix Temporary Work - Religious Worker; or

(v) a Charity Worker under Appendix Temporary Work - Charity Worker; or

(vi) a Creative Worker under Appendix Temporary Work - Creative Worker; or

(vii) a person on the International Agreement route under Appendix Temporary Work - International Agreement; or

(viii) a person on the Government Authorised Exchange route under Appendix Temporary Work - Government Authorised Exchange.

(k) A decision on an application where the application was made on or after 0900 on 11 October 2021 for permission to stay as the dependent partner or dependent child of:

(i) an International Sportsperson under Appendix International Sportsperson; or

(ii) a Religious Worker under Appendix Temporary Work - Religious Worker; or

(iii) a Charity Worker under Appendix Temporary Work - Charity Worker; or

(iv) a Creative Worker under Appendix Temporary Work -

Creative Worker; or

(v) a person on the International Agreement route under Appendix Temporary Work - International Agreement; or

(vi) a person on the Government Authorised Exchange route under Appendix Temporary Work - Government Authorised Exchange.”.

APP AR3. After AR5.2(f), insert:

“(g) An eligible decision is also a refusal of an application for entry clearance made on or after 0900 on 11 October 2021 as:

(i) an International Sportsperson under Appendix International Sportsperson; or

(ii) a Seasonal Worker under Appendix Temporary Work - Seasonal Worker; or

(iii) a person on the Youth Mobility Scheme route under Appendix Youth Mobility Scheme; or

(iv) a Religious Worker under Appendix Temporary Work - Religious Worker; or

(v) a Charity Worker under Appendix Temporary Work - Charity Worker; or

(vi) a Creative Worker under Appendix Temporary Work - Creative Worker; or

(vii) a person on the International Agreement route under Appendix Temporary Work - International Agreement; or

(viii) a person on the Government Authorised Exchange route under Appendix Temporary Work - Government Authorised Exchange.

(h) An eligible decision is also a refusal of an application for entry clearance made on or after 0900 on 11 October 2021 as the dependent partner or dependent child of:

(i) an International Sportsperson under Appendix International Sportsperson; or

(ii) a Religious Worker under Appendix Temporary Work - Religious Worker; or

(iii) a Charity Worker under Appendix Temporary Work - Charity Worker; or

(iv) a Creative Worker under Appendix Temporary Work - Creative Worker; or

(v) a person on the International Agreement route under Appendix Temporary Work - International Agreement; or

(vi) a person on the Government Authorised Exchange route under Appendix Temporary Work - Government Authorised Exchange.”.

### **Changes to Appendix AR (EU)**

APP AR(EU)1. In paragraph AR(EU)1.1(g), for “Refuse” substitute “Cancel”.

APP AR(EU)2. In paragraph AR(EU)1.1(j), for “Refuse” substitute “Cancel”.

### **Changes to Appendix Armed Forces**

APP AF1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

### **Changes to Appendix B: English Language**

B1. In each place it occurs, for “UK NARIC”, substitute “Ecctis”.

### **Changes to Appendix EU**

APP EU1. In paragraph EU11., for sub-paragraphs (c)(i)(dd) and (c)(i)(ee) of condition 5 in the table, substitute:

“(dd) is a **relevant naturalised British citizen** (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or”.

APP EU2. In sub-paragraph EU11., in sub-paragraph (c)(ii) of condition 5 in the table, delete:

“or  
(ff) sub-paragraph (f)(ii)(aa);”.

APP EU3. In paragraph EU11., for sub-paragraph (b)(i)(bb) of condition 7 in the table, substitute:

“(bb) meets the requirements of sub-paragraph (b)(ii) of the applicable definition of relevant EEA citizen in Annex 1 (where the relevant EEA citizen is an **Irish citizen**); or”.

- APP EU4. In paragraph EU11A., delete “(i) (in cases where the application is made within the UK) the applicant is not in the UK as a **visitor** and (ii)”.
- APP EU5. In paragraph EU11A., for sub-paragraphs (c)(i)(cc) and (c)(i)(dd) of condition 2 in the table, substitute:
- “(cc) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or”.
- APP EU6. In paragraph EU11A., for sub-paragraph (a)(ii)(aa)(bbb) of condition 4 in the table, substitute:
- “(bbb) meets the requirements of sub-paragraph (a)(ii)(bb) of the definition of relevant sponsor in Annex 1 (where the relevant sponsor is an Irish citizen); or”.
- APP EU7. In paragraph EU14A., delete “(i) (in cases where the application is made within the UK) the applicant is not in the UK as a visitor and (ii)”.
- APP EU8. In Annex 1, for sub-paragraph (a) of the definition of ‘continuous qualifying period’ in the table, substitute:
- “(a) which, unless the person is a joining family member of a relevant sponsor, is a **specified relevant person of Northern Ireland** (or is the dependent relative of such a person) or relies on sub-paragraph (b)(i)(cc), (b)(i)(dd) or (b)(i)(ee) below, began before the specified date; and”.
- APP EU9. In Annex 1, for sub-paragraph (b)(i) of the definition of ‘continuous qualifying period’ in the table, substitute:
- “(i) absence(s) from the UK and Islands which exceeded a total of six months in any 12-month period, except for:
- (aa) a single period of absence which did not exceed 12 months and was for an important reason (such as pregnancy, childbirth, serious illness, study, vocational training or an overseas posting, or because of COVID-19); or
  - (bb) a single period of absence which did not exceed 12 months and which, although the absence was not originally for an important reason, is to be treated as being for an important reason as it exceeded six months because of COVID-19; or
  - (cc) (following a period of absence under sub-paragraph (b)(i)(aa) above because of COVID-19 or under sub-paragraph (b)(i)(bb) above) a second period of absence which did not

exceed 12 months and was for an important reason (such as described in sub-paragraph (b)(i)(aa) above) which, save for caring for someone with a serious illness, was not because of COVID-19; where this is the case, the period of absence under this sub-paragraph exceeding six months will not count towards any period of residence in the UK and Islands on which the person relies; or

(dd) (following a period of absence under sub-paragraph (b)(i)(aa) above which, save for caring for someone with a serious illness, was not because of COVID-19) either a second period of absence which did not exceed 12 months and was for an important reason, where that reason was because of COVID-19, or a period of absence under sub-paragraph (b)(i)(bb) above; where this is the case, the period of absence under this sub-paragraph exceeding six months will not count towards any period of residence in the UK and Islands on which the person relies; or

(ee) a period of absence under sub-paragraph (b)(i)(aa), (b)(i)(bb), (b)(i)(cc) or (b)(i)(dd) above which exceeded 12 months because COVID-19 meant that the person was prevented from, or advised against, returning earlier; where this is the case, the period of absence under this sub-paragraph exceeding 12 months will not count towards any period of residence in the UK and Islands on which the person relies; or

(ff) any period of absence on compulsory military service; or

(gg) any period of absence on a posting on **Crown service** or (as a spouse, civil partner, durable partner or child) any period of absence accompanying a person on a posting on Crown service; or

(hh) any period spent working in the UK marine area (as defined in section 42 of the Marine and Coastal Access Act 2009); or

(ii) any period of absence due directly to an order or decision to which sub-paragraph (b)(iii) below refers, where that order or decision has been set aside or revoked; or”.

APP EU10. In Annex 1, in sub-paragraph (a)(i)(aa) of the definition of ‘relevant document’ in the table, after “family permit” insert “(or a letter from the Secretary of State, issued after 30 June 2021, confirming their qualification for one)”.

APP EU11. In Annex 1, for the entry for ‘relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is before 1 July 2021)’ in the table, substitute:

“

<p>relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is before 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above:</p> <ul style="list-style-type: none"> <li>(i) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</li> <li>(ii) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</li> </ul> <p>(c) where the applicant is a family member of a relevant naturalised British citizen, an EEA citizen in accordance with sub-paragraph (b) of that entry in this table; or</p> <p>(d) where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph, an EEA citizen:</p> <ul style="list-style-type: none"> <li>(i) in accordance with sub-paragraph (c) of that entry in this table; and</li> <li>(ii)(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</li> <li>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</li> </ul> <p>(e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this</p>
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	<p>table):</p> <ul style="list-style-type: none"> <li>(i) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or</li> <li>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table): <ul style="list-style-type: none"> <li>(aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</li> <li>(bb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</li> </ul> </li> <li>(iii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</li> </ul> <p>(f) where the applicant is their family member, a <b>person exempt from immigration control</b>:</p> <ul style="list-style-type: none"> <li>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</li> <li>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (f)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would</li> </ul>
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	<p>have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(g) where the applicant is their family member, a <b>frontier worker</b></p>
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”

APP EU12. In Annex 1, in sub-paragraph (f)(ii) of the definition of ‘relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)’ in the table, delete “, but for the fact that they are a person exempt from immigration control,”.

APP EU13. In Annex 1, in the provision beginning “in addition” in the definition of ‘relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)’ in the table, after “resident in the UK and Islands for a continuous qualifying period which” insert “, unless they are a specified relevant person of Northern Ireland,”.

APP EU14. In Annex 1, for sub-paragraph (b) of the definition of ‘relevant naturalised British citizen’ in the table, substitute:

“(b) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; and in either case the person also:”.

APP EU15. In Annex 1, for sub-paragraph (a)(ii)(bb) in the definition of ‘relevant sponsor’ in the table, substitute:

“(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or”.

APP EU16. In Annex 1, for sub-paragraph (a)(iv) in the definition of ‘relevant

sponsor' in the table, substitute:

“(iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):

(aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or

(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table):

(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or  
(bbb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or

(cc) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or”.

APP EU17. In Annex 1, for sub-paragraph (a)(v)(bb) in the definition of ‘relevant sponsor’ in the table, substitute:

“(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(v)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or”.

APP EU18. In Annex 1, in sub-paragraph (b)(vi) of the definition of ‘relevant sponsor’ in the table, delete “, but for the fact that they are a person exempt from immigration control.”.

- APP EU19. In Annex 1, in sub-paragraph (b) of the provision beginning “in addition” in the definition of ‘relevant sponsor’ in the table, after “resident in the UK and Islands for a continuous qualifying period which” insert “, unless they are a specified relevant person of Northern Ireland.”.
- APP EU20. In Annex 1, for the provision beginning “in addition” in the definition of ‘required date’ in the table, substitute:
- “in addition:
- (a) for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix; and
- (b) the deadline in sub-paragraph (a)(i)(aa) above does not apply (and the applicant therefore has to meet no requirement under sub-paragraph (a) above) where the applicant:
- (i) is a joining family member of a relevant sponsor; and
- (ii) does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix; and
- (iii) is not caught by the deadline in sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) above; and
- (iv) does not fall within sub-paragraph (a)(v) or (a)(vi) above”.
- APP EU21. In Annex 1, in sub-paragraph (e)(ii) of the definition of ‘required evidence of family relationship’ in the table, for “(where sub-paragraph (b)(ii) of the entry for ‘durable partner’ in this table applies)” substitute “(where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen) and sub-paragraph (b)(ii) of the entry for ‘durable partner’ in this table applies)”.
- APP EU22. In Annex 1, for sub-paragraph (b)(ii)(aa) of the provision beginning “in addition” in the definition of ‘required evidence of family relationship’ in the table, substitute:
- “(aa) where the applicant is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen, that EEA citizen is (or, as the case may be, for the relevant period was) a relevant EEA citizen as described in the applicable entry for ‘relevant EEA citizen’ in this table, and is (or, as the case may be, was) such a relevant EEA citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a relevant EEA citizen; or”.
- APP EU23. In Annex 1, delete the entry for ‘visitor’ in the table.

### **Changes to Appendix EU (Family Permit)**

APP EU(FP)1. In Annex 1, for sub-paragraph (f) of the definition of ‘family member of a relevant EEA citizen’ in the table, substitute:

“(f) a person who the entry clearance officer is satisfied by evidence provided by the person that they would, if they had made a valid application under Appendix EU to these Rules before 1 July 2021, have been granted (as the case may be) indefinite leave to enter under paragraph EU2 of that Appendix or limited leave to enter under paragraph EU3 and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix:

(i) as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen (as defined in Annex 1 to Appendix EU);

or

(ii) on the basis that condition 6 of paragraph EU11 of Appendix EU is met; or”.

APP EU(FP)2. In Annex 1, for sub-paragraph (d) of the definition of ‘person exempt from immigration control’ in the table, substitute:

“(d) the entry clearance officer is satisfied, including by the **required evidence of qualification** would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix”.

APP EU(FP)3. In Annex 1, in sub-paragraph (a) of the definition of ‘relevant document’ in the table, after “family permit” insert “(or a letter from the Secretary of State, issued after 30 June 2021, confirming the person’s qualification for one)”.

APP EU(FP)4. In Annex 1, for the entry for ‘relevant EEA citizen (where the date of application under this Appendix is before 1 July 2021)’ in the table, substitute:

“

relevant EEA citizen (where the date of application under this Appendix is before 1 July 2021)	(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who: (i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or
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	<p>under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(iii) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or</p> <p>(c) (where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(d) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who:</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p> <p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated</p>
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	<p>and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(e) a <b>person exempt from immigration control</b>; or</p> <p>(f) a <b>frontier worker</b></p>
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APP EU(FP)5. In Annex 1, in sub-paragraph (b) of the definition of ‘relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)’ in the table, delete “(disregarding sub-paragraph (c)(i) of that entry in this table)”.

APP EU(FP)6. In Annex 1, in sub-paragraph (d)(ii) of the definition of ‘relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)’ in the table, for “(but for the fact that they are a British citizen)” substitute “(but for the fact that they are a British citizen and, where they are a

specified relevant person of Northern Ireland in accordance with that entry in this table, but, where applicable, for that fact)”.

APP EU(FP)7. In Annex 1, for sub-paragraph (c) of the definition of ‘relevant naturalised British citizen’ in the table, substitute:

“(c) the entry clearance officer is satisfied, including by the required evidence of qualification would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix”.

APP EU(FP)8. In Annex 1, for the entry for ‘required evidence of qualification’ in the table, substitute:

“

<p>required evidence of qualification</p>	<p>(a) (in the case of a relevant EEA citizen (or, where the date of application under this Appendix is on or after 1 July 2021, an Irish citizen) who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on the relevant EEA citizen (where they are an Irish citizen) being a relevant person of Northern Ireland):</p> <ul style="list-style-type: none"> <li>(i) their passport or national identity card as an EEA citizen or, where the date of application under this Appendix is on or after 1 July 2021, as an Irish citizen, which is: <ul style="list-style-type: none"> <li>(aa) valid; and</li> <li>(bb) the original document and not a copy; and</li> </ul> </li> <li>(ii) information or evidence which satisfies the entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</li> </ul> <p>(b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (c) of the applicable entry for</p>
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	<p>‘relevant EEA citizen’ in this table):</p> <p>(i) their passport or national identity card as an EEA citizen, which is:</p> <p style="padding-left: 40px;">(aa) valid; and</p> <p style="padding-left: 40px;">(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is a British citizen; and</p> <p>(iii) information or evidence which satisfies the entry clearance officer that the person would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(c) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland, and who, where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table, has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands) the <b>required evidence of being a relevant person of Northern Ireland</b> and (where the relevant EEA citizen is relied on by the applicant as being a specified relevant person of Northern Ireland) information or evidence which satisfies the entry clearance officer that the requirements of that entry in this table are met, and (in all cases):</p> <p style="padding-left: 40px;">(i)(aa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the person is a British citizen; or</p> <p style="padding-left: 40px;">(bb) (where they are an Irish citizen) their passport or national identity card as an Irish citizen, which is:</p> <p style="padding-left: 80px;">(aaa) valid; and</p> <p style="padding-left: 80px;">(bbb) the original document and not a copy; or</p> <p style="padding-left: 40px;">(cc) (where they are a British citizen and an Irish citizen, and are not relied on by the applicant as being a specified relevant person of Northern Ireland) the evidence required by sub-paragraph (c)(i)(aa) or (c)(i)(bb) above; and</p> <p style="padding-left: 40px;">(ii) information or evidence which satisfies the entry</p>
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	<p>clearance officer that the person would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for ‘relevant person of Northern Ireland’ in this table) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(d) (in the case of a relevant EEA citizen who is a person exempt from immigration control):</p> <p>(i) their passport or national identity card as an EEA citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and</p> <p>(iii) information or evidence which satisfies the entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix</p> <p>in addition:</p> <p>(a) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and</p> <p>(b) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a copy (and not the original) of a document, the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(c) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a document which is not in English, the</p>
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	entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix
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APP EU(FP)9. In Annex 1, for sub-paragraph (c)(ii)(bb)(iii) of the definition of ‘specified relevant person of Northern Ireland’ in the table, substitute:

“(iii) is in the UK and (were they an “EEA national” in accordance with regulation 2(1) of the EEA Regulations) they were residing in the UK in accordance with the EEA Regulations on 30 June 2021”.

APP EU(FP)10. In Annex 3, for the heading, substitute:

**“Annex 3 – Revocation of entry clearance and cancellation and curtailment of leave to enter”**.

### **Changes to Appendix FM**

FM1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

### **Changes to Appendix FM-SE**

FM-SE1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

### **Changes to Appendix KOLL**

KOLL1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

### **Changes to Appendix M: Sports governing bodies**

M1. Delete Appendix M: Sports governing bodies.

### **Changes to Appendix N: authorised exchange schemes**

N1. Delete Appendix N: authorised exchange schemes.

### **Insertion of new Appendix Settlement Protection: settlement for people on a protection route**

APP STP1. After “Appendix SN: Service of notices”, insert:

“

## **Appendix Settlement Protection**

*This route applies to a person who already is on a protection route – which means they have been granted refugee status or humanitarian protection in the UK.*

*A person who has been on a protection route for at least five years may be eligible for settlement on this route.*

*Partners and children of a person with refugee status or humanitarian protection can also apply on this route if they have been granted permission as the dependant of such a person.*

### **Validity requirements for settlement on a protection route**

STP 1.1. A person granted permission on a protection route who is applying for settlement must apply online on the gov.uk website on the specified form as follows:

- (a) form: ‘Apply to settle in the UK – refugee or humanitarian protection’; or
- (b) form, ‘Settlement Protection’ where available.

STP 1.2. The application for settlement must meet all the following requirements:

- (a) the applicant must have provided any required biometrics; and
- (b) the applicant must satisfactorily establish their identity and nationality; and
- (c) the applicant must be in the UK on the date of application.

STP 1.3. The applicant must have, or have last been granted, permission as a refugee or as a person granted humanitarian protection.

STP 1.4. An application which does not meet the validity requirements for settlement for a person on a protection route is invalid and may be rejected and not considered.

### **Suitability requirements for settlement by a person on a protection route**

STP 2.1. An application for settlement on a protection route must be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of four years or more; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of at least 12 months but less than four years, unless a period of 15 years has passed since the end of their sentence; or
- (c) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of seven years has passed since the end of their sentence; or
- (d) within the 24 months before the date on which the application for settlement is decided, has been convicted of, or admitted to an offence in the UK or

- overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record; or
- (e) is a persistent offender who shows a particular disregard for the law; or
  - (f) has committed a criminal offence, or offences, which caused serious harm; or
  - (g) where a grant of settlement is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds) or because they represent a threat to national security.

### **Eligibility requirements for settlement for a person on a protection route**

#### **Qualifying period requirement for settlement for a person on a protection route**

STP 3.1. The applicant must have spent a continuous period of at least five years in the UK with either:

- (a) refugee status; or
- (b) humanitarian protection.

#### **Continuing status requirement for settlement for a person on a protection route**

STP 4.1. The applicant's refugee status or humanitarian protection must not have been revoked or renounced.

### **Decision on an application for settlement for a person on a protection route**

STP 5.1. If the decision maker is satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route are met, the applicant will be granted settlement.

STP 5.2. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route, but is satisfied that the applicant is still entitled to refugee status or humanitarian protection, the applicant will be granted a further period of permission to stay on a protection route for at least 30 months.

STP 5.3. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement for a person on a protection route, or for permission to stay on a protection route, the application for settlement will be refused.

### **Settlement as a partner or child of a person on a protection route**

#### **Validity requirements for settlement as a partner or child of a person on a protection route**

STP 6.1. An applicant who is applying for settlement as a partner or child of a person on a protection route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Form</b>
Partner	Either: ‘Apply to settle in the UK – refugee or humanitarian protection’; ‘Settlement as the partner of an Innovator or a person with protection status’ where available.
Child	Either: ‘Apply to settle in the UK – refugee or humanitarian protection’; ‘Settlement as the child of an Innovator or partner of an Innovator or a person with protection status’ where available

STP 6.2. An application for settlement as a partner or child on a person on a settlement route must meet all the following requirements:

- (a) the applicant must have provided any required biometrics; and
- (b) the applicant must satisfactorily establish their identity and nationality; and
- (c) the applicant must be in the UK on the date of application.

STP 6.3. Unless the applicant is a child born in the UK while their parent had refugee status or humanitarian protection, the applicant must have, or have last been granted, permission as the dependent partner or dependent child of a person granted refugee status or humanitarian protection.

STP 6.4. An application which does not meet the validity requirements for settlement as a partner or child of a person on a protection route is invalid and may be rejected and not considered.

### **Suitability requirements for settlement as a partner or child of a person on a protection route**

STP 7.1. An application for settlement as a partner or child of a person on a settlement route must be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of four years or more; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of at least 12 months but less than four years, unless a period of 15 years has passed since the end of their sentence; or
- (c) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless a period of seven years has passed since the end of their sentence; or
- (d) within the 24 months prior to the date on which the application for settlement is decided, has been convicted of or admitted to an offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record; or
- (e) is a persistent offender who shows a particular disregard for the law; or
- (f) has committed a criminal offence, or offences, which caused serious harm; or

- (g) where a grant of settlement is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds) or the fact they represent a threat to national security.

**Eligibility requirements for settlement as a partner or child of a person on a protection route.**

**Relationship requirement for settlement as the partner of a person on a protection route.**

STP 8.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has refugee status or humanitarian protection and is, at the same time as the applicant, being granted settlement; or
- (b) P has refugee status or humanitarian protection, is settled on the protection route and the applicant had permission to stay as P's partner when P settled.

STP 8.2. The relationship between the applicant and their partner (P) must be genuine and subsisting.

STP 8.3. The applicant and their partner (P) must intend to continue to live together as partners in the UK.

**Relationship requirement for settlement as a child of a person on a protection route**

STP 9.1. The applicant must be the child of a person (P) where one of the following applies:

- (a) P has refugee status or humanitarian protection and is, at the same time as the applicant, being granted settlement; or
- (b) P has refugee status or humanitarian protection, is settled and the applicant had permission to stay as P's child or was born in the UK while P had permission to stay on a protection route.

STP 9.2. If the applicant is a child born in the UK, the applicant must provide a full UK birth certificate showing the name of the parent (P) who is or was on a protection route.

**Age requirement for settlement as a child of a person on a protection route**

STP 10.1. The child must be under the age of 18 on the date of application unless they were last granted permission as the dependent child of a parent or parents who is or was at that time on a protection route.

**Decision on an application for settlement as a partner or child of a person on a protection route**

STP 11.1. If the decision maker is satisfied that the applicant meets all the suitability

and eligibility requirements for settlement as a partner or child of a person on a protection route, the applicant will be granted settlement.

STP 11.2. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement as a partner or child of a person on a protection route, but is satisfied that the applicant continues to qualify as a partner or child of a person on a protection route, the applicant will be granted permission to stay for at least 30 months.

STP 11.3. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement as a partner or child of a person on a protection route, or for permission to stay as a partner or child of a person on a protection route, the application for settlement will be refused.”.

### **Changes to Appendix V: Visitor**

- APP V1. In the introduction paragraph for all instances of “visitor” substitute “Visitor”.
- APP V2. In the introduction paragraph after “family, usually for up to six months.” insert: “A Standard Visitor may apply for a visit visa of six months, two, five or 10 years validity, however each stay in the UK must not exceed the permitted length of stay endorsed on the visit visa (usually six months).”.
- APP V3. In the introduction paragraph for “(visit visa)” substitute “(a visit visa)”.
- APP V4. In the introduction paragraph for “Marriage and Civil Partnership” substitute “Marriage/Civil Partnership”.
- APP V5. In the introduction paragraph for “defined” substitute “set out”.
- APP V6. In the introduction paragraph, delete:  
  
“A Standard visitor may apply for a visit visa of six months, two, five or 10 years validity. This allows multiple visits to the UK within the period of validity (unless the visit visa is endorsed as single or dual-entry), but each stay in the UK must not exceed the permitted length of stay endorsed on the visit visa (usually six months).”.
- APP V7. In all headings, for “visitors” substitute “Visitors”.
- APP V8. In all headings, for “to UK” substitute “to the UK”.
- APP V9. In Appendix V: Visitor for all references to “Appendix Visitor: Permit Free Festivals” substitute “Appendix Visitor: Permit Free



Festival List”.

- APP V10. In paragraphs V 1.1 to V 4.1, for all instances of ‘visitor’ substitute ‘Visitor’.
- APP V11. For paragraph V 1.2, substitute “Within the period for which the entry clearance is valid, a Visitor may enter and leave the UK multiple times, unless the entry clearance is endorsed as single or dual entry.”.
- APP V12. In paragraph V 1.4, delete “(visit visa)”.
- APP V13. In the heading “Validity requirements for entry clearance or permission to stay as a visitor”, for “visitor” substitute “Visitor”.
- APP V14. In paragraph V 4.1 (e), for “and V 9.2”, substitute “to V 9.5”.
- APP V15. In paragraph V 4.1 (j), for “V 15.5”, substitute “V 15.4”.
- APP V16. In paragraph V 4.2 (c), for “visitor”, substitute “Visitor”.
- APP V17. In paragraph V 4.2 (e), for “activities, such as private medical treatment (and the applicant must show that any funds they rely upon are held in a financial institution permitted under FIN 2.1. in Appendix Finance)” substitute:  
  
“activities such as private medical treatment. The applicant must show that any funds they rely upon are held in a financial institution permitted under FIN 2.1 in Appendix Finance”.
- APP V18. In paragraphs V 4.3. to V 17.3., for all instances of “visitor” substitute “Visitor”.
- APP V19. In paragraph V 4.4 (d), for “endorsed for a marriage or civil partnership visit”, substitute “as a Marriage/Civil Partnership Visitor”.
- APP V20. In paragraph V 4.5., before “work” insert “doing”.
- APP V21. In paragraph V 4.6. (d), for “applicant’s” substitute “Visitor’s”.
- APP V22. In paragraph V 4.6 (f), for “applicant” substitute “Visitor”.
- APP V23. In paragraph V 4.6 (g), for “where the requirements of V 13.1. to V 13.3. are met” substitute “where they have permission as a Permitted Paid Engagement Visitor”.
- APP V24. In the heading “Additional eligibility requirements for child

visitors” for “child visitors” substitute “children”.

- APP V25. For paragraph V 7.3 (b), substitute: “provide a valid medical certificate, if paragraph A39 and Appendix T of these rules apply, confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.”.
- APP V26. For paragraph V 9.1., substitute: “Where the applicant is seeking to come to the UK to study, they must have been accepted onto a course of study that is to be provided by an Accredited Institution that is not a State Funded School or Academy.”.
- APP V27. For paragraph V 9.2., substitute: “The course of study referred to in V 9.1. must last no longer than six months unless the course is being undertaken from outside the UK as a Distance Learning Course.”.
- APP V28. For paragraph V 9.3., substitute: “Where the applicant is seeking to come to the UK for up to six months to undertake electives relevant to a course of study abroad, they must:
- (a) be aged 16 or over; and
  - (b) be enrolled on a course of study abroad equivalent to at least degree level study in the UK; and
  - (c) be studying medicine, veterinary medicine and science, nursing, or dentistry as their principal course of study; and
  - (d) have been accepted by a UK Higher Education Provider to undertake electives relevant to their course of study provided these are unpaid and involve no treatment of patients; and
  - (e) provide written confirmation from the UK Higher Education Provider.”.
- APP V29. After paragraph V 9.3., insert:
- “V 9.4. Where the applicant is seeking to come to the UK to undertake research or be taught about research (research tuition) for up to six months:
- (a) they must be aged 16 or over; and
  - (b) they must be enrolled on a course of study abroad equivalent to at least degree level study in the UK; and
  - (c) they must have been accepted by a UK Higher Education Provider to undertake research or be taught about research (research tuition); and
  - (d) the overseas course provider must confirm that the research or research tuition is part of or relevant to the course of study that they are enrolled on overseas; and

(e) this must not amount to the Visitor being employed at the UK institution.

V 9.5. The research or research tuition referred to in V 9.4. may be undertaken at a UK research institute, providing a formal partnership exists between the research institute and the UK Higher Education Provider for this purpose.”.

- APP V30. In paragraph V 10.1 (a), after “one” insert “(or more)”.
- APP V31. For paragraph V 10.1 (c), substitute “currently be working in that field at an academic institution or institution of higher education overseas; and”.
- APP V32. For paragraph V 10.1 (d), substitute “provide a valid medical certificate, if paragraph A39 and Appendix T of these rules apply, confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.”.
- APP V33. In paragraph V 11.1, for “medical, dental or nursing schools” substitute: “a medical, dental or nursing school”.
- APP V34. In paragraph V 13.1, for “permitted paid engagements” substitute “Permitted Paid Engagement”.
- APP V35. In paragraph V 13.2, after “invitation” insert “, as required by V 13.3”.
- APP V36. In paragraph V 13.3 (b), for “institution;” substitute “institution,”.
- APP V37. In paragraph V 13.3 (f), for “professional sports person” substitute “Professional Sportsperson”.
- APP V38. For paragraph V 14.1, substitute “A visa national must hold entry clearance as a Standard Visitor, Marriage/Civil Partnership Visitor or Transit Visitor, unless they meet the requirements for admission under Appendix Visitor: Transit Without Visa Scheme, in which case they may apply for permission to enter on arrival in the UK.”.
- APP V39. In the heading “Additional eligibility requirements for permission to stay as a visitor” for “visitor”, substitute “Visitor”.
- APP V40. For paragraph V 15.2, substitute:
- “V 15.2. Where the applicant applying for permission to stay is an academic (or the accompanying partner or child of such an academic)

they must:

- (a) continue to intend to do one (or more) of the activities at Appendix Visitor: Permitted Activities at PA 11.2; and
- (b) be highly qualified within their own field of expertise; and
- (c) have been working in that field at an academic institution or institution of higher education overseas prior to their arrival in the UK.”.

- APP V41. In paragraph V 15.3, for “an” substitute “the”.
- APP V42. In paragraph V 17.1, for “PA 17.1” substitute “PA 17”.
- APP V43. In paragraph V 17.2, (a) (ii), after “child of” insert “such”.
- APP V44. In paragraph V 17.2 (c), for “Engagements” substitute “Engagement”.
- APP V45. In paragraph V 17.2 (d,) after “Without” delete “a”.
- APP V46. In paragraph V 17.3 (a), for “Marriage or civil partnership” substitute “Marriage/Civil Partnership”.
- APP V47. In paragraph V 17.3 (e), for “an unpaid clinical attachment” substitute: “the activities in PA 10.1. (a)”.

#### **Changes to Appendix Visitor: Permitted Activities**

- APP PA1. For all instances of “visitor” substitute “Visitor”.
- APP PA2. For all instances of “visitors” substitute “Visitors”.
- APP PA3. In PA 1. (b), for “Marriage/ civil partnership” substitute “Marriage/ Civil Partnership”.
- APP PA4. In PA 1. (c), for “Permitted Paid Engagements (PPE)” substitute “Permitted Paid Engagement”.
- APP PA5. In PA 6., for “visitor’s” substitute “Visitor’s”.
- APP PA6. For PA 7., substitute:  
  
“An employee of an overseas company may install, dismantle, repair, service or advise on machinery, equipment, computer software or hardware (or train UK based workers to provide these services) where there is a contract of purchase, supply or lease with a UK company or organisation and either:

- (a) the overseas company is the manufacturer or supplier;  
or
- (b) the overseas company is part of a contractual arrangement for after sales services agreed at the time of the sale or lease, including in a warranty or other service contract incidental to the sale or lease.”.

APP PA7. In PA 8., delete “Employees may exceptionally make multiple visits to cover the duration of the contract.”.

APP PA8. For PA 9.1 (f), substitute: “a professor from an overseas academic institution accompanying students to the UK as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation providing this does not amount to filling a permanent teaching role for that institution; or”.

APP PA9. In PA 10.2, for “visitor’s” substitute “Visitor’s”.

APP PA10. In PA 15.2, for “person, and personal” substitute “person. Personal”.

APP PA11. In PA 17, for “V9.3.” substitute “V 9.5.”.

#### **Changes to Appendix Visitor: Visa national list**

APP VN1. For all instances of “visitor” substitute “Visitor”.

APP VN2. In paragraph VN 1.1, for “VN 2.1. VN 2.2 (subject to VN 2.3.)” substitute “VN 2.1., VN 2.2. (subject to VN 2.3.)”.

APP VN3. In paragraph VN 1.1, after “months” insert “where there is no mandatory entry clearance requirement”.

APP VN4. In paragraph VN 1.1.(c), for “an EEA citizen” substitute “a person to whom paragraphs 11A and 11B of these rules apply”.

APP VN5. In VN 2.1, for “a visa” substitute “an entry clearance”.

APP VN6. In VN 2.1., for “transit” substitute “Transit”.

APP VN7. In VN 2.1, delete “paragraph”.

#### **Changes to Appendix Visitor: Transit Without Visa Scheme**

APP TWOV1. For paragraph TWOV 1. substitute:

“To be granted permission to enter as a Transit Visitor under the Transit Without Visa Scheme a visa national must meet all

the requirements at TWOV 2. and one of the requirements at TWOV 3.”.

APP TWOV2. In paragraph TWOV 5. delete “paragraph”.

APP TWOV3. In paragraph TWOV 5, for “TWOV 3,” substitute “TWOV 3.”.

### Changes to Appendix Student

APP ST1. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

APP ST2. For the table in paragraph ST 1.1. substitute  
“(a) for out of country, form “Student visa”; or  
(b) for in country, form “Student”.”.

APP ST3. After paragraph ST.12.6, insert  
“ST.12.7. If the funds held in the applicant’s account on the date of decision fall substantially below the level of funds required at ST.12.3, the decision maker must be satisfied that the spent funds have been in part used to pay outstanding course fees or a deposit for accommodation.”.

APP ST4. For the tables in paragraph ST 28.1., substitute  
“

<b>Location of Partner or Child</b>	<b>Specified form</b>
Applicant outside the UK	Dependant partner visa Dependant child visa
Applicant inside the UK	Dependant partner Dependant child

”.

APP ST5. After paragraph ST.33.5, insert

“ST.33.6. If the funds held in the applicant’s account on the date of decision fall substantially below the level of funds required at ST.33.2, the decision maker must be satisfied that the spent funds have been in part used to pay a deposit for accommodation.”.

APP ST6. After paragraph ST.37.4, insert

“ST.37.5. If the funds held in the applicant’s account on the date of decision fall substantially below the level of funds required at ST.37.2, the decision maker must be satisfied that the spent funds have been in

part used to pay a deposit for accommodation.”.

### **Changes to Appendix Short-term Student (English Language)**

APP STS1. For paragraph STS 8.2. substitute:

“STS 8.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.”.

### **Changes to Appendix Child Student**

APP CS1. For the table in paragraph CS 1.1., substitute

“(a) for out of country, form “Child Student visa”; or  
(b) for in country, form “Child Student”.”.

### **Changes to Appendix Graduate**

APP GR1. In paragraph GR. 5.2(a), substitute “Joint Academic Stage Board” with “Solicitors Regulation Authority”.

### **Changes to Appendix Skilled Worker:**

APP SW1. For the table in paragraph SW 1.1. substitute

“(a) for applicants outside the UK, form “Skilled Worker visa”; or  
(b) for applicants inside the UK, form “Skilled Worker”.”.

APP SW2. In paragraph SW 9.2, for “UK NARIC” substitute “Ecctis”.

APP SW3. In paragraph SW 12.2(c), for “UK regulated profession” substitute “UK Regulated Profession”.

APP SW4. In paragraph SW 15.2(b), for “the sponsor” substitute “the applicant’s A-rated sponsor”.

APP SW5. In paragraph SW 21.2(e), for “T2” substitute “International”.

APP SW6. At the end of paragraph SW 21.2(g), for “.” substitute

“; or

(h) permission on any other route, during the time the applicant was waiting for a decision on their application as a Skilled Worker, providing that application:

(i) was for permission to stay; and

(ii) was made between 24 January 2020 and 30 June 2021 (inclusive); and

- (iii) was supported on the date of application by a certificate of sponsorship assigned by a licensed sponsor; and
- (iv) was granted.”.

APP SW7. For paragraph SW 24.3 (including the table), substitute

“SW 24.3. Subject to SW 24.4, the applicant’s salary must equal or exceed all three salary requirements shown in the relevant row of the table below.

	<b>Applicant’s circumstances</b>	<b>General salary</b>	<b>Minimum hourly rate</b>	<b>Going rate</b>
A	All cases where rows B and C do not apply	Salary of at least £25,600 per year	At least £10.10 per hour	At least the going rate
B	The applicant was sponsored in their most recent permission for a job in a shortage occupation or a health or education occupation code listed in Table 2 of Appendix Skilled Occupations	Salary of at least £20,480 per year	At least £10.10 per hour	At least the going rate
C	The 5-year qualifying period for settlement includes time as a Tier 2 (General) Migrant in which the applicant was sponsored for a job in one of the following occupation codes: <ul style="list-style-type: none"> <li>• 2111 Chemical scientists</li> <li>• 2112 Biological scientists and biochemists</li> <li>• 2113 Physical scientists</li> <li>• 2114 Social and humanities scientists</li> <li>• 2119 Natural and social science professionals not elsewhere classified</li> <li>• 2150 Research and development managers</li> <li>• 2311 Higher education teaching professionals</li> </ul>	Salary of at least £20,480 per year	At least £10.10 per hour	At least the going rate in the table at paragraph SW 14.5(c), if the applicant has continued to be sponsored in that occupation code ever since.  At least the going rate in Appendix Skilled Occupations, in other cases.



APP SW8. For the table in paragraph SW 26.1. substitute

“

<b>Location of Partner or Child</b>	<b>Specified form</b>
Applicant outside the UK	Dependant partner visa Dependant child visa
Applicant inside the UK	Dependant partner Dependant child

”

APP SW9. For paragraph SW 30.2., substitute

“SW 30.2 The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Skilled Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Skilled Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Skilled Worker –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission as a Skilled Worker.”.

APP SW10. For sub-paragraph SW 33.2(a) substitute

“(a) funds of at least the amount required in SW 33.3 must be held collectively by one or more of the following:

- i) the applicant; and
- ii) the Skilled Worker (P); and
- ii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time;

or”.

APP SW11. In paragraph SW 33.2(b), for “the sponsor of the Skilled Worker” substitute “the Skilled Worker’s A-rated sponsor”.

APP SW12. For paragraph SW 39.1., substitute

“SW 39.1. The applicant must be the partner or child of a person (P) where one of the following applies:  
(a) P is, at the same time, being granted settlement as a Skilled Worker; or  
(b) P is settled in the UK or has become a British citizen, providing P had permission as a Skilled Worker when they settled and the applicant either:  
i) had permission as P's partner or child at that time; or  
ii) is applying as a child of P, and was born in the UK before P settled.”.

APP SW13. For paragraph SW 39.2., substitute

“SW 39.2. The applicant must either:  
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in SW 39.1; or  
(b) have been born in the UK and be applying as a child of the person (P) in SW 39.1.”.

### **Changes to Appendix Intra-Company Routes**

APP IC1. For paragraph IC 18.2., substitute

“IC 18.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:  
(a) the parent applying for or with entry clearance or permission to stay on the Intra-Company route or as the partner on the Intra-Company route is the sole surviving parent; or  
(b) the parent applying for or with entry clearance or permission to stay on the Intra-Company route or as the partner on the Intra- Company route has sole responsibility for the child's upbringing; or  
(c) the parent who does not have permission on the Intra-Company route –  
(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and  
(ii) is or will be ordinarily resident in the UK; or  
(d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Intra-Company route.”.

APP IC2. For sub-paragraph IC 21.2(a), substitute

“(a) funds of at least the amount required in IC 21.3 must be held

collectively by one or more of the following:

- i) the applicant; and
  - ii) the person on the Intra-Company route (P); and
  - ii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time;
- or”.

### **Changes to Appendix Shortage Occupation List**

APP SOL1. In the row in Table 1 containing “3415 Musicians”, for “The orchestra must be endorsed as being internationally recognised by the Association of British Orchestras.”, substitute “The orchestra must be a full member of the Association of British Orchestras.”.

### **Changes to Appendix T2 Minister of Religion**

APP MOR1. For paragraph MOR 1.3., substitute

“MOR 1.3. The applicant must be aged 18 or over on the date of application.”.

APP MOR2. Delete:

#### **“Parental consent requirement for T2 Minister of Religion aged under 18.**

MOR 9.1. If the applicant is aged under 18 on the date of application they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant’s legal guardian.

MOR 9.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant’s living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant’s travel to, and reception arrangements in, the UK.”.

APP MOR3. In paragraph MOR 11.2.(c), for “T2” substitute “International”.

APP MOR4. In paragraph MOR 15.1.(b), for “T2” substitute “International”.

### **Appendix T2 Sportsperson**

APP T2SP1. Delete Appendix T2 Sportsperson.

## **Changes to Appendix Representative of an Overseas Business**

APP ROB1. In paragraph ROB 1.3., after “must be” delete “at”.

APP ROB2. For paragraph ROB 16.1., substitute

“ROB 16.1. Throughout the period in ROB 14.1:

- (a) the overseas business or media organisation that the applicant represents must have been active and trading with its headquarters and principle place of business remaining outside the UK; and
- (b) the applicant must have been employed and working full-time for the overseas business or media organisation they represent, or for that business’s UK branch or subsidiary, and
- (c) the applicant must not have undertaken work for any other business or engaged in business of their own.

ROB 16.2. The applicant must provide:

- (a) evidence of salary paid by their employer in the 12 months immediately before the date of application and details of the remuneration package the employee receives; and
- (b) a letter from their employer confirming that they still require the applicant to work for them, and that the applicant will be required for the foreseeable future.

ROB 16.3. The applicant must be required by their employer to continue in the role for which their last period of permission was granted.

### **Additional business requirements for settlement by a Sole Representative on the Representative of an Overseas Business route**

ROB 16A.1. Where the applicant has, or was last granted permission as a Sole Representative, the applicant must meet the additional business requirements set out in ROB 16A.2. and ROB 16A.3.

ROB 16A.2. Throughout the period in ROB 14.1, the applicant must have met the following requirements:

- (a) they must not have had a majority stake in, or otherwise owned or controlled a majority of the overseas business they represent, whether that ownership or control was by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement; and

(b) the applicant must have established and then supervised the registered a branch or wholly owned subsidiary of the overseas business they represent in the UK, where that branch or subsidiary was actively trading in the same type of business as the overseas business.

ROB 16A.3. The applicant must provide all of the following:

- (a) evidence of business that has been generated, principally with firms in the UK, on behalf of their employer since their last grant of permission, in the form of accounts, copies of invoices or letters from businesses with whom the applicant has done business, including the value of transactions; and
- (b) either a copy of the share register or a letter from the overseas business's accountant confirming that the UK business is wholly owned by the overseas business; and
- (c) a letter from the applicant's employer confirming that the applicant has supervised the UK branch or subsidiary since the last grant of permission.

**Additional business requirements for settlement by a Media Representative on the Representative of an Overseas Business route**

ROB 16B.1. Where the applicant has, or was last granted, permission as a Media Representative, the applicant must meet the additional business requirements set out in ROB 16B.2.

ROB 16B.2. Throughout the period in ROB 14.1, the applicant must have met the following requirements:

- (a) they must have been an employee of an overseas newspaper, news agency or broadcasting organisation undertaking a long-term assignment as a representative of their overseas employer; and
- (b) the applicant must have been engaged in the employment for which their last period of permission was granted.”.

APP ROB3. For paragraph ROB 24.2., substitute

“ROB 24.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the Representative of an Overseas Business route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or

permission to stay on the Representative of an Overseas Business route has sole responsibility for the child's upbringing; or  
(c) the parent who does not have permission on the Representative of an Overseas Business route –  
    (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and  
    (ii) is or will be ordinarily resident in the UK; or  
(d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Representative of an Overseas Business route.”.

APP ROB4. Delete paragraph ROB 31.3.

APP ROB5. For paragraph ROB 33.1., substitute

“ROB 33.1. The applicant must be the partner or child of a person (P) where one of the following applies:  
    (a) P is, at the same time, being granted settlement as a Representative of an Overseas Business; or  
    (b) P is settled in the UK or has become a British citizen, providing P had permission as a Representative of an Overseas Business when they settled and the applicant either:  
        i) had permission as P's partner or child at that time; or  
        ii) is applying as a child of P, and was born in the UK before P settled.”.

APP ROB6. After ROB 33.1, insert

“ROB 33.1A. The applicant must either:  
    (a) have last been granted permission as a dependent partner or dependent child of the person (P) in ROB 33.1; or  
    (b) have been born in the UK and be applying as a child of the person (P) in ROB 33.1.”.

### **Changes to Appendix UK Ancestry**

APP UKA1. For paragraph UKA 22.2., substitute

“UKA 22.2. The applicant's parents must both be either applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor) unless:  
    (a) the parent applying for or with entry clearance or permission on the UK Ancestry route is the sole surviving parent; or

- (b) the parent applying for or with entry clearance or permission on the UK Ancestry route has sole responsibility for the child’s upbringing; or
- (c) the parent who does not have permission on the UK Ancestry route –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the UK Ancestry route.”.

**Changes to Appendix Global Talent**

- APP GT1. In paragraph GTE 3.2., in both instances it occurs, for “well-established organisation”, substitute “well established arts and culture organisation”.
- APP GT2. In paragraph GTE 3.3.(a), for “their individual work”, substitute “their work as an individual or as a named member of a group”.
- APP GT3. In paragraph GTE 3.3.(c), after “the applicant’s work”, insert “as an individual or as a named member of a group”.
- APP GT4. In paragraph GTE 3.4.(a), for “their individual work or their work as a contributor”, substitute “their work as an individual, as a named member of a group or as a contributor”.
- APP GT5. In paragraph GTE 3.4.(c), after “the applicant’s work”, insert “as an individual, as a named member of a group or as a contributor”.
- APP GT6. In paragraph GTE 6.1.(d), for <https://www.pact.co.uk/contact-us/talent-visas/notable-industry-recognition-awards-list.html>, substitute “<http://www.pact.co.uk/services/talent-visas.html>”.
- APP GT7. In paragraph GTE 7.3.(b)(iii), after “senior executive”, insert “, board member”.
- APP GT8. In paragraph GTE 7.3.(b)(iv), after “academic contributions”, delete “”.
- APP GT9. In paragraph GTE 7.4.(b)(i), for “at least 2 examples”, substitute “at least one example”.
- APP GT10. In paragraph GTE 7.4.(b)(ii), before “proof of recognition”, insert “at least one example of”.

- APP GT11. In paragraph GTE 7.4.(b)(iii), for “they have made”, substitute “at least one example of”.
- APP GT12. In paragraph GTE 7.4.(b)(iv), for “at least 2 examples”, substitute “at least 1 example”.
- APP GT13. In paragraph GTE 7.4.(b)(iv), after “academic contributions”, delete “or”.
- APP GT14. In paragraph GTE 8.2.(a), for “12 months”, substitute “five years”.
- APP GT15. Delete paragraph GTE 8.3.
- APP GT16. In paragraph GTE 8.4., both times it occurs, for “Principle” substitute “Principal”.
- APP GT17. In paragraph GTE 8.5., for “12 months”, substitute “five years”.
- APP GT18. For paragraph GTE 8.6., substitute:
- “GTE 8.6. An applicant on the fast track applying under GTE 8.2.(b) must hold an eligible academic or research position at an approved UK Higher Education Institution or Research Institute named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy and they must provide both:
- (a) a job description setting out the duties and responsibilities of the position; and
  - (b) a statement of guarantee from the Director of Human Resources, or equivalent, which confirms:
    - (a) the job was advertised and an open competition was held, or where it was not, an explanation as to why; and
    - (b) the applicant has accepted the job offer; and
    - (c) the job title and department in which the applicant will be based; and
    - (d) the applicant:
      - (a) has responsibility for academic, research or innovation leadership and development; or
      - (b) will direct or lead an individual or team research project or programme of work; or
      - (c) will direct or lead an individual or team innovation project or programme of work; and



- (e) at least two references were received; and
- (f) at least three academic, research or innovation representatives were on the interview panel(s); and
- (g) at least one expert in the applicant's field was on the interview panel(s), or at least one relevant expert, independent of the employing institution, was consulted before the job offer was made.”.

APP GT19. For paragraph GTE. 8.7., substitute:

“GTE 8.7. An applicant on the fast track applying under GTE 8.2.(c) must provide a declaration from the Director of Human Resources, or equivalent at the UKRI-approved UK research organisation which confirms all the following:

- (a) that the applicant has accepted the job offer or hosting agreement; and
- (b) the job title and department in which the applicant will be based; and
- (c) that there is at least one year remaining on their employment contract or hosting agreement; and
- (d) that they will provide critical contributions to work supported by a substantial research grant or award from an endorsed funder; and
- (e) that they are essential to the execution of the grant or award; and
- (f) that at least 50% of the applicant's time will be spent working on the grant or award by the endorsed funder (Principal investigators and co-investigators can aggregate time spent on multiple eligible awards or grants to demonstrate this requirement); and
- (g) that a robust recruitment process has been completed where the applicant was not named on the grant application.

GTE 8.7A. An applicant on the fast track applying under GTE 8.2.(c) must show that the grant or award from an endorsed funder is worth at least £30,000, covers a minimum of two years; and is either funded by a one-off grant or award that has been won in open competition or attributed to a large institutional, renewable award that is subject to periodic peer review, by either:

- (a) providing a link to the grant or award on a UKRI-approved database the details on which would be checked by UKRI against the above requirements; or
- (b) providing written confirmation of the grant or award from the endorsed funder that the above requirements are met.”.

APP GT20. In paragraph GT 1.2.(f) after “withdrawn”, insert “or suspended”.

- APP GT21. In paragraph GT 4.2.(b) after “withdrawn”, insert “or suspended”.
- APP GT22. In paragraph GT 8.2.(e) after “withdrawn”, insert “or suspended”.
- APP GT23. After the table in GT 4.1. insert  
 “GT 4.1ZA. An applicant who has held permission on the Global Talent route in the 12 months immediately before the date of application will be considered under the extension of permission requirements in GT 5.1.”.
- APP GT24. Delete paragraph GT 5.2.
- APP GT25. For paragraph GT 20.2., substitute  
 “GT 20.2. The applicant’s parents must each be either applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor) unless:  
 (a) the parent applying for or with entry clearance or permission to stay as a Global Talent is the sole surviving parent; or  
 (b) the parent applying for or with entry clearance or permission to stay as a Global Talent has sole responsibility for the applicant’s upbringing; or  
 (c) the parent who does not have permission as a Global Talent –  
 (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and  
 (ii) is or will be ordinarily resident in the UK; or  
 (d) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Talent route.”.
- APP GT26. For paragraph GT 27.1., substitute  
 “GT 27.1. The applicant must be the partner or child of a person (P) where one of the following applies:  
 (a) P is, at the same time, being granted settlement as a Global Talent; or  
 (b) P is settled or has become a British citizen, providing P had permission as a Global Talent when they settled and the applicant either:  
 i) had permission as P’s partner or child at that time; or  
 ii) is applying as a child of P, and was born in the UK before P settled.”.

APP GT27. For paragraph GT 27.2., substitute

“GT 27.2. The applicant must either:  
 (a) have last been granted permission as a dependent partner or dependent child of the person (P) in GT 27.1.  
 (b) have been born in the UK and be applying as a child of the person (P) in GT 27.1.”.

**Changes to Appendix Global Talent: Prestigious Prize**

APP GTPP1. In the introduction, after “identified by the”, insert “relevant”.

APP GTPP2. For the table, substitute:

**“Table 1: Arts and culture prizes**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
Bessie – Outstanding Performer	The New York Dance and Performance Awards (The Bessie Awards)
Booker Prize	The Booker Prizes
Brit Awards – International Female	British Phonographic Industry
Brit Awards – International Male	British Phonographic Industry
Critics Circle Award – Best Male	Critics’ Circle National Dance Awards
Critics Circle Award – Best Female	Critics’ Circle National Dance Awards
Dorothy and Lillian Gish Prize	JP Morgan Chase
Hugo Boss Prize	Guggenheim Foundation
ICMA – Artist of the year	International Classical Music Awards
ICMA – Lifetime Achievement Award	International Classical Music Awards
International Booker Prize	The Booker Prizes
International Chopin Piano Competition – First place	Fryderyk Chopin Institute of Warsaw
International Dublin Literary Award	International Dublin Literary Award
MOBO – Best International Act	MOBO Organisation
Olivier Award – Best Play Author	Society of London Theatre
Olivier Award – Best Actor	Society of London Theatre
Olivier Award – Best Actress	Society of London Theatre

Olivier Award – Outstanding Achievement in Dance	Society of London Theatre
Olivier Award – Best Director	Society of London Theatre
Olivier Award – Outstanding Achievement in Opera	Society of London Theatre
Olivier Award – Outstanding Achievement in Music	Society of London Theatre
Olivier Award – Best Theatre Choreographer	Society of London Theatre
Queen Elisabeth Competition – Cello - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Piano - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Violin - First Prize	Queen Elisabeth Competition
Queen Elisabeth Competition – Voice - First Prize	Queen Elisabeth Competition
Tchaikovsky Prize – Grand Prix	International Tchaikovsky Competition
Tony Award – Best Play Author	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actor in a Leading Role in a Play	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actress in a Leading Role in a Play	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actor in a Leading Role in a Musical	The American Theatre Wing and The Broadway League
Tony Award – Best Performance by an Actress in a Leading Role in a Musical	The American Theatre Wing and The Broadway League
Tony Award – Best Direction of a Play	The American Theatre Wing and The Broadway League
Tony Award– Best Direction of a Musical	The American Theatre Wing and The Broadway League
Tony Award – Best Choreography	The American Theatre Wing and The Broadway League
Tony Award – Special Tony Award for Lifetime Achievement in the Theatre	The American Theatre Wing and The Broadway League

Van Cliburn International Piano Competition – Gold Medallist	Van Cliburn Foundation
Wihuri Sibelius Prize	Wihuri Foundation
WOMEX – Artist Award	World Music Expo Award (WOMEX)

**Table 2: Architecture prizes**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
Pritzker Prize	Hyatt Foundation
Royal Gold Medal	Royal Institute of British Architects

**Table 3: Fashion design industry prizes**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
Fashion Award – Accessories Designer of the Year	The Fashion Awards – British Fashion Council
Fashion Award – Designer of the Year	The Fashion Awards – British Fashion Council
Fashion Award – Outstanding Achievement	The Fashion Awards – British Fashion Council

**Table 4: Film and television**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
Academy Awards – Actor in a Leading Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Actress in a Leading Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Best Actor in a Supporting Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Best Actress in a Supporting Role	Academy of Motion Picture Arts and Sciences
Academy Awards – Cinematography	Academy of Motion Picture Arts and Sciences
Academy Awards – Directing	Academy of Motion Picture Arts and Sciences
Academy Awards – Writing (Adapted Screenplay)	Academy of Motion Picture Arts and Sciences
Academy Awards – Writing (Original Screenplay)	Academy of Motion Picture Arts and Sciences
BAFTA – Director (Film)	British Academy of Film and Televisions Arts

BAFTA – Leading Actor (Film)	British Academy of Film and Televisions Arts
BAFTA – Leading Actress (Film)	British Academy of Film and Televisions Arts
BAFTA – Supporting Actor (Film)	British Academy of Film and Televisions Arts
BAFTA – Supporting Actress (Film)	British Academy of Film and Televisions Arts
Golden Globes – Best Actor in a Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Actor in a TV Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Actor Musical/Comedy	Hollywood Foreign Press Association
Golden Globes – Best Actress in a Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Actress in a TV Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Actress Musical/Comedy	Hollywood Foreign Press Association
Golden Globes – Best Director of a Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Screenplay of a Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actor Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actress Motion Picture	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actor Television	Hollywood Foreign Press Association
Golden Globes – Best Supporting Actress Television	Hollywood Foreign Press Association
Golden Globes – Best TV Actor Drama	Hollywood Foreign Press Association
Golden Globes – Best TV Actor Musical/Comedy	Hollywood Foreign Press Association
Golden Globes – Best TV Actress Drama	Hollywood Foreign Press Association
Golden Globes – Best TV Actress Musical/Comedy	Hollywood Foreign Press Association
Golden Globes – Carol Burnett Award	Hollywood Foreign Press Association

Golden Globes – Cecil B. deMille Award	Hollywood Foreign Press Association
Grammy Award – Lifetime Achievement Award	The Recording Academy

**Table 5: Digital technology prizes**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
ACM Prize in Computing	Association for Computing Machinery (ACM)
Turing Award	Association for Computing Machinery (ACM)

**Table 6: Science, engineering, humanities and medicine prizes**

<b>Qualifying Prize</b>	<b>Name of Awarding Body</b>
Albert Lasker Basic Medical Research Award	Lasker Foundation
Balzan Prize	International Balzan Prize Foundation
Benjamin Franklin Medal	Franklin Institute
Berggruen Prize for Philosophy and Culture	Berggruen Institute
Blue Planet Prize	Asahi Glass Foundation
Cadman Award	Energy Institute
Centenary Prize	Royal Society of Chemistry
Charles Stark Draper Prize for Engineering	US National Academy of Engineering
Copley Medal	Royal Society
Crafoord Prize	Royal Swedish Academy of Sciences and Crafoord Foundation
Croonian Medal and Lecture	Royal Society
Davis Medal	IChemE
Distinguished Fellowship	British Computing Society
Faraday Medal	Institution of Engineering and Technology
Fritz J. and Dolores H. Russ Prize	National Academy of Engineering
Fields Medal	International Mathematical Union
Fyssen Internation Prize	Fondation Fyssen
Gold Medal	Institution of Civil Engineers

Honorary Membership	British Ecological Society
Holberg Prize	Holberg Committee
Humboldt Research Award	Alexander von Humboldt Foundation
IEEE Medal of Honor	Institute of Electrical and Electronics Engineers
INCOSE Pioneer Award	International Council on Systems Engineering
Individual Gold Medal	Royal Aeronautical Society
International Award	Biochemical Society
International Medal	Institution of Civil Engineers
Isaac Newton Medal and Award	Institute of Physics
IStructE Gold Medal	Institution of Structural Engineers
J J Thompson Medal for Electronics	Institution of Engineering and Technology
James Watt International Medal	Institution of Mechanical Engineering
Japan Prize	The Japan Prize Foundation
John W. Kluge Prize for Achievement in the Study of Humanity	John W. Kluge Centre
King Faisal Prize – Medicine	King Faisal International Fund
King Faisal Prize - Science	King Faisal International Fund
Kyoto Prize – Advanced Technology	Inamori Foundation
Kyoto Prize – Basic Science	Inamori Foundation
Kyoto Prize – Arts and Philosophy	Inamori Foundation
Lasker-Debakey Clinical Medical Research Award	Lasker Foundation
Lasker-Koshland Special Achievement Award in Medical Science	Lasker Foundation
Lasker-Bloomberg Public Service Award	Lasker Foundation
L'Oréal-UNESCO Award for Women in Science	L'Oréal-UNESCO
Louis-Jeantet Prize	The Louis-Jeantet Foundation
Lovelace Medal	British Computing Society
Melchett Award	Energy Institute



Mensforth Manufacturing Gold Medal	Institution of Engineering and Technology
Millennium Technology Prize	Technology Academy Finland
Mountbatten Medal	Institution of Engineering and Technology
Nine Dots Prize	Kadas Prize Foundation
Nobel Prize - Chemistry	The Royal Swedish Academy of Sciences
Nobel Prize - Economic Science	The Royal Swedish Academy of Sciences
Nobel Prize - Literature	The Swedish Academy
Nobel Prize - Physics	The Royal Swedish Academy of Sciences
Nobel Prize - Medicine	Nobel Assembly at Karolinska Institutet
President's Award	Energy Institute
Prince Phillip Medal	Royal Academy of Engineering
Queen Elizabeth Prize for Engineering	The Queen Elizabeth Prize for Engineering Foundation
Rayleigh Medal	Institute of Acoustics
Robert Koch Medal and Award	Robert Koch Foundation
Royal Gold Medal	Royal Institute of British Architects
Silver Medal	Royal Academy of Engineering
Vane Medal	British Pharmacological Society
W H Pierce Prize	Society of Applied Microbiology
Wolf Prize - Agriculture	Wolf Foundation
Wolf Prize - Arts	Wolf Foundation
Wolf Prize – Chemistry	Wolf Foundation
Wolf Prize – Mathematics	Wolf Foundation
Wolf Prize - Medicine	Wolf Foundation
Wolf Prize - Physics	Wolf Foundation

”.

### **Changes to Appendix Start-up**

APP SU1. For paragraph SU 17.2. substitute

“SU 17.2. The applicant’s parents must each be either applying at the

same time as the applicant, or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the Start-up route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay on the Start-up route has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission on the Start-up route –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK.
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Start-up route.”.

APP SU2. For paragraph SU 20.2 substitute

“SU 20.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in SU 20.2A must be held collectively by one or more of the following:

- (a) the applicant; and
- (b) the person on the Start-up route (P); and
- (c) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time.”.

APP SU3. After paragraph SU 20.2 insert

“SU 20.2A. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.”.

### **Changes to Appendix Innovator**

APP INN1. For INN 16.1., substitute

“INN 16.1. A person on the Innovator route who is applying for settlement must apply online on the gov.uk website on the specified form ‘Settlement Innovator’.”.

APP INN2. For paragraph INN 27.2., substitute

“INN 27.2. The applicant’s parents must each be either applying at the same time as the applicant, or have permission to be in the UK (other than as a visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as an Innovator is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as an Innovator has sole responsibility for the child’s upbringing; or
- (c) the parent who does not have permission as an Innovator –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Innovator route.”.

APP INN3. For paragraph INN 30.2 substitute

“INN 30.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in INN 30.2A must be held collectively by one or more of the following:

- (a) the applicant; and
- (b) the Innovator (P); and
- (c) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time.”.

APP INN4. After paragraph INN 30.2 insert

“INN 30.2A. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.”.

APP INN5. For INN 33.1., substitute

“INN 33.1. A partner and child on the Innovator route who is applying for settlement must apply online on the GOV.UK website on the specified form as follows:

<b>Applicant</b>	<b>Form</b>
Partner	‘Settlement as the partner of an Innovator or a person with protection status’
Child	‘Settlement as the child of an Innovator or partner of an Innovator or a person with protection status’

APP INN6. Delete paragraph INN 33.3.

APP INN7. For paragraph INN 35.1., substitute

“INN 35.1. The applicant must be the partner or child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement as an Innovator; or
- (b) P is settled or has become a British citizen, providing P had permission as an Innovator when they settled and the applicant either:
  - i) had permission as P’s partner or child at that time; or
  - ii) is applying as a child of P, and was born in the UK before P settled.”.

APP INN8. For paragraph INN 35.2., substitute

“INN 35.2. The applicant must either:

- (a) have last been granted permission as a dependent partner or dependent child of the person (P) in INN 35.1; or
- (b) have been born in the UK and be applying as a child of the person (P) in INN 35.1.”.

### **Insertion of new Appendix International Sportsperson**

APP ISP1. After “Appendix Innovator”, insert:

#### **“Appendix International Sportsperson**

*The International Sportsperson route is for an elite sportsperson or qualified sports coach who is internationally established and can make a significant contribution to the development of their sport at its highest level in the UK.*

*A person applying on this route must have a Governing Body Endorsement from an appropriate Sports Governing Body listed in Appendix Sports Governing Bodies.*

*Applicants seeking permission for a period of more than 12 months will also be required to meet the English language requirement.*

*The partner and children of an International Sportsperson can apply on this route.*

*This is a route to settlement.*

## **International Sportsperson**

### **Validity requirements for an International Sportsperson**

ISP 1.1. A person applying for entry clearance or permission to stay as an International Sportsperson must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"><li>• International Sportsperson using the UK Immigration: ID Check app; or</li><li>• the forms listed below for applicants outside or inside the UK (as relevant)</li></ul>
Applicants outside the UK	International Sportsperson visa
Applicants inside the UK	International Sportsperson

ISP 1.2. An application for entry clearance or permission to stay on the International Sportsperson route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than three months before the date of application.

ISP 1.3. The applicant must be aged 16 or over on the date of application.

ISP 1.4. If an applicant has, in the last 12 months before the date of application, received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent from that Government or agency.

ISP 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor, except where the applicant has been in the UK undertaking the activities in paragraphs PA 15.1. and 15.2. of Appendix Visitor: Permitted Activities, or paragraph V 13.3 (f) of Appendix V: Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic worker in a private household; or
- (f) outside the Immigration Rules.

ISP 1.6. An application which does not meet all the validity requirements for the International Sportsperson route is invalid and may be rejected and not considered.

### **Suitability requirements for an International Sportsperson**

ISP 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 2.2. If applying for permission to stay, the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for an International Sportsperson**

#### **Entry requirements for an International Sportsperson**

ISP 3.1. A person seeking to come to the UK as an International Sportsperson must apply for and obtain entry clearance as an International Sportsperson before their arrival in the UK.

ISP 3.2. A person applying for entry clearance as an International Sportsperson must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Points requirements for an International Sportsperson**

ISP 4.1. An applicant applying for entry clearance or permission to stay as an International Sportsperson for a period of 12 months or less must be awarded a total of 70 points from table A below.

ISP 4.2. An applicant applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months must be awarded a total of 80 points from tables A and B below.

<b>Table A</b>		
<b>Points required (mandatory)</b>	<b>Relevant rules</b>	<b>Points available</b>
Governing Body Endorsement	ISP 5.1	50

Certificate of Sponsorship	ISP 5.2 and ISP 5.3	10
Financial requirements	ISP 7.1 to ISP 7.3	10

<b>Table B</b>		
<b>Points required (mandatory) where the period of permission applied for exceeds 12 months</b>	<b>Relevant rules</b>	<b>Points available</b>
English Language at level A1	ISP 8.1 and ISP 8.2	10

### **Endorsement requirement for an International Sportsperson**

ISP 5.1. The applicant must provide a letter from the relevant Sports Governing Body listed in Appendix Sports Governing Bodies confirming:

- (a) that the applicant is internationally established at the highest level; and
- (b) that the applicant will make a significant contribution to the development of their sport at the highest level in the UK; and
- (c) the unique endorsement number issued to the applicant by the Sports Governing Body.

### **Certificate of sponsorship requirement for an International Sportsperson**

ISP 5.2. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as an International Sportsperson, details of the job and salary the sponsor is offering them; and
- (b) must have been assigned before the applicant entered the UK if the application is for permission to stay and the applicant last had permission as a Visitor undertaking permitted activities for sportspersons; and
- (c) include a start date, stated by the sponsor, which must be no more than three months after the date of application; and
- (d) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (e) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (f) state the unique endorsement number that has been issued to the applicant by the appropriate governing body specified in Appendix Sports Governing Bodies; and
- (g) confirm that the applicant intends to be based in the UK; and
- (h) confirm that the job is one the applicant is qualified to undertake.

ISP. 5.3. The sponsor must be authorised by the Home Office to sponsor the job in question under the International Sportsperson route.

ISP 5.4. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors unless the applicant was last granted permission as an International Sportsperson and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for an International Sportsperson**

ISP 6.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted at ISP 11.3.

### **Financial requirement for an International Sportsperson**

ISP 7.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ISP 7.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been living in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

ISP 7.3. If ISP 7.2 (a) applies, the applicant must have held the required level of funds for a 28 day period and must show funds as specified in Appendix Finance.

### **English language requirement for an International Sportsperson**

ISP 8.1. Unless an exemption applies, if the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

ISP 8.2. If ISP 8.1. applies, the applicant must show they meet the English Language requirement as specified in Appendix English Language.

### **Parental consent requirement for an International Sportsperson aged under 18**

ISP 9.1. If the applicant is aged under 18 at the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

ISP 9.2. The written consent must confirm support for all of the following:

- (a) the application; and



- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on an application as an International Sportsperson**

ISP 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for an International Sportsperson, the application will be granted, otherwise the application will be refused.

ISP 10.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for an International Sportsperson**

ISP 11.1. If the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period of 12 months or less, they will be granted entry clearance or permission to stay for whichever is the shorter of:

- (a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
- (b) 12 months.

ISP 11.2. If the applicant is applying for entry clearance or permission to stay as an International Sportsperson for a period exceeding 12 months, they will be granted entry clearance or permission to stay for whichever is the shorter of:

- (a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
- (b) three years.

ISP 11.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted in the job the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) voluntary work is permitted; and
- (e) working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application; and
- (f) employment as a sportsperson for the applicant's national team while their national team is in the UK, playing in British University and College Sport (BUCS) competitions, and temporary engagements as a sports broadcaster providing guest expert commentary on a particular sporting event, are permitted; and
- (g) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (h) if Part 10 applies the applicant will be required to register with the police.

### **Settlement as an International Sportsperson**

#### **Validity requirements for settlement as an International Sportsperson**

ISP 12.1. A person applying for settlement as an International Sportsperson must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

ISP 12.2. An application for settlement as an International Sportsperson must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

ISP 12.3. The applicant must:

- (a) have, or have last been granted, permission as an International Sportsperson; and
- (b) have, at any point during the five year continuous residence period, been granted leave as an International Sportsperson for a period exceeding 12 months.

ISP 12.4. An application which does not meet all the validity requirements for settlement as an International Sportsperson is invalid and may be rejected and not considered.

### **Suitability requirements for settlement as an International Sportsperson**

ISP 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 13.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for settlement as an International Sportsperson**

#### **Qualifying period requirement for settlement as an International Sportsperson**

ISP 14.1. The applicant must have spent a continuous period of five years in the UK.

ISP 14.2. The five year continuous period must consist of time with permission on any of, or any combination of, the following routes:

- (a) Skilled Worker; or
- (b) Global talent; or

- (c) Innovator; or
- (d) T2 Minister of Religion; or
- (e) International Sportsperson; or
- (f) Representative of an Overseas Business; or
- (g) as a Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur) Migrant;  
or
- (h) permission on any other route, during the time the applicant was waiting for a decision on their application as an International Sportsperson, providing that application:
  - (i) was for permission to stay; and
  - (ii) was made from and including 24 January 2020 to and including 30 June 2021; and
  - (iii) was supported on the date of application by a Certificate of Sponsorship assigned by a licensed sponsor; and
  - (iv) was granted.

### **Continuous residence requirement for settlement as an International Sportsperson**

ISP 15.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in ISP 14.1.

### **English language requirement for settlement as an International Sportsperson**

ISP 16.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ISP 16.2. If ISP 16.1. applies, the applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Knowledge of Life in the UK requirement for settlement as an International Sportsperson**

ISP 17.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

### **Sponsorship requirement for settlement as an International Sportsperson**

ISP 18.1. The sponsor in the applicant's most recent permission must still be approved by the Home Office to sponsor International Sportspersons on the date of decision.

ISP 18.2. The sponsor must confirm that they still require the applicant to work for them for the foreseeable future, and that the applicant is paid, and will be paid for the foreseeable future, at least the salary of £35,800 per year.

ISP 18.3. The salary in ISP 18.2. is subject to the following requirements:

- (a) the salary must:
  - (i) be basic pay (excluding overtime); and
  - (ii) only include allowances where they are part of the guaranteed salary package and would be paid to a local settled worker in similar circumstances; and
  - (iii) not include other allowances and benefits, such as bonus or incentive pay, employer pension contributions, travel and subsistence (including travel to and from the applicant's home country); and
  - (iv) not include the value of any shares the applicant has received as an employee- owner in exchange for some of their UK employment rights; and
- (b) if the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week will be considered towards the salary threshold of £35,800; and
- (c) if the applicant is currently absent from work for one of the reasons set out in Part 9, paragraph 9.30.1. or has returned from such an absence within the month before the date of application, consideration will be based on their salary on their return to work, as stated by their sponsor.

### **Decision on an application for settlement as an International Sportsperson**

ISP 19.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as an International Sportsperson are met, the applicant will be granted settlement, otherwise the application will be refused.

ISP 19.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Dependants of an International Sportsperson**

#### **Validity requirements for a dependent partner or dependent child of an International Sportsperson**

ISP 20.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of an International Sportsperson must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the International Sportsperson, they can be included in the form International Sportsperson where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

ISP 20.2. An application for entry clearance or permission to stay as a dependent partner or dependent child of an International Sportsperson must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

ISP 20.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

ISP 20.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of an International Sportsperson must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

ISP 20.5. An application which does not meet all the validity requirements for a dependent partner or dependent child of an International Sportsperson is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child of an International Sportsperson**

ISP 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 21.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a dependent partner or dependent child of an International Sportsperson**

#### **Entry requirement for a dependent partner or dependent child of an International Sportsperson**

ISP 22.1. A person seeking to come to the UK as a dependent partner or dependent child of an International Sportsperson must apply for and obtain entry clearance as a dependent partner or dependent child of an International Sportsperson before they arrive in the UK.

ISP 22.2. A person applying for entry clearance as a dependent partner or dependent child of an International Sportsperson must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Relationship requirement for a dependent partner of an International Sportsperson**

ISP 23.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the International Sportsperson route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Sportsperson route; or
- (c) P is settled or has become a British citizen, providing P had permission on the International Sportsperson route when they settled and the applicant had permission as P's partner at that time.

ISP 23.2. If the applicant and their International Sportsperson partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and

(b) any previous relationship of the applicant or their International Sportsperson partner with another person must have permanently broken down; and

(c) the applicant and their International Sportsperson partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

ISP 23.3. The relationship between the applicant and their International Sportsperson partner must be genuine and subsisting.

ISP 23.4. The applicant and their International Sportsperson partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child of an International Sportsperson**

ISP 24.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the International Sportsperson route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Sportsperson route; or
- (c) P is settled in the UK or has become a British citizen, providing P had permission on the International Sportsperson route when they settled, and the applicant had permission as P's child at that time.

ISP 24.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as an International Sportsperson is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as an International Sportsperson has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as an International Sportsperson

–  
(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and

(ii) is or will be ordinarily resident in the UK; or

(d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay as an International Sportsperson.

ISP 24.3. If the applicant is a child born in the UK to an International Sportsperson or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

### **Care requirement for a dependent child of an International Sportsperson**

ISP 25.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the applicant's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

### **Age requirement for a dependent child of an International Sportsperson**

ISP 26.1. The applicant must be under the age of 18 on the date of application unless they were last granted permission as the dependent child of their parent or parents.

ISP 26.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child of an International Sportsperson**

ISP 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

ISP 27.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

(a) funds of at least the amount required in ISP 27.3. must be held collectively by one or more of the following:

i) the applicant; and

ii) the International Sportsperson (P); and

iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or

(b) the International Sportsperson's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the International Sportsperson, up to the end of the first month of each of their grants of permission, to at least the amounts required in ISP 27.3.

ISP 27.3. The funds required are:

(a) £285 for a dependent partner in the UK, or applying for entry clearance; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance; and



(c) £200 for any other dependent child in the UK, or applying for entry clearance.

ISP 27.4. If ISP 27.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the International Sportsperson to meet the financial requirement and any other dependants in the UK or applying at the same time.

ISP 27.5. If ISP 27.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application as a dependent partner or dependent child of an International Sportsperson**

ISP 28.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of an International Sportsperson are met, the application will be granted, otherwise the application will be refused.

ISP 28.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a dependent partner or dependent child of an International Sportsperson**

ISP 29.1. A partner will be granted:

- (a) permission which ends on the same date as their partner's permission as an International Sportsperson; or
- (b) three years' permission if the International Sportsperson was (or is being) granted settlement as an International Sportsperson.

ISP 29.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British citizenship, in which case the child will be granted permission for three years.

ISP 29.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

## **Settlement as a dependent partner or dependent child of an International Sportsperson**

### **Validity requirements for settlement as a dependent partner or dependent child of International Sportsperson**

ISP 30.1. A person applying for settlement as a dependent partner or dependent child of an International Sportsperson must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

ISP 30.2. An application for settlement as a dependent partner or dependent child of an International Sportsperson must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

ISP 30.3. An application which does not meet the validity requirements for a dependent partner or dependent child of an International Sportsperson is invalid and may be rejected and not considered.

### **Suitability requirements for settlement as a dependent partner or dependent child of an International Sportsperson**

ISP 31.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ISP 31.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for settlement as a dependent partner or dependent child of an International Sportsperson**

#### **Relationship requirement for settlement as a dependent partner or dependent child of an International Sportsperson**

ISP 32.1. The applicant must be the partner or child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement as an International Sportsperson; or

(b) P is settled in the UK or has become a British citizen, providing P had permission as an International Sportsperson when they settled and the applicant either:

- (i) had permission as P's partner or child at that time; or
- (ii) is applying as a child of P, and was born in the UK before P settled.

ISP 32.2. The applicant must either:

- (a) have last been granted permission as a dependent partner or dependent child of the person (P) in ISP 32.1; or
- (b) have been born in the UK and be applying as a child of the person (P) in ISP 32.1.

ISP 32.3. If applying as a child, the applicant's other parent must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) the person (P) in ISP 32.1. is the applicant's sole surviving parent; or
- (b) the person (P) in ISP 32.1. has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

### **Care requirement for settlement as a dependent child of an International Sportsperson**

ISP 33.1. If the applicant is under the age of 18 on the date of application there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

### **Age requirement for settlement as a dependent child of an International Sportsperson**

ISP 34.1. The applicant must be under the age of 18 on the date of application unless they were last granted permission as the dependent child of their parent or parents.

ISP 34.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

### **Qualifying period requirement for settlement as a dependent partner of an International Sportsperson**

ISP 35.1. The applicant must have spent a continuous period of five years in the UK with permission as a dependent partner of the person (P) in ISP 32.1.

### **Continuous residence requirement for settlement as a dependent partner of an International Sportsperson**

ISP 36.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in ISP 35.1.

### **English language requirement for settlement as a dependent partner or dependent child of an International Sportsperson**

ISP 37.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

ISP 37.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Knowledge of Life in the UK requirement for settlement as a dependent partner or dependent child of an International Sportsperson**

ISP 38.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

### **Decision on an application for settlement as a dependent partner or dependent child of an International Sportsperson**

ISP 39.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child of an International Sportsperson, the application will be granted, otherwise the application will be refused.

ISP 39.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

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### **Insertion of new Appendix Sports Governing Bodies**

APP SGB1. After “Appendix International Sportsperson”, insert

#### **“Appendix Sports Governing Bodies**

This appendix lists the Home Office approved Sports Governing Bodies for International Sportsperson applications. Applicants on this route must be endorsed by the relevant governing body from the table below, and the Certificate of Sponsorship relating to the application must confirm this endorsement.

Endorsements can only be issued to applicants covered by one of the following sports governing bodies.

Governing bodies cover the UK in its entirety unless otherwise stated, where they are only able to issue endorsements for the listed territory.

<b>Sport (and relevant territory)</b>	<b>Governing body</b>
All sports not listed in Appendix Sports Governing Bodies of the Immigration Rules	Home Office
Aikido	British Aikido
Archery	Archery GB
Athletics	UK Athletics
Badminton (England only)	Badminton England
Badminton (Scotland only)	Badminton Scotland
Baseball / Softball	BaseballSoftballUK (BSUK)
Basketball (England, Scotland, Wales)	Basketball England
Basketball (Northern Ireland)	Basketball Ireland
Boxing	British Boxing Board of Control
Canoeing	British Canoeing
Chinese Martial Arts	British Council for Chinese Martial Arts
Cricket (England, Wales)	England and Wales Cricket Board (ECB)
Cricket (Scotland)	Cricket Scotland
Cricket (Northern Ireland)	Cricket Ireland
Curling	Royal Caledonian Curling Club
Cycling	British Cycling
Equestrianism	British Horse Society

<b>Sport (and relevant territory)</b>	<b>Governing body</b>
Fencing	British Fencing
Field Hockey (England)	England Hockey
Field Hockey (Scotland)	Scottish Hockey Union
Field Hockey (Wales)	Welsh Hockey Union
Field Hockey (Northern Ireland)	Hockey Ireland
Football (England)	The Football Association
Football (Scotland)	Scottish Football Association
Football (Wales)	The Football Association of Wales
Football (Northern Ireland)	Irish Football Association
Gymnastics	British Gymnastics
Handball	British Handball
Ice Hockey	Ice Hockey (UK)
Ice Skating	British Ice Skating
Jockeys and Trainers	British Horseracing Authority
Judo	British Judo Association
Kabaddi	England Kabaddi Federation (UK) Registered
Lacrosse	English Lacrosse
Motorcycling (except speedway)	Auto-cycle Union
Motorsports	The Royal Automobile Club Motor Sports Association Ltd
Netball (Wales)	Welsh Netball Association

<b>Sport (and relevant territory)</b>	<b>Governing body</b>
Netball (England)	England Netball
Netball (Northern Ireland)	Netball Northern Ireland
Netball (Scotland)	Netball Scotland
Polo	Hurlingham Polo Association
Rowing	British Rowing
Rugby League	Rugby Football League
Rugby Union (England)	Rugby Football Union
Rugby Union (Scotland)	Scottish Rugby Union
Rugby Union (Wales)	Welsh Rugby Union
Rugby Union (Northern Ireland)	IRFU (Ulster Branch)
Sailing, windsurfing and powerboating	Royal Yachting Association
Shooting	British Shooting
Snooker	The World Professional Billiards and Snooker Association
Speedway	British Speedway Promoters Association
Squash and racketball	England Squash
Swimming, water polo, diving and synchronised swimming	British Swimming
Table Tennis	Table Tennis England
Taekwondo	GB Taekwondo
Tennis (lawn tennis)	Lawn Tennis Association
Tennis (real tennis and rackets)	Tennis & Rackets Association

<b>Sport (and relevant territory)</b>	<b>Governing body</b>
Triathlon	British Triathlon
Volleyball (England)	Volleyball England
Wheelchair Basketball	British Wheelchair Basketball
Wrestling	British Wrestling Association
Yoga	The British Wheel of Yoga

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### **Changes to Appendix Overseas Domestic Worker**

APP ODW1. After ODW 1.2, insert  
“ODW 1.3. An application which does not meet all the validity requirements for an Overseas Domestic Worker is invalid and may be rejected and not considered.”.

APP ODW2. Delete ODW 1.4.

APP ODW3. For ODW 5.5 substitute  
“ODW 5.5 The decision maker must be satisfied that the employer genuinely intends to pay the applicant at least the National Minimum Wage throughout their employment in the UK.”.

### **Changes to Appendix Domestic Worker in a Private Household**

APP DW1. For paragraph “DW 4.1 Funds must be shown as specified in Appendix Finance”, substitute  
“DW 4.2. Funds must be shown as specified in Appendix Finance.”.

APP DW2. Delete paragraph DW 23.3.

APP DW3. For paragraph DW 25.1., substitute

“DW 25.1. The applicant must be the partner or child of a person (P) where one of the following applies:

(a) P is, at the same time, being granted settlement as a Domestic Worker in a Private Household; or

(b) P is settled or has become a British citizen, providing P had permission as a Domestic Worker in a Private Household when they settled, and the applicant either:

- i) had permission as P’s partner or child at that time; or
- ii) is applying as the child of P, and was born in the UK



before P settled.”.

APP DW4. After paragraph DW 25.1., insert

“DW 25.1A. The applicant must either:  
(a) have last been granted permission as a dependent partner or dependent child of the person (P) in DW 25.1; or  
(b) have been born in the UK and be applying as a child of the person (P) in DW 25.1.”.

### **Changes to Appendix Domestic Worker who is a Victim of Slavery**

APP DWMS1. In the introduction paragraph for “This route is for a victim of modern slavery who entered the UK as an Overseas Domestic Worker, a Domestic Worker in a Private Household, or as a private servant in a diplomatic household, having held entry clearance in the T5 (Temporary Work) – International Agreement category” substitute  
“This route is for a victim of modern slavery who entered the UK as an Overseas Domestic Worker, a Domestic Worker in a Private Household, or as a private servant in a diplomatic household, having held entry clearance in the Temporary Work – International Agreement category.”.

APP DWMS2. In paragraph DWMS 1.2, for (d) substitute  
“(d) the applicant must have provided a valid passport or other document which satisfactorily establishes their identity and nationality.”.

APP DWMS3. In paragraph DWMS 3.1, for (b) substitute  
“(b) Temporary Work – International Agreement, as a private servant in a diplomatic household”.

APP DWMS4. For “Decision on application as a domestic worker victim of modern slavery” substitute  
“Decision on application as a Domestic Worker who is a Victim of Modern Slavery”.

APP DWMS5. In paragraph DWMS 5.2, for (b)(ii) substitute  
“(b)(ii) as a private servant in a diplomatic household working only in the household of the employer recorded in a Certificate of Sponsorship in the Temporary Work - International Agreement category; and”.

### **Changes to Appendix Domestic Worker Statement**

APP DWS1. For “Two copies of this form must be completed and signed by the

employer and the worker and submitted with the entry clearance application or with the permission to stay application as required by ODW 3.5, DW 3.5 and IA 8.8 of the Immigration Rules” substitute

“Two copies of this form must be completed and signed by the employer and the worker and submitted with the entry clearance application or with the permission to stay application as required by ODW 5.4, DW 3.4 and Appendix Temporary Work – International Agreement of the Immigration Rules”.

### **Changes to Appendix T5 (Temporary Worker) Seasonal Worker**

APP SAW1. For “Appendix T5 (Temporary Worker) Seasonal Worker”, substitute

#### **“Appendix Temporary Work - Seasonal Worker**

*The Seasonal Worker route is for a person who wants to come to the UK to do seasonal edible horticulture work. A person on the Seasonal Worker route can stay for a maximum period of six months in any 12-month period.*

*A partner and children are not permitted to apply as dependants on this route.*

*The Seasonal Worker route is not a route to settlement.*

#### **Validity requirements for a Seasonal Worker**

SAW 1.1. A person applying for entry clearance as a Seasonal Worker must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"><li>• Temporary Worker using the UK Immigration: ID Check app; or</li><li>• the forms listed below for applicants outside or inside the UK (as relevant)</li></ul>
Applicants outside the UK	Temporary Worker visa

SAW 1.2. An application for entry clearance as a Seasonal Worker must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

SAW 1.3. The applicant must be aged 18 or over on the date of application.

SAW 1.4. An application which does not meet all the validity requirements for the Seasonal Worker route is invalid and may be rejected and not considered.

### **Suitability requirements for a Seasonal Worker**

SAW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

### **Eligibility requirements for a Seasonal Worker**

#### **Entry requirements for a Seasonal Worker**

SAW 3.1. A person seeking to come to the UK as a Seasonal Worker must have applied for and obtained entry clearance as a Seasonal Worker before they arrive in the UK.

#### **Certificate of Sponsorship requirement for a Seasonal Worker**

SAW 4.1. The applicant must have a Certificate of Sponsorship for the job they are planning to do, which must:

- (a) confirm the applicant's name, that they are being sponsored as a Seasonal Worker, details of the job and salary the sponsor is offering them; and
- (b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the role conforms with all relevant legislation, such as the National Minimum Wage, the relevant Agricultural Wages Order rate where this applies, and the Working Time Regulations; and
- (f) state the role is in the edible horticulture sector, which means those growing:
  - (i) Protected Vegetables – those grown in glasshouse systems; or
  - (ii) Field Vegetables – those grown outdoors, including vegetables, herbs, leafy salads and potatoes; or
  - (iii) Soft Fruit – those grown outdoors or under cover e.g. in glasshouses or polytunnels. Includes strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species; or

- (iv) Top Fruit (Orchard Fruit) - trees that bear fruit e.g. apples, plums, cherries, apricots; or
- (v) Vine and Bines – both twining or climbing flexible stems of certain plants, e.g. hops is a bine, and grapes is a vine; or
- (vi) Mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species (typically grown indoors).

SAW 4.2. The Certificate of Sponsorship must have been issued by a sponsor who:

- (a) is listed as A-rated on the Home Office's register of licensed sponsors; and
- (b) has an endorsement from the Department for Environment, Food and Rural Affairs in relation to the Seasonal Worker route; and
- (c) is licensed by the Gangmasters and Labour Abuse Authority.

### **Financial requirement for a Seasonal Worker**

SAW 5.1. Either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

SAW 5.2. If SAW 5.1.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a Seasonal Worker**

SAW 6.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a Seasonal Worker, the application will be granted, otherwise the application will be refused.

SAW 6.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a Seasonal Worker**

SAW 7.1. The applicant will be granted entry clearance for whichever is the shorter of either:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) a maximum period of six months in any 12-month period.

SAW 7.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and

- (b) work is permitted only in the role the applicant is being sponsored for; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

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### **Changes to Appendix T5 (Temporary Worker) Youth Mobility Scheme**

- APP YMS1. For the title “Appendix T5 (Temporary Worker) Youth Mobility Scheme”, substitute “Appendix Youth Mobility Scheme”.
- APP YMS2. In paragraph YMS 1.1., for “Tier 5 (Temporary Worker) Visa – Youth Mobility Scheme”, substitute “Temporary Work or Youth Mobility Scheme”.
- APP YMS3. For “Appendix Youth Mobility Scheme”, substitute

#### **“Appendix Youth Mobility Scheme**

*The Youth Mobility Scheme provides a cultural exchange programme that allows a person aged between 18 and 30, from participating countries and territories, to experience life in the UK for up to 2 years.*

*Dependants are not permitted on this route.*

*The Youth Mobility Scheme route is not a route to settlement.*

#### **Validity requirements for the Youth Mobility Scheme route**

YMS 1.1. A person applying for entry clearance under the Youth Mobility Scheme route must apply online on gov.uk on the specified form: “Temporary Work or Youth Mobility Scheme”.

YMS 1.2. An application for entry clearance on the Youth Mobility Scheme route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

YMS 1.3. The applicant must be one of the following:

- (a) a British Overseas citizen, British Overseas Territories citizen or British National (Overseas); or
- (b) a national or citizen of a country or the holder of a passport issued by a

territory, listed in Annex Youth Mobility Scheme: eligible nationals.

YMS 1.4. The applicant must be aged 30 or under on the date of application.

YMS 1.5. An application which does not meet all the validity requirements for the Youth Mobility Scheme route is invalid and may be rejected and not considered.

### **Suitability requirements for the Youth Mobility Scheme**

YMS 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

### **Eligibility requirements for the Youth Mobility Scheme**

#### **Entry requirements for the Youth Mobility Scheme**

YMS 3.1. A person seeking to come to the UK on the Youth Mobility Scheme route must have applied for and obtained entry clearance under the Youth Mobility Scheme route before they arrive in the UK.

YMS 3.2. A person applying for entry clearance on the Youth Mobility Scheme route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

YMS 3.3. The applicant must not have previously spent time in the UK on the Youth Mobility Scheme route.

YMS 3.4. The applicant must be aged 18 or over on the date their entry clearance will become valid.

#### **Sponsorship requirement for the Youth Mobility Scheme**

YMS 4.1. If the applicant is a national or citizen of a country, or the rightful holder of a passport issued by a territory, without Deemed Sponsorship Status as set out in Appendix Youth Mobility Scheme: eligible nationals, they must provide evidence of sponsorship, that has been issued to them no more than six months before the date of the application.

YMS 4.2. If the applicant is a national or citizen of a country, or the rightful holder of a passport issued by a territory, that has Deemed Sponsorship Status as set out in Appendix Youth Mobility Scheme: eligible nationals, the applicant's passport must have been issued by that country or territory and the applicant must provide their passport to meet the sponsorship requirement.

YMS 4.3. Where the applicant is a national or citizen of a country, or the rightful

holder of a passport issued by a territory, whose annual allocation of places available under this route is subject to invitation to apply arrangements as set out in Appendix Youth Mobility Scheme: eligible nationals, the applicant must have been:

- (a) issued with an invitation to apply; and
- (b) have made their application within the period of time specified on the invitation.

YMS 4.4. The number of places allocated to nationals or citizens of the same country, or rightful holders of a passport issued by the same territory, must not have exceeded the annual total allocation of places for that country or territory as set out in Appendix Youth Mobility Scheme: eligible nationals.

YMS 4.5. Where the applicant is a British Overseas citizen, British Overseas Territories citizen or British National (Overseas), YMS 4.1 to YMS 4.4 do not apply.

### **Additional requirements for Indian citizens**

YMS 4.5A Where the applicant is a citizen of India, the applicant must meet the additional requirement in either YMS 4.5B or YMS 4.5C.:

YMS 4.5B. This additional requirement is met where the applicant:

- (a) holds a qualification equal to or above RQF level 6; and
- (b) provides evidence of that qualification in the form of written confirmation from the issuing institution that they successfully completed their studies and graduated with the required qualification.

YMS 4.5C. This additional requirement is met where the applicant:

- (a) has a minimum of three years' work experience in a professional role equivalent to an eligible occupation listed in Appendix Skilled Occupations; and
- (b) provides evidence of that work experience in the form of either:
  - (i) formal payslips from the applicant's employer showing the applicant's job title and employer's name; or
  - (ii) payslips accompanied by a letter from the applicant's employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic.

### **Financial requirement for the Youth Mobility Scheme**

YMS 5.1. The applicant must have funds of £ 2,530.

YMS 5.2. The applicant must show that they have held the required level of funds for

a 28- day period and as specified in Appendix Finance.

YMS 5.3. The applicant must not have any children aged under 18 who are either living with them or financially dependent upon them.

### **Decision on application for the Youth Mobility Scheme**

YMS 6.1. If the decision maker is satisfied that all the eligibility and suitability requirements are met for the Youth Mobility Scheme route, the application will be granted, otherwise the application will be refused.

YMS 6.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for the Youth Mobility Scheme**

YMS 7.1. The applicant will be granted entry clearance for up to two years.

YMS 7.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work permitted, subject to YMS 7.3; and
- (c) study is permitted subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

YMS 7.3. Work is permitted subject to the following employment conditions:

- (a) no employment as a professional sportsperson (including as a sports coach); and
- (b) no self-employment, except where the following conditions are met:
  - (i) the person has no premises which they own, other than their home, from which they carry out their business; and
  - (ii) the total value of any equipment used in the business does not exceed £5,000; and
  - (iii) the person has no employees.”.

### **Changes to Appendix Youth Mobility Scheme: eligible nationals**

APP YMSEN1. For “Appendix Youth Mobility Scheme: eligible nationals”, substitute

### **“Appendix Youth Mobility Scheme: eligible nationals**

*Countries and territories participating in the Youth Mobility Scheme, and annual allocation of places for 2022.*



1. The countries and territories with Deemed Sponsorship Status, and the total allocation of places available for use by nationals or citizens of those countries and rightful holders of a passport issued by those territories in 2022, are as follows:

- Australia - 30,000 places
- New Zealand - 13,000 places
- Canada - 6,000 places
- Japan - 1,500 places
- Monaco - 1,000 places
- Taiwan - 1,000 places
- Hong Kong - 1,000 places
- Republic of Korea - 1,000 places

2. The countries and territories without Deemed Sponsorship Status, and the total allocation of places available for use by nationals or citizens of those countries and rightful holders of a passport issued by those territories in 2022, are as follows:

- San Marino - 1,000 places
- Iceland – 1,000 places
- India – 3,000 places

3. Annual total allocation of places arrangements: In order to ensure the continuity of the scheme, in the event that available places cannot be agreed for the purpose of annual renewal, either 1,000 or 50% of the previous year's places, or whichever is the greater, will automatically carry over into the next year.

#### **Invitation to apply arrangements,**

4. The Home Office will apply invitation to apply arrangements when allocating the places available for use by nationals or citizens of the following countries and rightful holders of passports issued by the following territories:

- Japan
- Taiwan
- Hong Kong
- Republic of Korea
- India

5. Under these arrangements:

- (a) a prospective applicant must submit an expression of interest in applying for entry clearance under the Youth Mobility Scheme relevant allocation (an expression of interest) in accordance with the process published by the Home Office; and
- (b) no more than one expression of interest per person will be accepted by the Home Office during each period in which they may be submitted; and
- (c) the Home Office will:

- (i) select at random those to whom an invitation to apply for entry clearance under the Youth Mobility Scheme relevant allocation is to be issued from the pool of those who have submitted an expression of interest; and
  - (ii) keep a record of those individuals to whom an invitation to apply is issued; and
- (d) the Home Office may:
- (i) place a time limit on the period during which an expression of interest is to be submitted; and
  - (ii) determine the number of invitations to apply that may be issued in any calendar month, except that where the number of expressions of interest received in a calendar year exceeds the allocations specified above, the total number of invitations to apply in a calendar year shall not be less than the annual allocations specified above; and
  - (iii) place a time limit on the validity of an invitation to apply.”.

### **Changes to Appendix T5 (Temporary Worker) Creative or Sporting Worker**

APP CRV1. For “Appendix T5 (Temporary Worker) Creative or Sporting Worker”, substitute

#### **“Appendix Temporary Work – Creative Worker**

*The Temporary Work - Creative Worker route is for a person who wants to come to the UK to work within the creative sector.*

*A Creative Worker is someone who can make a unique contribution to the UK’s rich cultural life, for example, as an artist, dancer, musician or entertainer, or as a model contributing to the UK’s fashion industry.*

*A person can be granted permission for up to 12 months initially and can apply to extend their stay up to a maximum of two years if they are still working for the same sponsor.*

*A partner and children can apply as dependants on this route.*

*The Creative Worker route is not a route to settlement.*

#### **Validity requirements for a Creative Worker**

CRV 1.1. A person applying for entry clearance or permission to stay as a Creative Worker must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Temporary Worker using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

CRV 1.2. An application for entry clearance or permission to stay as a Creative Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than three months before the date of application.

CRV 1.3. An applicant who is applying for permission to stay must be in the UK and must have, or have last had:

- (a) entry clearance or permission to stay on the Creative Worker route
- (b) permission as a Visitor who has been in the UK undertaking the activities in paragraphs PA 14.1 to PA 14.3 of Appendix Visitor: Permitted Activities or V 13.3 (e) of Appendix V: Visitor, where the applicant had been assigned the Certificate of Sponsorship in CRV 1.2.(d) before they entered the UK.

CRV 1.4. An application which does not meet all the validity requirements for the Creative Worker route is invalid and may be rejected and not considered.

### **Suitability requirements for a Creative Worker**

CRV 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

## **Eligibility requirements for a Creative Worker**

### **Entry requirements for a Creative Worker**

CRV 3.1. A person seeking to come to the UK as a Creative Worker must have applied for and obtained entry clearance as a Creative Worker before they arrive in the UK, except where CRV 3.2. applies.

CRV 3.2. A person arriving in the UK who is seeking entry as a Creative Worker and does not have a valid entry clearance on that route may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (b) the applicant has a valid Certificate of Sponsorship from an approved sponsor for the Creative Worker route; and
- (c) if the applicant has consecutive engagements, the total length of all the periods of engagement, together with any gap between those engagements, is three months or less; and
- (d) if the applicant does not have consecutive engagements, the total length of the period of engagement is three months or less; and
- (e) the person otherwise meets the requirements to be granted permission as a Creative Worker.

CRV 3.3. A person applying for entry clearance as a Creative Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Sponsorship requirement for a Creative Worker**

CRV 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Creative Worker, and details of the job and pay the sponsor is offering them confirming that these arrangements comply with the National Minimum Wage; and
- (b) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

- (d) not have been withdrawn by the sponsor or cancelled by the Home Office;  
and
- (e) confirm that the role meets the relevant requirements at CRV 4.2.

CRV 4.2. The sponsor must ensure that:

- (a) the applicant complies with their relevant Code of Practice under Appendix Creative Workers Codes of Practice, where one exists for their occupation; or
- (b) the role appeared in the shortage occupation list in Appendix Shortage Occupation Lists; or
- (c) before assigning the Certificate of Sponsorship, the sponsor took into account the needs of the resident labour market in that field and was satisfied that the work could not be carried out by a settled worker.

CRV 4.3. If the Certificate of Sponsorship records that the applicant is being sponsored for more than one engagement by the same sponsor, there must be no more than 14 days between each individual engagement. Time spent by the applicant outside the UK (including the dates of their departure from and return to the UK) will not be counted towards this period.

CRV 4.4. If the applicant has consecutive engagements, each sponsor must assign its own Certificate of Sponsorship to the applicant, and each Certificate of Sponsorship must meet the requirements in CRV 4.1. to CRV 4.3.

CRV 4.5. The sponsor must be authorised by the Home Office to sponsor the job in question under the Creative Worker route.

CRV 4.6. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Creative Worker and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for a Creative Worker**

CRV 5.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph CRV 9.5.

### **Financial requirement for a Creative Worker**

CRV 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 6.2. If the applicant is applying for entry clearance, or is applying for permission to enter under CRV 3.2, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

CRV 6.3. If CRV 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for a Creative Worker**

CRV 7.1. If the applicant is aged under 18 on the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

CRV 7.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on an application for a Creative Worker**

CRV 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Creative Worker route are met, the application will be granted, otherwise the application will be refused.

CRV 8.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a Creative Worker**

CRV 9.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

- (a) a period starting 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days before and after, if the applicant does not have consecutive engagements; or
- (c) 12 months.

CRV 9.2. If the application is for permission to enter, in accordance with CRV 3.2, the applicant will be granted permission to enter for whichever is the shorter of:

- (a) a period starting up to 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus up to 14 days before and 14 days after, if the applicant does not have consecutive engagements; or
- (c) 3 months.

CRV 9.3. Unless CRV 9.4. applies, if the application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) the difference between the period the applicant has already spent in the UK as a Creative Worker and 12 months.

CRV 9.4. If the applicant is applying for permission to stay and the sponsor is the same sponsor as in the application which led to the applicant's last grant of permission, the applicant will be granted whichever is the shorter of:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) 12 months; or
- (d) the difference between the period the applicant has already spent in the UK as a Creative Worker and 24 months.

CRV 9.5. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role(s) the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

### **Dependants of a Creative Worker**

#### **Validity requirements for a dependent partner or dependent child of a Creative Worker**

CRV 10.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Creative Worker must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Creative Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

CRV 10.2. An application for entry clearance or permission to stay as a dependent partner or dependent child of a Creative Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and



(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

CRV 10.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

CRV 10.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Creative Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

CRV 10.5. An application which does not meet all the validity requirements for a dependent partner or dependent child of a Creative Worker is invalid and may be rejected and not considered.

#### **Suitability requirements for a dependent partner or dependent child of a Creative Worker**

CRV 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 11.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

#### **Eligibility requirements for a dependent partner or dependent child of a Creative Worker**

#### **Entry requirement for a dependent partner or dependent child of a Creative Worker**

CRV 12.1. A person seeking to come to the UK as a dependent partner or dependent child of a Creative Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Creative Worker before they arrive in the UK, unless CRV 12.2. applies.

CRV 12.2. A person arriving in the UK and seeking entry as a dependent partner or dependent child of a Creative Worker who does not have a valid entry clearance may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (b) the applicant is seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CRV 3.2.; and
- (c) the applicant meets the requirements to be granted permission as a dependent partner or dependent child of a Creative Worker.

CRV 12.3. A person applying for entry clearance as a dependent partner or dependent child of a Creative Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Relationship requirement for a dependent partner of a Creative Worker**

CRV 13.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Creative Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Creative Worker route.

CRV 13.2. If the applicant and their Creative Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their Creative Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Creative Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

CRV 13.3. The relationship between the applicant and their Creative Worker partner must be genuine and subsisting.

CRV 13.4. The applicant and their Creative Worker partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child of a Creative Worker**

CRV 14.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Creative Worker route; or

(b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Creative Worker route.

CRV 14.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Creative Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Creative Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Creative Worker –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay as a Creative Worker.

CRV 14.3. If the applicant is a child born in the UK to a Creative Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

#### **Care requirement for a dependent child of a Creative Worker**

CRV 15.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

#### **Age requirement for a dependent child of a Creative Worker**

CRV 16.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

CRV 16.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Financial requirement for a dependent partner or dependent child of a Creative Worker**

CRV 17.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 17.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (b) funds of at least the amount required in CRV 17.3. must be held collectively by one or more of the following:
  - i) the applicant; and
  - ii) the Creative Worker (P); and
  - iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the Creative Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Creative Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CRV 17.3.

CRV 17.3. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

CRV 17.4. If CRV 17.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Creative Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

CRV 17.5. If CRV 17.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a dependent partner or dependent child of a Creative Worker**

CRV 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Creative Worker are met, the application will be granted, otherwise the application will be refused.

CRV 18.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a dependent partner or dependent child of a Creative Worker**

CRV 19.1. A partner will be granted permission which ends on the same date as their partner's permission as a Creative Worker.

CRV 19.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CRV 19.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

”

### **Changes to Appendix T5 (Temporary Worker) Religious Worker**

APP RW1. For “Appendix T5 (Temporary Worker) Religious Worker”, substitute

#### **“Appendix Temporary Work – Religious Worker**

*The Temporary Work - Religious Worker route is for a person who wants to come to the UK to support the activities of religious institutions by conducting religious work such as working in a religious order or undertaking non-pastoral work for a religious organisation. A person on the Religious Worker route can stay in the UK for up to a maximum of two years.*

*A partner and children can apply as dependants on this route.*

*The Religious Worker route is not a route to settlement.*

*A Minister of Religion must apply on the T2 Minister of Religion route if their engagement in the UK involves leading a congregation in performing rites, rituals and preaching the essentials of the creed as its core duties.*

#### **Validity requirements for a Religious Worker**

RW 1.1. A person applying for entry clearance or permission to stay as a Religious Worker must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: • Temporary Worker using the UK Immigration: ID Check app; or • the forms listed below for applicants outside or inside the UK (as relevant)
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

RW 1.2. An application for entry clearance or permission to stay as a Religious Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

RW 1.3. The applicant must be aged 18 or over on the date of application.

RW 1.4. An applicant who is applying for permission to stay must have, or have last had, permission as a Religious Worker.

RW 1.5. An application which does not meet all the validity requirements for a Religious Worker is invalid and may be rejected and not considered.

### **Suitability requirements for a Religious Worker**

RW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

RW 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a Religious Worker**

## **Entry requirements for a Religious Worker**

RW 3.1. A person seeking to come to the UK on the Religious Worker route must have applied for and obtained entry clearance as a Religious Worker before they arrive in the UK.

RW 3.2. A person applying for entry clearance as a Religious Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

RW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application unless they can show they were not in the UK at any time during those 12 months.

## **Sponsorship requirement for a Religious Worker**

RW 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Religious Worker, details of the job and pay the sponsor is offering them; and
- (b) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the role meets the requirements at RW 4.3; and
- (f) confirm whether the applicant is a member of the sponsor's order, if the sponsor is a religious order; and
- (g) confirm that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role; and
- (h) confirm that the pay complies with or is exempt from the National Minimum Wage; and
- (i) confirm that the requirements of the resident labour consideration, as set out in RW 4.2, in respect of the job, have been complied with, or that the applicant is applying for permission to stay and the sponsor is the same sponsor as in their last grant of permission as a Religious Worker.

RW 4.2. The requirements of the resident labour consideration are:

- (a) that the role is supernumerary, such that it is over and above the sponsor's normal staffing requirements and if the person filling the role was not there, it would not need to be filled by anyone else (with a full explanation of why it is supernumerary); or

(b) that the role involves living mainly within and being a member of a religious order, which must be a lineage of communities or of people who live in some way set apart from society in accordance with their specific religious devotion, for example an order of nuns or monks; or

(c) that the sponsor holds national records of all available individuals, details of those records and confirms that the records show that no suitable settled worker is available to fill the role; or

(d) that a national recruitment search was undertaken, and the following details are provided:

(i) where the role was advertised, which must be at least one of the following:

(1) a national form of media appropriate to the sponsor's religion or denomination; or

(2) the sponsor's own website, if that is how the sponsor usually reaches out to its community on a national scale, that is where it normally advertises vacant positions, and the pages containing the advertisement are free to view without paying a subscription fee or making a donation; or

(3) Jobcentre Plus (or in Northern Ireland, Job Centre Online) or in the employment section of a national newspaper, if there is no suitable national form of media appropriate to the sponsor's religion or denomination; and

(ii) any reference numbers of the advertisements; and

(iii) the period the role was advertised for, which must include at least 28 days during the six month period immediately before the date the sponsor assigned the Certificate of Sponsorship to the applicant; and

(iv) confirmation that no suitable settled workers are available to be recruited for the role.

RW 4.3. The sponsor must ensure the role meets all the following requirements:

(a) the role must involve performing religious duties within, or directed by, the sponsor's organisation to support the activities of the religious institution; and

(b) the religious duties must not include work which falls under a role of a Minister of Religion (which means the applicant must not have core duties of leading a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed).

RW 4.4. The sponsor must be authorised by the Home Office to sponsor the job in question under the Religious Worker route.

RW 4.5. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Religious



Worker and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for a Religious Worker**

RW 5.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph RW 8.3.

### **Financial requirement for a Religious Worker**

RW 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

RW 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

RW 6.3. If RW 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a Religious Worker**

RW 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Religious Worker route are met, the application will be granted, otherwise the application will be refused.

RW 7.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a Religious Worker**

RW 8.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days before and after; or
- (b) 24 months.

RW 8.2. If the application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days; or
- (b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Religious Worker and 24 months.

RW 8.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

## **Dependants of a Religious Worker**

### **Validity requirements for a dependent partner or dependent child of a Religious Worker**

RW 9.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Religious Worker must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Religious Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

RW 9.2. An application for entry clearance or permission to stay as a dependent partner or dependent child of a Religious Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

RW 9.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

RW 9.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Religious Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

RW 9.5. An application which does not meet all the validity requirements for a dependent partner or dependent child of a Religious Worker is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child of a Religious Worker**

RW 10.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

RW 10.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a dependent partner or dependent child of a Religious Worker**

### **Entry requirement for a dependent partner or dependent child of a Religious Worker**

RW 11.1. A person seeking to come to the UK as a dependent partner or dependent child of a Religious Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Religious Worker before they arrive in the UK.

RW 11.2. A person applying for entry clearance as a dependent partner or dependent child of a Religious Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Relationship requirement for a dependent partner of a Religious Worker**

RW 12.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Religious Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Religious Worker route.

RW 12.2. If the applicant and their Religious Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their Religious Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Religious Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

RW 12.3. The relationship between the applicant and their Religious Worker partner must be genuine and subsisting.

RW 12.4. The applicant and their Religious Worker partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child of a Religious Worker**

RW 13.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Religious Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Religious Worker route.

RW 13.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Religious Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Religious Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Religious Worker –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay as a Religious Worker.

RW 13.3. If the applicant is a child born in the UK to a Religious Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

#### **Care requirement for a dependent child of a Religious Worker**

RW 14.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

#### **Age requirement for a dependent child of a Religious Worker**

RW 15.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

RW 15.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Financial requirement for a dependent partner or dependent child of a Religious Worker**

RW 16.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

RW 16.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in RW 16.3. must be held collectively by one or more of the following:
  - i) the applicant; and
  - ii) the Religious Worker (P); and
  - iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the Religious Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Religious Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in RW 16.3.

RW 16.3. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

RW 16.4. If RW 16.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Religious Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

RW 16.5. If RW 16.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a dependent partner or dependent child of a Religious Worker**

RW 17.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Religious Worker are met, the application will be granted, otherwise the application will be refused.

RW 17.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a dependent partner or dependent child of a Religious Worker**

RW 18.1. A partner will be granted permission which ends on the same date as their partner's permission as a Religious Worker.

RW 18.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

RW 18.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sports person (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

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### **Changes to Appendix T5 (Temporary Worker) Charity Worker**

APP CW1. For “Appendix T5 (Temporary Worker) Charity Worker”, substitute

#### **“Appendix Temporary Work - Charity Worker**

*The Temporary Work - Charity Worker route is for a person who wants to come to the UK to do voluntary work for up to a maximum of 12 months.*

*A partner and children can apply as dependants on this route.*

*The Charity Worker route is not a route to settlement.*

#### **Validity requirements for a Charity Worker**

CW 1.1. A person applying for entry clearance or permission to stay as a Charity Worker must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"><li>• Temporary Worker using the UK Immigration: ID Check app; or</li><li>• the forms listed below for applicants outside or inside the UK (as relevant)</li></ul>
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

CW 1.2. An application for entry clearance or permission to stay as a Charity Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

CW 1.3. The applicant must be aged 18 or over on the date of application.

CW 1.4. An applicant who is applying for permission to stay must have, or have last had, permission as a Charity Worker.

CW 1.5. An application which does not meet all the validity requirements for a Charity Worker is invalid and may be rejected and not considered.

### **Suitability requirements for a Charity Worker**

CW 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CW 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a Charity Worker**

#### **Entry requirements for a Charity Worker**

CW 3.1. A person seeking to come to the UK on the Charity Worker route must have applied for and obtained entry clearance as a Charity Worker before they arrive in the UK.

CW 3.2. A person applying for entry clearance as a Charity Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

CW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application unless they can show they were not in the UK at any time during those 12 months.



### **Sponsorship requirement for a Charity Worker**

CW 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Charity Worker, details of the job the sponsor is offering them; and
- (b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) include confirmation that the role meets the requirement at CW 4.2.

CW 4.2. The sponsor must ensure the role meets the following requirements:

- (a) it is voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose; and
- (b) it must be voluntary work and not be paid or otherwise remunerated, including receipt of benefits in kind, except for reasonable expenses as defined in the National Minimum Wage Act 1998; and
- (c) the applicant must not be filling a permanent position, including on a temporary basis.

CW 4.3. The sponsor must be authorised by the Home Office to sponsor the job in question under the Charity Worker route.

CW 4.4. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Charity Worker and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for a Charity Worker**

CW 5.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph CW 8.3.

### **Financial Requirement for a Charity Worker**

CW 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CW 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

CW 6.3. If CW 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a Charity Worker**

CW 7.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Charity Worker route are met, the application will be granted, otherwise the application will be refused.

CW 7.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a Charity Worker**

CW 8.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days before and after; or
- (b) 12 months.

CW 8.2. If the application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days; or
- (b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Charity Worker and 12 months.

CW 8.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role the applicant is being sponsored for; and
- (c) voluntary work with another organisation is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

### **Dependants of a Charity Worker**

## Validity requirements for a dependent partner or dependent child of a Charity Worker

CW 9.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Charity Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"><li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li><li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li></ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Charity Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"><li>- Dependant partner</li><li>- Dependant child</li></ul>

CW 9.2. An application for entry clearance or permission to stay as a dependent partner or dependent child of a Charity Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

CW 9.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

CW 9.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Charity Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term student; or
- (c) as a Parent of a Child Student; or

- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

CW 9.5. An application which does not meet all the validity requirements for a dependent partner or dependent child of a Charity Worker is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child of a Charity Worker**

CW 10.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CW 10.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a dependent partner or dependent child of a Charity Worker**

#### **Entry requirement for a dependent partner or dependent child of a Charity Worker**

CW 11.1. A person seeking to come to the UK as a dependent partner or dependent child of a Charity Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Charity Worker before they arrive in the UK.

CW 11.2. A person applying for entry clearance as a dependent partner or dependent child of a Charity Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Relationship requirement for a dependent partner of a Charity Worker**

CW 12.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Charity Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Charity Worker route.

CW 12.2. If the applicant and their Charity Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their Charity Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Charity Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

CW 12.3. The relationship between the applicant and their Charity Worker partner must be genuine and subsisting.

CW 12.4. The applicant and their Charity Worker partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child of a Charity Worker**

CW 13.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Charity Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Charity Worker route.

CW 13.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Charity Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Charity Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Charity Worker –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay as a Charity Worker.

CW 13.3. If the applicant is a child born in the UK to a Charity Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

### **Care requirement for a dependent child of a Charity Worker**

CW 14.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

### **Age requirement for a dependent child of a Charity Worker**

CW 15.1. The applicant must be under the age of 18 on the date of application unless they were last granted permission as the dependent child of their parent or parents.

CW 15.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child of a Charity Worker**

CW 16.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CW 16.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in CW 16.3. must be held collectively by one or more of the following:
  - i) the applicant; and
  - ii) the Charity Worker (P); and
  - iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the Charity Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Charity Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CW 16.3.

CW 16.3. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

CW 16.4. If CW 16.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Charity Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

CW 16.5. If CW 16.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a dependent partner or dependent child of a Charity Worker**

CW 17.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Charity Worker are met, the application will be granted, otherwise the application will be refused.

CW 17.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a dependent partner or dependent child of a Charity Worker**

CW 18.1. A partner will be granted permission which ends on the same date as their partner's permission as a Charity Worker.

CW 18.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CW 18.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

### **Changes to Appendix T5 (Temporary Worker) International Agreement Worker**

APP IA1. For "Appendix T5 (Temporary Worker) International Agreement Worker", substitute

**"Appendix Temporary Work - International Agreement**

*The International Agreement route is for a person who wants to come to the UK to provide a service covered under international law, such as private servants in diplomatic households, employees of overseas governments and international organisations, or under the General Agreement on Trade in Services (GATS) or another agreement under which the UK has commitments.*

*A person on the International Agreement route can stay for a maximum period of between six months and two years depending on the international agreement.*

*A partner and children can apply as dependants on this route.*

*The International Agreement route is not a route to settlement.*

*A person who wants to come to the UK under GATS intra-company transfer commitments must apply under the Intra-Company routes.*

### **Validity Requirements for the International Agreement route**

IA 1.1. A person applying for entry clearance or permission to stay on the International Agreement route must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"><li>• Temporary Worker using the UK Immigration: ID Check app; or</li><li>• the forms listed below for applicants outside or inside the UK (as relevant)</li></ul>
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

IA 1.2. An application for entry clearance or permission to stay on the International Agreement route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

IA 1.3. The applicant must be aged 18 or over on the date of application.



IA 1.4. An applicant who is applying for permission to stay must have, or have last had, permission on the International Agreement route.

IA 1.5. An application which does not meet all the validity requirements for the International Agreement route is invalid and may be rejected and not considered.

### **Suitability Requirements for the International Agreement route**

IA 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility Requirements for the International Agreement route**

#### **Entry requirement for the International Agreement route**

IA 3.1. A person seeking to come to the UK on the International Agreement route must apply for and obtain entry clearance on the International Agreement route before they arrive in the UK.

IA 3.2. A person applying for entry clearance on the International Agreement route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Sponsorship requirement for the International Agreement route**

IA 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored on the International Agreement route, details of the job and salary the sponsor is offering them, and that these arrangements comply with the National Minimum Wage; and
- (b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

- (e) include confirmation that the role meets the relevant requirements at IA 6.1, depending on the role; and
- (f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

IA 4.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the International Agreement route.

IA 4.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission on the International Agreement route and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for the International Agreement route**

IA 5.1. The applicant must:

- (a) genuinely intend to, and be able to, undertake the role for which they are sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph IA14.7.

### **ATAS requirement for the International Agreement route**

IA 5.1A. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

### **International Agreement requirement**

IA 6.1. The role the applicant is applying to do must be as one of the following (and the applicant must also meet the specific requirements for that work):

- (a) a private servant in a diplomatic household; or
- (b) an employee of an overseas government or other international organisation established under an international treaty signed by UK; or
- (c) the work is under a contract to supply services to the sponsor in the UK by a service supplier established in the territory of a party to the General Agreement on Trade in Services (GATS), or any other agreement that has been concluded, and is in force or is being provisionally applied, and that service falls within the scope of the commitments in that agreement on either:
  - (i) contractual service suppliers; or
  - (ii) independent professionals.

## **Private servant in diplomatic household requirements**

IA 7.1. The applicant must be employed as a private servant by, and in the household of, either:

(a) a named member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna Convention on Diplomatic Relations; or

(b) a named official employed by an international organisation recognised by the UK government with diplomatic privileges or immunities under UK or international law.

IA 7.2. Where the applicant had permission under the rules in place from 6 April 2012 and is applying to extend their permission they must:

(a) be working for the same employer; and

(b) have continued to work for that employer throughout their time in the UK with permission as a private servant on the International Agreement route.

IA 7.3. The applicant must not intend to undertake any other role for the sponsor other than as a private servant in the specified household.

IA 7.4. The applicant must intend to work full time in the role they are being sponsored for.

IA 7.5. The applicant must not be a relative of the employer, or employer's spouse, either by blood or by marriage (including but not limited to, the spouse or unmarried partner, child, parent, grandparent or sibling of either the employer or the employer's spouse).

IA 7.6. The applicant must intend to leave the UK at the end of their permitted stay.

IA 7.7. The applicant must be paid at least the level of the National Minimum Wage throughout their stay.

IA 7.8. The applicant must provide the evidence of employment terms and conditions as set out in Appendix Domestic Worker Terms and Conditions.

IA 7.9. The applicant must provide a signed statement from the sponsor confirming that the role will not constitute work done in relation to the employer's family household within the meaning of regulation 57 of the National Minimum Wage Regulations 2015.

## **Employee of an overseas government or other international organisation requirement**

IA 8.1. The applicant must be under a contract of employment with the overseas government or international organisation.

IA 8.2. The applicant must not intend to take any other form of role for the sponsor other than that for which the Certificate of Sponsorship was assigned.

## **Contractual Service Supplier requirement**

IA 9.1. The applicant must be employed by an overseas undertaking that has been contracted to provide a service to the sponsor in the United Kingdom which falls within the scope of the sectors specified in the relevant commitments in respect of contractual service suppliers as set out in the agreements mentioned at paragraph IA 6.1.(c) above. The overseas undertaking must:

- (a) not have a commercial presence in the UK; and
- (b) be established in the country or territory that is a signatory to the agreement under which they are supplying services.

IA 9.2. The sponsor must be the final consumer of the services provided under the contract.

IA 9.3. The services contract must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract. The period of the contract awarded to the applicant's employer must not exceed 12 months.

IA 9.4. The applicant must be, and provide evidence they are:

- (a) a national of the country or territory in which the overseas undertaking is established; or
- (b) where the application is covered by a commitment in the General Agreement on Trade in Services and the overseas undertaking is established in a country or territory that has made a notification under Article XXVIII(k)(ii)(2) of that agreement, a permanent resident of that country or territory; or
- (c) where the application is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland; or
- (d) where the application is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or any other person included in the

- definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement; or
- (e) where the application is covered by a commitment in the CARIFORUM-United Kingdom Economic Partnership Agreement, a national of any CARIFORUM State that has provisionally applied or brought into force that agreement.

IA 9.5. The applicant must have been an employee of the overseas undertaking for at least 12 months immediately before the date of application.

IA 9.6. The applicant must provide evidence of the employment in IA 9.5 in the form of:

- (a) formal payslips from the employer and showing the employer’s name; or
- (b) payslips accompanied by a letter from the applicant’s employer, on the employer’s headed paper and signed by a senior official, confirming the payslips are authentic; or
- (c) personal bank or building society statements or building society book which cover the 12 months (ending no more than 31 days before the date of application) which show transactions by the overseas undertaking covering the full specified period (but the statements must not be mini-statements obtained from an Automated Teller Machine).

IA 9.7. The applicant must show they have a university degree or equivalent level technical qualification unless they are supplying one of the following services in which case the qualification requirements in the following table apply:

<b>Services</b>	<b>Qualification</b>
Fashion and modelling	None required
Chef de cuisine	An advanced technical qualification
Entertainment services (excluding audio-visual services under the CARIFORUM-UK Economic Partnership Agreement)	None required
Management consulting services and services related to management consulting (managers and senior consultants)	University degree
Advertising or translation	Relevant qualifications
Technical testing and analysis	University degree or a relevant technical qualification

IA 9.8. The applicant must hold any professional qualifications or registrations required to provide the services under UK law, regulations or sectoral requirements.

IA 9.9. The applicant must have at least three years professional experience in the sector in which they are supplying services unless they are supplying chef de cuisine services under the CARIFORUM-UK Economic Partnership Agreement, in which case the applicant must have at least 6 years relevant experience at the level of chef de cuisine.

IA 9.10. Where the applicant has last been granted entry clearance or permission on the International Agreement route, and is applying for permission to stay:

- (a) the applicant must meet the requirements in IA 9.1 to IA 9.9; or
- (b) the Certificate of Sponsorship must be issued by the same sponsor, and for the purpose of the same contract to provide services.

### **Independent Professional requirement**

IA 10.1. The applicant must have been contracted to provide a service to the sponsor in the UK which falls within the scope of the sectors specified in the relevant commitments in respect of independent professionals as set out in the agreements mentioned at IA 6.1.(c) above. The applicant must:

- (a) not have a commercial presence in the UK; and
- (b) be established as self-employed in the country or territory that is signatory to the agreement under which they are supplying services.

IA 10.2. The applicant must be, and provide evidence they are:

- (a) a national of the country or territory in which their self-employment mentioned in IA 10.1.(b) is established; or
- (b) where the application is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland; or
- (c) where the application is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement.

IA 10.3. The sponsor must be the final consumer of the services provided under the contract.

IA 10.4. The services contract must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract. The period of the contract awarded to the independent professional must not exceed 12 months.

IA 10.5. The applicant must show they have a university degree or a technical qualification demonstrating knowledge of an equivalent level.

IA 10.6. The applicant must hold any professional qualifications or registrations required to provide the services under UK law, regulations or sectoral requirements.

IA 10.7. The applicant must have at least six years of experience in the sector in which they are supplying services.

IA 10.8 Where the applicant has last been granted entry clearance or permission on the International Agreement route, and is applying for permission to stay:

- (a) the applicant must meet the requirements in IA 10.1. to IA 10.7; or
- (b) the Certificate of Sponsorship must be issued by the same sponsor and for the purpose of the same contract to provide services.

### **Financial Requirement for the International Agreement route**

IA 11.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

IA 11.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

IA 11.3. If IA 11.2. applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on application for the International Agreement route**

IA 13.1. If the decision maker is satisfied that all the suitability and eligibility

requirements for the International Agreement route are met, the application will be granted, otherwise the application will be refused.

IA 13.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for the International Agreement route**

IA 14.1. If the application is for entry clearance as a contractual service supplier or independent professional, subject to IA 14.6., the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) if shorter,
  - (i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement, 12 months; or,
  - (ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, 12 months; or
  - (iii) in all other cases, six months.

IA 14.2. If the application is for permission to stay as a contractual service supplier or independent professional, subject to IA 14.6., the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) if shorter,
  - (i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement, the difference between the period the applicant has already spent in the UK since their last grant of permission on the International Agreement route and 12 months; or,
  - (ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, the difference between the period the applicant has already spent in the UK since their last grant of permission on the International Agreement route and 12 months; or
  - (iii) in all other cases, the difference between the period the applicant has



already spent in the UK since their last grant of permission on the International Agreement route and 6 months.

IA 14.3. If the application is for entry clearance as a private servant in a diplomatic household or employee of an overseas government or organisation, the applicant will be granted whichever is the shorter of:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) 24 months.

IA 14.4. Unless IA 14.5. applies, if the application is for permission to stay as a private servant in a diplomatic household or employee of an overseas government or international organisation, the applicant will be granted whichever is the shorter of:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) the difference between the period the applicant has already spent in the UK since their last grant of permission on the International Agreement route and 24 months.

IA 14.5. If the applicant is a private servant in a diplomatic household who has spent more than three years continuously in the UK on the International Agreement route and their application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) the difference between the period the applicant has already spent in the UK since their first grant of permission on the International Agreement route and five years.

IA 14.6. An applicant who is not a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of the United Kingdom-European Union Trade and Cooperation Agreement may not be granted permission as a contractual service supplier or independent professional for a total period of:

- (a) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, more than 12 months in any 24-month period (the relevant 24 months includes the period of permission the applicant is applying for); or
- (b) in all other cases, more than six months in any 12-month period (the relevant 12 months includes the period of permission the applicant is applying for).

IA 14.7. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role the applicant is being sponsored for; and
- (c) supplementary employment is permitted only for a person being sponsored for a job as an employee of overseas governments or international organisations but not as:
  - (i) a private servant in a diplomatic household; or
  - (ii) a contractual service supplier; or
  - (iii) an independent professional; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies the applicant will be required to register with the police.

IA 14.8. If the applicant is being sponsored as a private servant in a diplomatic household, IA 14.7.(b) does not prevent them from taking employment as a domestic worker in a different household from the one specified in the Certificate of Sponsorship.

### **Settlement by a Private Servant in a diplomatic household**

#### **Validity requirements for settlement by a Private Servant in a diplomatic household**

IA 15.1. A person applying for settlement as a Private Servant in a diplomatic household must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

IA 15.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

IA 15.3. The applicant must have, or have last been granted, permission on the International Agreement route as a private servant in a diplomatic household.

IA 15.4. An application which does not meet all the validity requirements for settlement as a Private Servant in a diplomatic household is invalid and may be rejected and not considered.

#### **Suitability Requirements for settlement as a Private Servant in a diplomatic household**

IA 16.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 16.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for settlement as a Private Servant in a diplomatic household**

#### **Qualifying period requirement for settlement as a Private Servant in a diplomatic household**

IA 17.1. The applicant must have been granted their last entry clearance on the International Agreement route, working as a private servant in a diplomatic household under the rules in place before 6 April 2012.

IA 17.2. The applicant must have spent a continuous period of 5 years lawfully in the UK with entry clearance or permission on the International Agreement route, working as a private servant in a diplomatic household.

#### **Continuous residence requirement for settlement as a Private Servant in a diplomatic household**

IA 18.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence during the period in IA 17.2.

#### **English language requirement for settlement as a Private Servant in a diplomatic household**

IA 19.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

IA 19.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

#### **Knowledge of Life in the UK requirement for settlement as a Private Servant in a diplomatic household**

IA 20.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

### **Decision on an application for settlement by Private Servant in a diplomatic household**

IA 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements for settlement as a Private Servant in a diplomatic household are met, the applicant will be granted settlement, otherwise the application will be refused.

IA 21.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Dependants on the International Agreement route**

#### **Validity requirements for a dependent partner or dependent child on the International Agreement route**

IA 22.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the International Agreement route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"><li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li><li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li></ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the person on the International Agreement route, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"><li>- Dependant partner</li><li>- Dependant child</li></ul>

IA 22.2. An application for entry clearance or permission to stay as a dependent partner or dependent child on the International Agreement route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

IA 22.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

IA 22.4. An applicant who is applying for permission to stay as a dependent partner or dependent child on the International Agreement route must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

IA 22.5. An application which does not meet all the validity requirements for a dependent partner or dependent child on the International Agreement route is invalid and may be rejected and not considered.

#### **Suitability requirements for a dependent partner or dependent child on the International Agreement route**

IA 23.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 23.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

#### **Eligibility requirements for a dependent partner or dependent child on the International Agreement route**

#### **Entry requirement for a dependent partner or dependent child on the International Agreement route**

IA 24.1. A person seeking to come to the UK as a dependent partner or dependent child on the International Agreement route must apply for and obtain entry clearance as a dependent partner or dependent child on the International Agreement route

before they arrive in the UK.

IA 24.2. A person applying for entry clearance as a dependent partner or dependent child on the International Agreement route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Relationship requirement for a dependent partner on the International Agreement route**

IA 25.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the International Agreement route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Agreement route.

IA 25.2. If the applicant and their partner on the International Agreement route are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their partner on the International Agreement route with another person must have permanently broken down; and
- (c) the applicant and their partner on the International Agreement route must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

IA 25.3. The relationship between the applicant and their partner on the International Agreement route must be genuine and subsisting.

IA 25.4. The applicant and their partner on the International Agreement route must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the International Agreement route**

IA 26.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the International Agreement route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the International Agreement route.

IA 26.2. The applicant's parents must each be either applying at the same time as the

applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the International Agreement route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay on the International Agreement route has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission on the International Agreement route –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay on the International Agreement route.

IA 26.3. If the applicant is a child born in the UK to a person on the International Agreement route or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

#### **Care requirement for a dependent child on the International Agreement route**

IA 27.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

#### **Age requirement for a dependent child on the International Agreement route**

IA 28.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

IA 28.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Financial requirement for a dependent partner or dependent child on the International Agreement route**

IA 29.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

IA 29.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in IA 29.3. must be held collectively by one or more of the following:
  - i) the applicant; and
  - ii) the person on the International Agreement route (P); and
  - iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the A-rated sponsor of the person on the International Agreement route must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the person on the International Agreement route, up to the end of the first month of each of their grants of permission, to at least the amounts required in 29.3.

IA 29.3. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

IA 29.4. If IA 29.2(a) applies, the funds held for the applicant must be held in addition to any funds required for the person on the International Agreement route to meet the financial requirement and any other dependants in the UK or applying at the same time.

IA 29.5. If IA 29.2(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a dependent partner or dependent child on the International Agreement route**

IA 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the International Agreement route are met, the application will be granted, otherwise the application will be refused.

IA 30.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a dependent partner or dependent child on**



### **the International Agreement route**

IA 31.1. A partner will be granted permission which ends on the same date as their partner's permission on the International Agreement route.

IA 31.2 A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

IA 31.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

### **Settlement as a dependent partner or dependent child on the International Agreement route**

#### **Validity requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household**

IA 32.1. A person applying for settlement as a dependent partner or a dependent child of a Private Servant in a diplomatic household must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

IA 32.2. An application for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

IA 32.3. The applicant must have, or have last been granted, permission as a dependent partner or a dependent child of a Private Servant in a diplomatic household on the International Agreement route.

IA 32.4. An application which does not meet all the validity requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household on the International Agreement route is invalid and may be rejected and not considered.

**Suitability requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household**

IA 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 33.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

**Eligibility requirements for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household on the International Agreement route**

**Relationship requirement for settlement as a dependent partner of a Private Servant in a diplomatic household**

IA 34.1. The applicant's partner must be either:

- (a) a private servant in a diplomatic household who is, at the same time, being granted settlement; or
- (b) be settled or a British citizen, providing they had permission as a private servant in a diplomatic household when they settled and the applicant had permission as their dependent partner at that time.

IA 34.2. The applicant and their partner must have been living together in the UK in a marriage or civil partnership, or in a relationship similar to marriage or civil partnership, for the five years immediately before the date of application.

**Qualifying period requirement for settlement as a dependent partner of a Private Servant in a diplomatic household**

IA 35.1. The applicant must have been in the UK with permission as the partner of the private servant in a diplomatic household for the last five years.

**Continuous residence requirement for settlement as a dependent partner of a Private Servant in a diplomatic household**

IA 36.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence during the period in IA 35.1.

### **English language requirement for settlement as a dependent partner of a Private Servant in a diplomatic household**

IA 37.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

IA 37.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Knowledge of Life in the UK requirement for settlement as a dependent partner of a Private Servant in a diplomatic household**

IA 38.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix: KOL UK.

### **Eligibility requirements for settlement as a dependent child of a Private Servant in a diplomatic household**

#### **Relationship requirement for settlement as a dependent child of a Private Servant in a diplomatic household**

IA 39.1. A parent of the applicant must have been granted settlement as a person on the International Agreement route as a private servant in a diplomatic household.

IA 39.2. The parent must previously have had permission on the International Agreement route as a private servant in a diplomatic household and the applicant must have had permission as their dependent child at that time..

IA 39.3. The applicant's other parent must be being granted settlement at the same time, or be settled or a British citizen, unless any of the following apply:

- (a) the first parent is the sole surviving parent; or
- (b) the first parent has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

IA 39.4. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **English language requirement for settlement as a dependent child of a Private Servant in a diplomatic household**

IA 40.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

IA 40.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

**Knowledge of Life in the UK requirement for settlement as a dependent child of a Private Servant in a diplomatic household**

IA 41.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

**Decision on an application for settlement as a dependent partner or dependent child of a Private Servant in a diplomatic household**

IA 42.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a dependent partner or dependent child on the International Agreement route are met the applicant will be granted settlement, otherwise the application will be refused.

IA 42.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.”.

**Changes to Appendix (Temporary Worker) Government Authorised Exchange Worker route**

APP GAE1. For “Appendix (Temporary Worker) Government Authorised Exchange Worker route”, substitute

**“Appendix Temporary Work – Government Authorised Exchange**

*The Temporary Work - Government Authorised Exchange route is for a person who wants to come to the UK on an approved scheme for a period of no more than 12 or 24- months (depending on the scheme).*

*A partner and children can apply as dependants on this route.*

*The Government Authorised Exchange route is not a route to settlement.*

**Validity requirements for the Government Authorised Exchange route**

GAE 1.1. A person applying for entry clearance or permission to stay on the Government Authorised Exchange route must apply online on gov.uk on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>•Temporary Worker using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

GAE 1.2. An application for entry clearance or permission to stay on the Government Authorised Exchange route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

GAE 1.3. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and maintenance, they must provide written consent to the application from that Government or agency.

GAE 1.4. An application which does not meet all the validity requirements for the Government Authorised Exchange route is invalid and may be rejected and not considered.

### **Suitability requirements for the Government Authorised Exchange route**

GAE 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GAE 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for the Government Authorised Exchange route**

## **Entry requirements for the Government Authorised Exchange route**

GAE 3.1. A person seeking to come to the UK on the Government Authorised Exchange route must have applied for and obtained entry clearance on the Government Authorised Exchange route before they arrive in the UK.

GAE 3.2. A person applying for entry clearance on the Government Authorised Exchange route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

## **Previous permission requirement for the Government Authorised Exchange route**

GAE 4.1. An applicant who is applying for permission to stay must be in the UK on the date of application and must have, or have last been granted:

- (a) permission on the Government Authorised Exchange route; or
- (b) permission as a Student, who meets the requirements in GAE 4.2. and who is or was last sponsored by either:
  - (i) a higher education provider with a track record of compliance; or
  - (ii) an overseas higher education institution, to do a short-term study abroad programme in the UK.

GAE 4.2. Where the applicant has, or last had, permission as a Student:

- (a) the applicant must have completed a UK recognised bachelor's or postgraduate degree during that last period of permission; and
- (b) the applicant must currently be sponsored for either:
  - (i) a period of postgraduate professional training or work experience which is required to gain a professional qualification or registration in the same field as their degree; or
  - (ii) an internship for up to 12 months which is directly related to their degree; and
- (c) the applicant must not be filling a permanent vacancy; and
- (d) the sponsor must not intend to employ the applicant in the UK once the training or work experience is completed.

## **Sponsorship requirement for the Government Authorised Exchange route**

GAE 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored on the Government Authorised Exchange route, details of the job and salary the sponsor is offering them, and that these arrangements comply with the National Minimum Wage; and
- (b) include a start date, stated by the sponsor, which is no more than three months after the date of application; and

- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the role meets the requirements of the individual exchange scheme as set out in Appendix GAE schemes; and
- (f) confirm that the role does not fill a vacancy in the workforce; and
- (g) confirm that the role appears in Table 1 or Table 2 of Appendix Skilled Occupations; and
- (h) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

GAE 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Government Authorised Exchange route.

GAE 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission on the Government Authorised Exchange route and is applying to continue working for the same sponsor as in their last permission.

### **Genuineness requirement for the Government Authorised Exchange route**

GAE 6.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph GAE 10.3.

### **ATAS requirement for the Government Authorised Exchange route**

GAE 7.1. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

### **Financial Requirement for the Government Authorised Exchange route**

GAE 8.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GAE 8.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the

applicant up to the end of the first month of their employment for an amount of at least £1,270.

GAE 8.3. If GAE 8.2. applies the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for the Government Authorised Exchange route**

GAE 9.1. If the applicant is aged under 18 on the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

GAE 9.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on an application for the Government Authorised Exchange route**

GAE 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Government Authorised Exchange route are met, the application will be granted, otherwise the application will be refused.

GAE 10.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for the Government Authorised Exchange route**

GAE 11.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days before and after; or
- (b) the maximum period of time that a person on the Government Authorised Exchange route is permitted to spend in the UK under the terms of the specific approved scheme on which the applicant had applied to participate in (as set out in Appendix GAE schemes).

GAE 11.2. If the application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) the period of the job on the Certificate of Sponsorship plus 14 days; or
- (b) the difference between the period the applicant has already spent in the UK since their last grant of permission on the Government Authorised Exchange route and the maximum period of time that a person on the Government Authorised Exchange route is permitted to spend in the UK



under the terms of the specific approved scheme on which the applicant had applied to participate in (as set out in Appendix GAE schemes).

GAE 11.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the job the applicant is being sponsored for, including volunteering and job shadowing if recorded on the Certificate of Sponsorship; and
- (c) supplementary employment is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

## **Dependants on the Government Authorised Exchange route**

### **Validity requirements for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 12.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the Government Authorised Exchange route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"><li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li><li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li></ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the person on the Government Authorised Exchange route, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"><li>- Dependant partner</li><li>- Dependant child</li></ul>

GAE 12.2. An application for entry clearance or permission to stay as a dependent partner or dependent child on the Government Authorised Exchange route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

GAE 12.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

GAE 12.4. An applicant who is applying for permission to stay as a dependent partner or dependent child on the Government Authorised Exchange route must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

GAE 12.5. An application which does not meet all the validity requirements for a dependent partner or dependent child on the Government Authorised Exchange route is invalid and may be rejected and not considered.

#### **Suitability requirements for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GAE 13.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

#### **Eligibility requirements for a dependent partner or dependent child on the Government Authorised Exchange route**

#### **Entry requirement for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 14.1. A person seeking to come to the UK as a dependent partner or dependent child on the Government Authorised Exchange route must apply for and obtain entry clearance as a dependent partner or dependent child on the Government Authorised Exchange route before they arrive in the UK.

GAE 14.2. A person applying for entry clearance as a dependent partner or dependent child on the Government Authorised Exchange route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Relationship requirement for a dependent partner on the Government Authorised Exchange route**

GAE 15.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Government Authorised Exchange route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Government Authorised Exchange route.

GAE 15.2. If the applicant and their partner on the Government Authorised Exchange route are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their partner on the Government Authorised Exchange route with another person must have permanently broken down; and
- (c) the applicant and their partner on the Government Authorised Exchange route must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

GAE 15.3. The relationship between the applicant and their partner on the Government Authorised Exchange route must be genuine and subsisting.

GAE 15.4. The applicant and their partner on the Government Authorised Exchange route must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the Government Authorised Exchange route**

GAE 16.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Government Authorised Exchange route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Government Authorised Exchange route.

GAE 16.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the Government Authorised Exchange route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay on the Government Authorised Exchange route has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission on the Government Authorised Exchange route—
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay on the Government Authorised Exchange route.

GAE 16.3. If the applicant is a child born in the UK to a person on the Government Authorised Exchange route or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

### **Care requirement for a dependent child on the Government Authorised Exchange route**

GAE 17.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

### **Age requirement for a dependent child on the Government Authorised Exchange route**

GAE 18.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

GAE 18.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 19.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GAE 19.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in GAE 19.3. must be held collectively by one or more of the following:
  - i) the applicant; and
  - ii) the person on the Government Authorised Exchange route (P); and
  - iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the A-rated sponsor of the person on the Government Authorised Exchange route must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the person on the Government Authorised Exchange route, up to the end of the first month of each of their grants of permission, to at least the amounts required in GAE 19.3.

GAE 19.3. The funds required are:

- (a) £285 for a dependent partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

GAE 19.4. If GAE 19.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the person on the Government Authorised Exchange route to meet the financial requirement and any other dependants in the UK or applying at the same time.

GAE 19.5. If GAE 19.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on an application for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 20.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the Government Authorised Exchange route are met, the application will be granted, otherwise the application will be refused.

GAE 20.2 If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

**Period and conditions of grant for a dependent partner or dependent child on the Government Authorised Exchange route**

GAE 21.1. A partner will be granted permission which ends on the same date as their partner’s permission on the Government Authorised Exchange route.

GAE 21.2. A child will be granted permission which ends on the same date as whichever of their parents’ permission ends first.

GAE 21.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.”.

**Insertion of new Appendix Government Authorised Exchange schemes**

APP GAES1. After “Appendix Temporary Work – Government Authorised Exchange”, insert new appendix

**“Appendix Government Authorised Exchange schemes**

The Temporary Worker – Government Authorised Exchange route is for a person who wishes to come to the UK on one of the approved schemes listed below.

The Immigration Rules governing Temporary Worker – Government Authorised Exchange applications can be found at Appendix Temporary Work – Government Authorised Exchange.

<b>Name of scheme</b>	<b>Scheme summary</b>	<b>Name of overarching body (sponsor)</b>	<b>Type of scheme and maximum period of time permitted</b>	<b>Area of UK covered</b>
AIIESEC internships	The scheme is part of AIIESEC’s global exchange programme in which 4,000 graduates participate every year. It develops the leadership skills of recent graduates from overseas, with typically at least a years’	AIIESEC	Work experience programme Maximum 12 months	All UK

	experience in management (marketing, finance, sales), technical (IT, engineering) and development (charity) through work with UK companies and organisations.			
Bar Council	The scheme is an umbrella for three types of programmes involving overseas law, overseas students and lawyers undertaking pupillages (both funded and unfunded) and mini pupillages within barristers chambers and other legal training programmes.	Bar Council	Work experience programme Maximum 12 months	All UK
BAE Systems Training, Intern and Graduate Programme	Programme designed to allow individuals to train alongside BAE Systems in the UK.	BAE systems	Research and training programme. Maximum 24 months	All UK
BNSC Satellite KHTT Programme	A secondment programme for employees of foreign space agencies to undertake practical training and work experience working alongside specialist UK staff	British National Space Centre (DBIS)	Research and training programmes Maximum 24 months	All UK
British Council Tech Trainees business internships	British Council Tech Trainees is a training and work experience placement scheme, designed to facilitate work attachments with UK companies for overseas graduates/professionals who have a degree. British Council Tech Trainees builds mutual links and connectivity between the UK and overseas partners in areas of industrial and technological innovation and cooperation, by giving UK host companies the opportunity to develop current overseas markets and explore new ones through project	British Council	Work experience programme Maximum 12 months	All UK

	focussed work attachments for overseas professionals.			
British Council –Speak European	This programme will provide practical, on-the-job training to a group of mid-career government employees from Serbia working in key departments of the central government, as well as in local self-government institutions.	British Council	Work experience programme Maximum 12 months	All UK
BUNAC Blue Card Internships – ‘Intern in Britain’	The BUNAC Blue Card Internships scheme provides a well-controlled pathway for a wide range of organisations in the UK to offer and to benefit from work experience opportunities (internships) for eligible students and recent graduates.	BUNAC	Work experience programme. Maximum 12 months.	All UK
Cabinet Office Interchange Programme	A programme to bring in relevant expertise and cutting edge thinking from the private sector and academia to help deliver the Government’s Efficiency and Reform agenda.	Cabinet Office	Work experience programme Maximum 12 months	All UK
Chatham House Fellowship	The scheme provides opportunities for overseas government and non-government experts, drawn from policy communities, the private sector, academia and civil society, to participate in and undertake research at Chatham House relevant to their government or non-government area(s) of expertise.	The Royal Institute of International Affairs (Chatham House)	Research & Training Programmes Maximum 24 months	All UK
Chevening and Marshall Sherfield Fellowships Programmes	This scheme accommodates two separate scholarship programmes: 1) Chevening Programme – used by scholars and researchers attending the Oxford Centre for Islamic Studies and the Clore	Association of Commonwealth Universities (ACU)	Research and training programmes Maximum 24 months	All UK



	Leadership programme and 2) The Marshall Sherfield Fellowships Programme – an annual scheme whereby the Marshall Aid Commemoration Commission awards Marshall Sherfield Fellowships to Scientists and Engineers from the United States of America, in order for them to undertake post-doctoral research at a British Research Institute or University for a period of one to two years.			
China-UK Mandarin teachers scheme	The scheme is part of the Centre for Language Education and Cooperation’s global exchange programme through which it sponsors volunteer and professional Mandarin teachers to undertake placements at Confucius institutes and classrooms in the UK, and at institutions in the UK which are covered by China-UK’s teaching exchange programme. It is also used to sponsor co-directors to manage the programme in the UK and undertake some language teaching if needed. These roles are not filling vacancies. The scheme aims to build and/or enhance foreign language skills and foster good cultural relations between the UK and China.	The Centre for Language Education and Cooperation, UK	Overseas Government language programme. Maximum 24 months	All UK
Commonwealth Exchange Programme	The programme offers teachers the opportunity to work in different education systems, exchange ideas and knowledge and observe teaching practices in another country. Teachers exchange positions and homes with	Commonwealth Youth Exchange Council (CYEC)	Work experience programme Maximum 12 months	All UK

	those from Australia, Canada or New Zealand for between one term and one year. Exchanges to Canada take place from September to August. Those to Australia and New Zealand run from January to December.			
Commonwealth Scholarships and Fellowships Plan	This is an annual scheme made available to developing Commonwealth countries by the Commonwealth Scholarships Commission. Participants undertake academic, medical or professional research fellowships.	Association of Commonwealth Universities	Research and training programmes Maximum 24 months	All UK
Defence Academy	Research and training programme.	Defence Academy	Research and training programmes Maximum 24 months	All UK
De La Rue Internship	Internship Programme for Post Graduate students at the University of West Indies, to build on and consolidate the support De La Rue already provides to high achieving students in the Caribbean through a scholarship programme	De La Rue International	Work experience programme Maximum 12 months	All UK
Engineering work placement scheme	This scheme offers overseas engineering students (both undergraduates and graduates) short work experience opportunities with engineering companies in the UK.	Twin Training International	Work experience programme Maximum 12 months	UK
Erasmus	Erasmus is a European Commission educational exchange programme for higher education students and teachers. It aims to increase student mobility within Europe through opportunities for work and study and	British Council Wales British Council Scotland British Council British Council Northern Ireland	Work experience programme Maximum 12 months	All UK

	promotes trans-national cooperation projects among universities across Europe. Erasmus Mundus is for joint cooperation and mobility programmes for postgraduate students, researchers and staff.			
European Voluntary Service (Youth in Action Programme)	Part of the European Union's Youth in Action Programme, funded by the European Commission, the EVS scheme offers people aged 18-30 the opportunity to undertake voluntary work placements in the social, cultural, environmental and sports sectors for a period of 2 to 12 months. Placements of 2 weeks to 2 months are also available.	British Council	Work experience programme Maximum 12 months	All UK
Finance Ministries and Central Banks schemes	The schemes includes secondments by employees of other central banks and financial institutions, research fellowships and PhD research internships for economists who will undertake placements with the Bank of England for between 1 and 18 months' duration.	HM Treasury	Research and training programmes Maximum 24 months	All UK
Food Standards Australia and New Zealand	A secondment programme for government bodies, to promote cooperation and mutual understanding with the objective of learning from one another's expertise in food safety.	Food Standards Agency	Work experience programme Maximum 12 months	All UK
Foreign Language Assistants Programme	Working with partner organisations overseas to provide opportunities for young people to work as language assistants in the UK, the programme aims to improve both the language ability of the assistants and	British Council Wales British Council Scotland British Council Northern Ireland British Council	Work experience programme Maximum 12 months	All UK

	students in addition to expanding their cultural awareness.			
Glasgow Caledonian University International exchange programme	To offer students, through the exchange programme, work experience, cultural diversity and personal development to strengthen their employability.	Glasgow Caledonian University	Work experience programme Maximum 12 months	Scotland
Highways Agency Scheme	The scheme is intended to honour the historic and future commitments to facilitating the sharing of experience, scientific information, technology, working practice and organisational cultures between Highways Agency and similar administrations.	Highways Agency	Work experience programme Maximum 12 months	All UK
HMRC Exchange Scheme	The scheme facilitates the sharing of experience, working practices and organisational cultures between HM Revenue & Customs and tax, customs and similar administrations.	HM Revenue & Customs	Work experience programme Maximum 12 months	All UK
IAESTE	IAESTE UK provides science, engineering and applied arts graduates with training experience relevant to their studies through work placements.	British Council Wales British Council Scotland British Council Northern Ireland	Work experience programme Maximum 12 months	All UK
Intensive Korean Public School English Teacher Training Programme	A customised in-service continuing professional development programme for very experienced Korean English teachers who have been specially selected.	University of Chichester	Work Experience Programme Maximum 12 months	England
International Cross-Posting Programme for Kazakhstan	The purpose of the International Cross-Posting Programme is to provide an opportunity for key oil workers from Kazakhstan to undertake work experience and training with Shell UK.	UK Trade & Investment	Work experience programme Maximum 12 months	All UK

International Defence and Security Scheme (IDSS)	The aim of the IDSS scheme is to share knowledge, experience and best practice between the UK and foreign defence, aerospace, security and space industries in cooperative programmes.	ADS Group	Work experience programme Maximum 12 months	All UK
International Fire and Rescue Training Scheme	Research and training.	Capita	Research and training programmes Maximum 24 months	All UK
International Horticulture Scheme	This is an international horticultural and education skills development and exchange scheme designed to develop practical skills and to further academic studies within the designated establishments of the Royal Botanic Gardens, Kew and the Royal Horticultural Society.	Lantra	Work experience programme Maximum 12 months	Gardens or establishments linked to the Royal Botanic Gardens, Kew the Royal Horticultural Society's gardens.
International Internship Scheme	A scheme for young people and future business leaders to experience working for a UK company which, as they develop in their careers, may encourage investment into the UK and the forging of international partnerships with multinational companies in the UK and abroad.	Fragomen LLP	Work experience programme Maximum 12 months	All UK
International Optometrists Scheme	Scheme for registration for optometry graduates with a 2.2 degree or above. The scheme ensures they have the knowledge and skills to enter the General Optical Council's (GOC) Register and practise optometry without supervision.	College of Optometrists	Research and training programmes Maximum 24 months	All UK
Jamaica Nursing Exchange	The scheme allows nurses from the Jamaican health system to come to the UK to work for a short period of time	Higher Education England	Work experience programme	Yorkshire

	(between 5-10 months), before returning to Jamaica. The exchange is designed to benefit both the Jamaican nurses and the Jamaican health system, which will benefit from the skills learned in the UK. The placements are temporary and administered by Health Education England and the Jamaican Ministry of Health. The nurses will be placed at Leeds Teaching Hospitals NHS Trust.		Maximum 10 months	
Jiangsu Centre for Chinese Studies in Essex	A scheme to promote the teaching and learning of Mandarin and an appreciation of Chinese culture in Essex schools and to the wider local community, including businesses; underpin the links of friendship, education, culture and business between the County of Essex and the Province of Jiangsu.	Essex County Council	Work experience programme Maximum 12 months	All UK
Khebrat Leadership for Change Programme	This scheme enables Saudi Arabian educational professionals to undertake professional learning experience in the UK, through the Saudi national Khebrat programme.	British Council	Work experience programme Maximum 12 months	All UK
Korean Teacher Exchange Programme	The scheme contributes to the DfE objective of strengthening maths teaching in schools.	Institute of Education University of London	Work experience programme Maximum 12 months	All UK
Law Society GAE scheme for migrant lawyers	This scheme for overseas lawyers is open to law firms based in England and Wales. It covers placements, internships and secondments offered to lawyers and law students from other countries coming to the UK for primarily non-	The Law Society of England and Wales	Work experience programme Maximum 12 months	England and Wales

	economic purposes for limited periods to share knowledge, experience and best practice.			
Lord Chancellor's Training Scheme for Young Chinese Lawyers	The programme is organised to enable the Chinese lawyers to obtain practical experience in commercial law, litigation and court procedure as well as the management of a legal practice.	British Council	Work experience programme Maximum 12 months	All UK
Mathematics Teacher Exchange Programme (England - China)	Mathematics teachers from China will support the teaching and learning of mathematics, and promote their approaches to the teaching of mathematics, in a network of Maths Hubs across England which are funded by the Department for Education (DfE). There will also be reciprocal arrangements for teachers from England to spend time in schools in China.	National College for Teaching and Leadership, Department for Education	Work experience 12 months	Work experience 12 months
Medical Training Initiative	The scheme allows post-graduate medical graduates to undertake a fixed period of training or development in the UK, normally within the NHS. It covers all schemes and arrangements sponsored or administered by the medical royal colleges and similar organisations for the training of overseas doctors. MTI placements are temporary and require the approval of the employer and the local postgraduate dean of the relevant medical royal college.	Academy of Medical Royal Colleges	Research and training programmes Maximum 24 months	All UK
Medical Training Initiative for Dentistry	International Training Fellows: the Faculty of Dental Surgery (FDS) of the Royal College of Surgeons of England is able to sponsor	The Royal College of Surgeons of England	Research and training programmes Maximum 24 months	England

	suitably qualified postgraduate dentists to come to the UK for clinical training in an approved hospital training post.			
Mountbatten Programme	Provides work experience to help people build their business networks	Mountbatten Institute	Work experience programme Maximum 12 months	All UK
National Assembly for Wales Intern Programme	The scheme enables students from Ohio University to undertake intern placements for up to three months with assembly members.	National Assembly for Wales	Work experience programme Maximum 12 months	Wales
NIM China Seconded Programme	Secondment scheme for staff from the National Institute of Metrology (China) to work in the UK	LGC Ltd	Work experience programme Maximum 12 months	All UK
NPL Guest Worker and Secondment Scheme	This reciprocal scheme aims to encourage closer collaboration between UK and overseas organisations interested in metrology by allowing scientists, industrial experts and students to undertake placements with the NPL.	National Physical Laboratory (NPL) Management Limited	Research and training programmes Maximum 24 months	England
Overseas Fellows Post	The opportunity is accredited by the General Medical Council and approved by the Royal College of Surgeons of Edinburgh International Medical Graduate Sponsorship Scheme.	National Health Service (NHS) Highland	National Health Service (NHS) Highland	Scotland
REX Programme	The REX programme enables highly qualified teachers from Japan to work temporarily in countries where English is spoken to teach Japanese language and culture.	Ceredigion County Council	Work experience programme Maximum 12 months	All UK
Scottish Government	A scheme to share knowledge, experience and best practice with other governments and	Scottish Government	Work Experience	Scotland



Interchange Scheme	organisations on the full range of policy areas for which the Scottish Government has responsibility.		Programme Maximum 12	
Scottish Schools Education Research Centre (SSERC) Work Exchange programme with China	Offers employees of the Educational Equipment Research and Development Centre (EERDC) in China to come to Scotland to share best practices and educational resources with their Scottish counterparts and to develop new educational resources	Scottish Schools Education Research Centre (SSERC)	Work experience programme Maximum 12 months	Scotland
Serious Fraud Office	This is an exchange programme between the Serious fraud Office and law enforcement partners in overseas jurisdictions. The programme will help to promote greater co-operation with investigations, and to share and develop investigative techniques and approaches in the fight against fraud and corruption in the UK and overseas.	Serious Fraud Office	Work experience Maximum 12 months	UK
Sponsored Researchers	A scheme to enable higher education institutions to engage with sponsored researchers. Sponsored researchers include academics, researchers, scientists, research engineers or other skilled research technology specialists who will be hosted at the sponsoring higher education institution in a supernumerary role. The sponsored researcher may give lectures (which does not amount to a formal teaching post), act as an examiner, undertake skill development/knowledge transfer, undertake a period of work-based training/work	Higher education institutions	Research and training programme. Maximum 24 months	All UK

	experience/internship/placement or work on research collaborations. Institutions do not need individual support from the Department for Business, Energy and Industrial Strategy or the Department for Education to operate this scheme.			
The Ofgem International Staff Exchange Scheme	A scheme to promote cooperation and mutual understanding between Ofgem and similar regulatory agencies overseas	Office of Gas & Electricity Markets (Ofgem)	Work experience programme Maximum 12 months	England
GTI intern scheme	Designed for employers, the GTI Intern programme is a government approved scheme which allows graduates and undergraduates to gain intern experience working within UK industry. It provides organisations with the scope to include the brightest and best global talent on their internship programmes in the UK	GTI Recruiting Solutions	Work experience programme Maximum 12 months	All UK
UK Research and Innovation – Science, Research and Academia	A scheme to enable UK Research and Innovation (UKRI) to engage with sponsored researchers within its own organisation as well as endorsing Independent Research Organisations and Public Sector Research Establishments who are eligible to receive UKRI funding, and hold a Skilled Worker A-Rated licence to obtain a Temporary Worker licence for the GAE route. Sponsored researchers include academics, researchers, scientists, research engineers or other skilled research technology specialists who will be hosted through an	UK Research and Innovation (UKRI) and the following organisations endorsed by UKRI: <ul style="list-style-type: none"> <li>• Animal Health Trust</li> <li>• Animal and Plant Health Agency</li> <li>• Armagh Observatory and Planetarium</li> <li>• Babraham Institute</li> </ul>	Research & Training Programmes Maximum 24 months	All UK

	<p>approved research institute, in a supernumerary role. The sponsored researcher may give lectures (which does not amount to a formal teaching post), act as an examiner, undertake skill development/knowledge transfer, undertake a period of work-based training/work experience/internship/placement or work on research collaborations. UKRI provide endorsement for use of the scheme on behalf of the Department for Business, Energy and Industrial Strategy</p>	<ul style="list-style-type: none"> <li>• Beatson Institute for Cancer Research</li> <li>• British Institute of International and Comparative Law</li> <li>• Centre for Ecology and Hydrology</li> <li>• Centre for Environment, Fisheries and Aquaculture Science</li> <li>• Chatham House (Royal Institute of International Affairs)</li> <li>• Culham Centre for Fusion Energy/UK Atomic Energy Authority</li> <li>• Defence Science and Technology Laboratory</li> <li>• Diamond Light Source Ltd</li> <li>• Earlham Institute</li> <li>• Environment Agency</li> <li>• Fera Ltd</li> <li>• Forest Research</li> <li>• Health and Safety</li> </ul>		
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		<p>Executive PSRE</p> <ul style="list-style-type: none"> <li>• H R Wallingford Ltd</li> <li>• Historic Royal Palaces</li> <li>• Institute for Fiscal Studies</li> <li>• Institute of Development Studies</li> <li>• Institute of Occupational Medicine</li> <li>• International Institute for Environment and Development</li> <li>• Joint Nature Conservation Committee (JNCC)</li> <li>• John Innes Centre</li> <li>• Kew Gardens</li> <li>• Marine Biological Association</li> <li>• Marine Scotland Science</li> <li>• Medicines and Healthcare products Regulatory Agency (MHRA)</li> <li>• Museum of London Archaeology</li> <li>• National Centre for Social Research</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Natural England</li> <li>• National Institute of Agricultural Botany (NIAB)</li> <li>• National Gallery</li> <li>• National Museums of Scotland</li> <li>• National Oceanography Centre</li> <li>• National Physical Laboratory</li> <li>• National Portrait Gallery</li> <li>• Natural History Museum</li> <li>• Nesta</li> <li>• Overseas Development Institute</li> <li>• Plymouth Marine Laboratory</li> <li>• Public Health England</li> <li>• Quadram Institute Bioscience</li> <li>• RAND Europe Community Interest Company</li> <li>• Rothamsted Research</li> <li>• Royal Botanic Garden Edinburgh</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Royal United Services Institute for Defence and Security Studies</li> <li>• Science and Advice for Scottish Agriculture</li> <li>• Science Museum Group</li> <li>• Scottish Association for Marine Science</li> <li>• The Alan Turing Institute</li> <li>• The British Library</li> <li>• The British Museum</li> <li>• The Faraday Institution</li> <li>• The Francis Crick Institute</li> <li>• The James Hutton Institute</li> <li>• The National Archives</li> <li>• The Pirbright Institute</li> <li>• The Sainsbury's Laboratory, Norwich</li> <li>• The Trustees of the Tate Gallery</li> <li>• The Welding Institute</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Victoria and Albert Museum</li> <li>• Wellcome Trust Sanger Institute</li> <li>• Zoological Society of London, Institute of Zoology</li> </ul>		
US-UK Education Commission (also known as the US-UK Fulbright Commission)	To foster mutual understanding between the US and the UK through academic exchange by the awarding of merit based scholarships.	US-UK Education Commission (also known as the US-UK Fulbright Commission)	Research and training programmes Maximum 24 months	All UK
Wales Audit Office Exchange Programme	The scheme enables staff from other audit and inspection bodies to gain experience of audit and inspection processes in Wales and to share experience and good practice from an international perspective. Placements are for up to 12 months with WAO audit teams within a specific business area.	Wales Audit Office	Work experience Programme Maximum 12 months	Wales
Welsh Language Teaching Programme in Patagonia	The scheme aims to strengthen the use of Welsh in Patagonia by bringing Patagonians to Wales to improve their language fluency and bilingual environments. Participants are teachers, tutors or those suitable to work in activities which develop the use of Welsh in the wider social and business situations.	British Council Wales	Work experience programme Maximum 12 months	Wales

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### Changes to Appendix T5 Creative Workers Codes of Practice

APP CWCOP1. For the heading, “Immigration Rules Appendix T5 Creative

Workers Codes of Practice”, substitute

**“Immigration Rules Appendix Creative Worker Codes of Practice”.**

APP CWCOP2. For the opening paragraph, “Where a person is applying under Appendix T5 (Temporary Worker) Creative or Sporting Worker, as a creative worker or part of and their entourage, operating in dance, theatre, film and television, or as a model in the fashion industry, their sponsor must follow the relevant code of practice specified below and comply with the other requirements.”, substitute

“Where a person is applying under Appendix Temporary Work – Creative Worker, as a creative worker, operating in dance, theatre, film and television, or as a model in the fashion industry, their sponsor must follow the relevant code of practice specified below and comply with the other requirements.”.

**Changes to Appendix Hong Kong British National (Overseas)**

APP HK1. For paragraph HK 13.3., substitute

“HK 13.3. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Hong Kong BN(O) route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Hong Kong BN(O) route.”.

APP HK2. For paragraph HK 13.7., substitute

“HK 13.7. The applicant and the BN(O) Status Holder must intend to live together throughout the applicant’s stay in the UK.”.

APP HK3. Delete paragraph HK 13.8.

APP HK4. For paragraph HK 15.2., substitute

“HK 15.2. If the applicant is applying for entry clearance or permission to stay as the grandchild of a grandparent who has, or is at the same time being granted, entry clearance or permission to stay as either a BN(O) Status Holder or the partner of a BN(O) Status Holder and the applicant has not previously had permission as a BN(O) Household Child on the BN(O) Status Holder route, they must:

- (a) make an application at the same time as the grandparent who is applying for entry clearance or permission on the



BN(O) Status Holder route; and  
(b) form part of the same household as the BN(O) Status Holder on the date of application.”.

APP HK5. For paragraph HK 15.4., substitute

“HK 15.4. Each of the applicant’s parents must either be applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor), unless:

(a) the parent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder is the sole surviving parent; or

(b) the parent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder has sole responsibility for the applicant’s upbringing; or

(c) the parent who does not have permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder –

(i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and

(ii) is or will be ordinarily resident in the UK; or

(d) there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent who has permission on the Hong Kong BN(O) route; or

(e) the applicant falls within HK 15.1(b) and there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the grandparent with entry clearance or permission to stay as a BN(O) Status Holder or as a partner of a BN(O) Status Holder.”.

APP HK6. After paragraph HK 15.4., insert

“HK 15.5. If the applicant is a child born in the UK to a BN(O) Status Holder or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.”.

APP HK7. For paragraph HK 22.3., substitute

“HK 22.3. A BN(O) Household Child who does not have permission on the BN(O) Status Holder route on the date of application, will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who has (or is being granted) permission.”.

APP HK8. For paragraph HK 37.2., substitute

“HK 37.2. Each of the applicant’s parents must either be applying at the same time as the applicant, or have permission to be in the UK (other than as a Visitor), unless:

- (a) the parent with entry clearance or permission to stay as a BN(O) Household Member or as a partner of a BN(O) Household Member is the sole surviving parent; or
- (b) the parent with entry clearance or permission to stay as a BN(O) Household Member or as a partner of a Household Member has sole responsibility for the applicant’s upbringing; or
- (c) the parent who does not have permission as a BN(O) Household Member or as a partner of a Household Member –
  - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
  - (ii) is or will be ordinarily resident in the UK; or
- (d) there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent with permission on the Hong Kong BN(O) route.”.

APP HK9. After paragraph HK 37.4., insert

“HK 37.5. If the applicant is a child born in the UK to a BN(O) Household Member or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.”.

### **Changes to Appendix English Language**

APP EL1. After “This Appendix sets out how the English language requirement is met”, for the opening paragraph substitute

“It applies only to applications under Appendix Student, Appendix Skilled Worker, Appendix Representative of an Overseas Business, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Global Talent, Appendix Start-up, Appendix Innovator, Appendix Temporary Work - International Agreement, Appendix Domestic Worker in a Private Household and Appendix Hong Kong British National (Overseas).”.

APP EL2. For paragraph EL 2.4. substitute

“EL 2.4. The English language requirement is also met by a person applying for entry clearance or permission to stay on the Start-up route, or for entry clearance, permission to stay or settlement on the Innovator route if the requirements in EL 7.1 and EL 7.2. are met.”.

APP EL3. In each place it occurs, for “UK NARIC” substitute “Ecctis”.

APP EL4. In paragraph EL 6.1., for “<https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-self#approved-test-providers-and-approved-tests>”, substitute

[“https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-selt#approved-test-providers-and-approved-tests.”](https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-selt#approved-test-providers-and-approved-tests)

### **Changes to Appendix Finance**

APP FIN1. After “The routes set out the requirements for the amount of funds and length of time they must be held”, for the opening paragraph substitute

“This Appendix applies to applications under these routes: Appendix Student, Appendix Short-term Student, Appendix Child Student, Appendix Parent of a Child Student, Appendix Skilled Worker, Appendix Intra-company routes, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Start-up, Appendix Innovator, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Temporary Work - Seasonal Worker, Appendix Youth Mobility Scheme, Appendix Temporary Work - Creative Worker, Appendix Temporary Work - Religious Worker, Appendix Temporary Work - Charity Worker, Appendix Temporary Work - International Agreement, Appendix Temporary Work - Government Authorised Exchange, Appendix Domestic Worker in a Private Household and Appendix Hong Kong British National (Overseas).”

### **Changes to Appendix Continuous Residence**

APP CR1. After “This Appendix sets out how the continuous residence requirement is met”, for the opening paragraph substitute

“It applies only to applications under Appendix Skilled Worker, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Domestic Worker in a Private Household, Appendix T5 (Temporary Worker) International Agreement Worker, and Appendix Hong Kong British National (Overseas).”

APP CR2. In paragraph CR 2.3 (e) (iv), for “.” substitute “; or”.

APP CR3. After paragraph CR 2.3 (e), insert  
“(f) research activity undertaken by a person on the Global Talent route who qualified on the basis of a prize listed in table 6 of Appendix Global Talent: Prestigious Prizes.”









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