

# STATEMENT OF CHANGES IN IMMIGRATION RULES

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

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17 July 2023*

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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

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<sup>1</sup>

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887), 10 December 2013 (HC 901), 18 December 2013 (HC 938), 10 March 2014 (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), 4 March 2021 (HC 1248), 10 September 2021 (HC 617), 11 October 2021 (CP 542), 1 November 2021 (HC 803), 14 December 2021 (HC 913), 24 January 2022 (HC 1019), 17 February 2022 (CP 632), 15 March 2022 (HC 1118), 29 March 2022 (HC 1220), 11 May 2022 (HC 17), 20 July 2022 (HC 511), 18 October 2022 (HC 719) and 9 March 2023 (HC 1160).

## **Implementation**

The following paragraphs shall take effect at 1500 on 17 July 2023. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain, has been made before 17 July 2023, such applications will be decided in accordance with the Immigration Rules in force on 16 July 2023.

- INTRO2
- APP ST1 and APP ST2
- APP SW1 and APP SW6
- APP GBM1
- APP GBM3 and APP GBM4
- APP GBM6 and APP GBM7
- APP GBM9 and APP GBM10
- APP GBM12 and APP GBM13
- APP GBM15
- APP MOR1 and APP MOR2
- APP ROB1 and APP ROB2
- APP UKA1 and APP UKA2
- APP GT1 and APP GT2
- APP HPI1 and APP HPI2
- APP SCU1 and APP SCU3
- APP INNF2 and APP INNF3
- APP ISP1 and APP ISP2
- APP CRV1
- APP RW1
- APP CW1
- APP IA1

- APP GAE1

The following paragraphs shall take effect at 1500 on 17 July 2023.

- 11.2 to 11.6
- APP FRP1 and APP FRP2

The following paragraphs shall take effect on 7 August 2023.

- INTRO1
- 11.1
- APP AR1 to APP AR4
- APP FM1 to APP FM3
- APP SW3 to APP SW5
- APP SO1 to APP SO2
- APP SCU4 to APP SCU6
- APP INNF1
- APP TWSW1 and APP TWSW2
- APP YMS1
- APP SPS1
- APP HK1 and APP HK2
- APP UKR1 to APP UKR3
- APP ADR1 to APP ADR9
- APP PL1 and APP PL2
- HC1160.1 and HC1160.2

The following paragraphs shall take effect on 7 August 2023. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain, has been made before 7 August 2023, such applications will be decided in accordance with the Immigration Rules in force on 6 August 2023.

- APP SW2
- APP SW7
- APP SOL1
- APP GBM2
- APP GBM5
- APP GBM8
- APP GBM11
- APP GBM14
- APP SCU2
- APP GAES1 and APP GAES2

The following paragraphs shall take effect on 9 August 2023.

- APP EU1 to APP EU11

- APP EU(FP)1 to APP EU(FP)3

## **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:

imposes requirements, restrictions or conditions, or sets standards, in relation to any activity carried on by a business or voluntary or community body; or

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, in the definition of “Supplementary employment”, at the end of condition (a), after “being sponsored”, insert:

“(except where the other employment takes place during the 4-month period referred to in paragraph SW 18.1A of Appendix Skilled Worker, where that paragraph applies)”.

INTRO2. In paragraph 6.2(b), after the definition of “Representative of an Overseas Business”, insert new definition:

““**Research-based higher degree**” means a postgraduate programme comprising a research component (including a requirement to produce original work) that is larger than any accompanying taught component when measured by student effort.”.

## **Changes to Part 11**

11.1 For paragraph 333C, substitute:

“333C. If an application for asylum is withdrawn either explicitly or implicitly, it will not be considered.

- (a) An application will be treated as explicitly withdrawn if the applicant signs the relevant form provided by or on behalf of the Secretary of State, or otherwise explicitly declares a desire to withdraw their asylum claim.
- (b) An application may be treated as implicitly withdrawn if the applicant:
  - (i) fails to maintain contact with the Home Office or provide up to date contact details as required by paragraph 358B of these Rules; or
  - (ii) leaves the United Kingdom (without authorisation) at any time before the conclusion of their application for asylum; or
  - (iii) fails to complete an asylum questionnaire as requested by or on behalf of the Secretary of State; or
  - (iv) fails to attend any reporting events, unless the applicant demonstrates within a reasonable time that the failure was due to circumstances beyond their control; or
  - (v) fails to attend a personal interview required under paragraph 339NA, unless the applicant demonstrates within a reasonable time that that failure was due to circumstances beyond their control.
- (c) The applicant’s asylum record will be updated to reflect that the application for asylum has been withdrawn.”.

11.2 For paragraph 339QA, substitute:

“339QA. Where the Secretary of State has granted an asylum applicant refugee status under paragraph 334, the asylum applicant will be granted permission to stay on a protection route at the same time as or as soon as possible after the grant of refugee status.

Permission to stay on a protection route will be valid for a minimum period of 5 years and renewable upon application where the person still

has and remains eligible for refugee status. Applications for further permission to stay on a protection route under this Part should be made within the last 28 days of the applicant's permission to stay.”.

11.3 For paragraph 339QB, substitute:

“339QB. Where the Secretary of State has granted an asylum applicant humanitarian protection under paragraph 339C, the asylum applicant will be granted permission to stay on a protection route at the same time as or as soon as possible after the grant of humanitarian protection. Permission to stay on a protection route will be valid for a minimum period of 5 years and will be renewable upon application where the person still has and remains eligible for humanitarian protection. Applications for further permission to stay on a protection route under this Part should be made within the last 28 days of the applicant's permission to stay.”.

11.4 In paragraph 339QD, after “permission to stay”, insert:

“on a protection route”.

11.5 In paragraph 339QE, after both references to “permission to stay”, insert:

“on a protection route”.

11.6 For paragraph 352G, substitute:

“352G. For the purposes of this Part:

- (a) “Country of origin” means the country or countries of nationality or, for a stateless person, the country of former habitual residence; and
- (b) “Partner” means the applicant's spouse, civil partner, or a person who has been living together with the applicant in a relationship akin to a marriage or civil partnership for at least 2 years prior to the date of application.”.

### **Changes to Appendix AR**

APP AR1. For AR 5.2 (a) (vi), substitute “Appendix Adult Dependent Relative.”.

APP AR2. In AR 5.2(a), delete “in which case the appropriate remedy is an appeal under section 82 of the Nationality, Immigration and Asylum Act 2002 rather than an application for administrative review.”.

APP AR3. In AR 3.2 (c) (xii), for “.” Substitute “;”.

APP AR4. After AR 3.2 (c) (xii), insert:



- “
- (xiii) Appendix Family Reunion (Protection);
  - (xiv) Appendix Child staying with or joining a Non-Parent Relative (Protection).”.

### Changes to Appendix EU

APP EU1. In paragraph EU4., at the end of the first bullet point, delete “and”.

APP EU2. In paragraph EU4., below the first bullet point, insert:

- “
- The Secretary of State may extend that limited leave, regardless of whether the person has made a valid application under this Appendix for such an extension; and”.

APP EU3. In EU9., for sub-paragraphs (c) and (d), substitute:

- “
- (c) The **required proof of entitlement to apply from outside the UK** has been provided, where the application is made outside the UK;
  - (d) The **required biometrics** have been provided;
  - (e) It has been made by the **required date**, where the date of application is on or after 9 August 2023; and
  - (f) The applicant, if they rely on being a joining family member of a relevant sponsor and where the date of application is on or after 9 August 2023, is not an **illegal entrant**.”.

APP EU4. In EU11., delete “and in an application made by the **required date**”.

APP EU5. In EU11A., delete “and by the required date”.

APP EU6. In EU12., delete “and in an application made by the required date”.

APP EU7. In EU14., delete “and in an application made by the required date”.

APP EU8. In EU14A., delete “and by the required date”.

APP EU9. In Annex 1, in sub-paragraph (a)(iii) of the definition of ‘dependent relative’ in the table, after “under the age of 18 years” insert:

“(unless they were previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a dependent relative and were under 18 at the date of application for that leave)”.

APP EU10. In Annex 1, after the entry for ‘GMT’ in the table, insert:

“

illegal entrant	has the same meaning as in section 33(1) of the Immigration Act 1971 (and, in respect of the reference there to “deportation order”, the definition of ‘deportation order’ in this table does not apply)
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”

APP EU11. In Annex 1, for the entry for ‘required date’ in the table, substitute:

“

required date	<p>(a) where the applicant does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix:</p> <p>(i) (where sub-paragraphs (a)(ii) to (a)(vii) below do not apply) the date of application is:</p> <p>(aa) before 1 July 2021; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(i)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) on or after 1 July 2021; or</p> <p>(ii) (where the applicant relies on being a joining family member of a relevant sponsor and the applicant arrived in the UK on or after 1 April 2021, and where sub-paragraph (a)(iii), (a)(viii) or (a)(ix) below does not apply, or the applicant relies on being a child born in the UK on or after 1 April 2021 or adopted in the UK on or after that date in accordance with a relevant adoption decision, or on becoming on or after 1 April 2021 a child in the UK within the meaning of the entry for ‘child’ in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) the date of application is:</p> <p>(aa) within three months of the date on which they arrived in the UK (or, as the case may be, of the date on which they were born in the UK, adopted in the UK or became a child in the UK within the meaning of the entry for ‘child’ in this table on the basis of one of sub-</p>
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”

	<p>paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(bb) (where the deadline in sub-paragraph (a)(ii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after that deadline; or</p> <p>(iii) (where the applicant relies on being a joining family member of a relevant sponsor as described in sub-paragraph (b) of that entry in this table and the applicant arrived in the UK on or after 1 April 2021, and where sub-paragraph (a)(viii) or (a)(ix) below does not apply) the date of application is:</p> <p>(aa) within three months of the date on which they arrived in the UK, and before 1 January 2026; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(iii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after that deadline; or</p> <p>(iv) (where the applicant relies on being a family member of a qualifying British citizen and sub-paragraph (a)(v) below does not apply) the date of application is before 9 August 2023; or</p> <p>(v) (where the applicant relies on being a family member of a qualifying British citizen, and has, or as the case may be, had leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met the definition of ‘family member of a qualifying British citizen’ in Annex 1 to that Appendix, and that leave has, or had, not been cancelled, curtailed or invalidated) the date of application is:</p> <p>(aa) before the date of expiry of that leave; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(v)(aa) above was not met and the</p>
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	<p>Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or</p> <p>(vi) (where the applicant relies on being a person with a Zambrano right to reside and sub-paragraph (a)(vii) below does not apply) the date of application is before 9 August 2023; or</p> <p>(vii) (where the applicant relies on being a person with a Zambrano right to reside, and has, or as the case may be had, leave to enter granted by virtue of having arrived in the UK with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met sub-paragraph (a)(ii) of the definition of 'specified EEA family permit case' in Annex 1 to that Appendix, and that leave has, or had, not been cancelled, curtailed or invalidated) the date of application is:</p> <p>(aa) before the date of expiry of that leave; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(vii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or</p> <p>(viii) (in the case of an applicant who has, or as the case may be, had limited leave to enter or remain granted under another part of these Rules or outside the Immigration Rules, which has, or had, not lapsed or been cancelled, curtailed or invalidated, and the date of expiry of that leave is, or was, on or after 1 July 2021, which, notwithstanding the deadline applicable under sub-paragraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above, the Secretary of State will deem to be reasonable grounds for the person's failure to meet that deadline where it applies), the date of application is:</p> <p>(aa) before the date of expiry of that leave; or</p>
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	<p>(bb) (where the deadline in sub-paragraph (a)(viii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after the date of expiry of that leave; or</p> <p>(ix) (in the case of an applicant who ceases to be exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971 on or after 1 July 2021, which, notwithstanding the deadline applicable under sub-paragraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above, the Secretary of State will deem to be reasonable grounds for the person's failure to meet that deadline where it applies), the date of application is:</p> <p>(aa) within the period of 90 days beginning on the day on which they ceased to be exempt from immigration control; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(ix)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's delay in making their application) after that deadline; or</p> <p>(b) where the applicant has, or as the case may be, had limited leave to enter or remain granted under this Appendix, which has, or had, not lapsed or been cancelled, curtailed or invalidated, the date of application is any date</p> <p>in addition:</p> <p>(a) for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix; and</p> <p>(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:</p> <p>(i) is a joining family member of a relevant sponsor; and</p> <p>(ii) does not have indefinite leave to enter or</p>
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	<p>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)(viii) or (a)(ix) above</p>
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”.

### Changes to Appendix EU (Family Permit)

APP EU(FP)1. In FP4., for sub-paragraphs (b) and (c), substitute:

“

(b) The **required proof of identity and nationality** has been provided;

(c) The **required biometrics** have been provided; and

(d) The **date of application** is before 9 August 2023, where the applicant relies on meeting the eligibility requirements in paragraph FP6(2).”.

APP EU(FP)2. In FP5., for “paragraph FP4(a) and (b)” substitute “paragraph FP4(a), (b) and (d)”.

APP EU(FP)3. In FP6.(1), for “**date of application**” substitute “date of application”.

### Changes to Appendix FM

APP FM1. In R-LTRC.1.1.(c)(iii), delete “(except as an adult dependent relative)”.

APP FM2. In R-LTRC.1.1.(d)(iii), delete “(except as an adult dependent relative)”.

APP FM3. In R-LTRC.1.6., delete “(except as an adult dependent relative)”.

### Changes to Appendix Student

APP ST1. At the end of ST 31.1(b), after “a higher education provider with a track record of compliance”, insert “and, if the course start date is on or after 1 January 2024, the provider has confirmed the course is a PhD or other doctoral qualification, or a research-based higher degree.”.

APP ST2. Delete ST 31.1(c).

## **Changes to Appendix Skilled Worker**

APP SW1. After SW 1.5, insert:

“SW 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP SW2. After paragraph SW 14.6, insert:

### **“Genuineness requirement for a Skilled Worker**

SW 14A.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 SW 18.2.”.

APP SW3. At the end of SW 18.1, for “.”, substitute “, subject to SW 18.1A.”.

APP SW4. After SW 18.1, insert:

“SW 18.1A. If the applicant is being sponsored in the occupation code “2211 Medical practitioners” for General Practitioner (GP) specialty training, they will be granted entry clearance or permission to stay until 4 months after the end date of their certificate of sponsorship.”.

APP SW5. At the end of SW 18.2(c), after “being sponsored”, insert:

“(and where the supplementary employment takes place during the 4-month period after the end date of their certificate of sponsorship referred to in SW 18.1A the requirement to continue to work for the sponsor will not apply).”.

APP SW6. After paragraph SW 26.4, insert:

“SW 26.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP SW7. For SW 29.2, substitute:

“The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.”.

### **Changes to Appendix Skilled Occupations**

APP SO1. In Table 1, for:

“5321 Plasterers”

substitute:

“5321 Plasterers

For Skilled Worker purposes, occupation code 5321 includes dryliners.”



APP SO2. In Table 2, in the row containing “2211 Medical practitioners (Scotland)”, for:

“Specialty registrar (StR) at ST/CT1-2 and equivalent: £38,051  
Specialty registrar (StR) at CT/ST3 and above £43,998”

substitute:

“Specialty registrar (StR): £36,472”.

### Changes to Appendix Shortage Occupation List

APP SOL1. In Table 1, insert the following new rows so they appear in the table in numerical order by occupation code:

“

5119 Agriculture and fishing trades not elsewhere classified – only jobs in the fishing industry	Yes	Yes	Yes	Yes
5312 Bricklayers and masons – <b>all jobs</b>	Yes	Yes	Yes	Yes
5313 Roofers, roof tilers and slaters – <b>all jobs</b>	Yes	Yes	Yes	Yes
5315 Carpenters and joiners – <b>all jobs</b>	Yes	Yes	Yes	Yes
5319 Construction and building trades not elsewhere classified – <b>all jobs</b>	Yes	Yes	Yes	Yes
5321 Plasterers – <b>all jobs</b>	Yes	Yes	Yes	Yes
9119 Fishing and other elementary agriculture occupations not elsewhere classified – only deckhands on large fishing vessels (9 metres and above) where the job requires the worker to have at least 3 years’ full-time experience in using their skills. This experience must not have been gained through working illegally.	Yes	Yes	Yes	Yes

”.

### Changes to Appendix Global Business Mobility

APP GBM1. After SNR 1.5, insert:

“SNR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of

study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B:

- (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
- (ii) the Certificate of Sponsorship in SNR 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

- (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
- (ii) the Certificate of Sponsorship in SNR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP GBM2. After SNR 9.3, insert:

**“Genuineness requirement for a Senior or Specialist Worker**

SNR 9A.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 SNR 13.1.”.

APP GBM3. After SNR 14.4, insert:

“SNR 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

- (ii) have completed at least 24 months of study on that course.”.

APP GBM4. After GTR 1.5, insert:

“GTR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in GTR 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in GTR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP GBM5. After GTR 9.3, insert:

**“Genuineness requirement for a Graduate Trainee**

GTR 9A.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 GTR 13.1.”.

APP GBM6. After GTR 14.4, insert:

“GTR 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP GBM7. After UKX 1.5, insert:

“UKX 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in UKX 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in UKX 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP GBM8. After UKX 9.3, insert:

**“Genuineness requirement for a UK Expansion Worker**

UKX 9A.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 UKX 13.1.”.

APP GBM9. After UKX 14.4, insert:

“UKX 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP GBM10. After SSU 1.5, insert:

“SSU 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SSU 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SSU 1.2(d) must have a start date no earlier than 24 months after the start date of

that course.”.

APP GBM11. After SSU 9.2, insert:

**“Genuineness requirement for a Service Supplier**

SSU 9A.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 SSU 13.1.”.

APP GBM12. After SSU 14.4, insert:

“SSU 14.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP GBM13. After SEC 1.5, insert:

“SEC 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider

which has a track record of compliance; and  
(ii) the Certificate of Sponsorship in SEC 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

- (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
- (ii) the Certificate of Sponsorship in SEC 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP GBM14. After SEC 7.3, insert:

**“Genuineness requirement for a Secondment Worker**

SEC 7A.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 SEC 11.1.”.

APP GBM15. After SEC 12.4, insert:

“SEC 12.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

**Changes to Appendix T2 Minister of Religion**

APP MOR1. After MOR 1.5, insert:

“MOR 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in MOR 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in MOR 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP MOR2. After MOR 18.4, insert:

“MOR 18.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

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

APP ROB1. After ROB 1.5, insert:

“ROB 1.5A. An applicant who is applying for permission to stay and



has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP ROB2. After ROB 20.4, insert:

“ROB 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

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

APP UKA1. After UKA 18.3, insert:

“UKA 18.3A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:

- (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
- (ii) have completed at least 24 months of study on that course.”.

APP UKA2. After UKA 28.3, insert:

“UKA 28.3A. An applicant who has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Global Talent**

APP GT1. After GT 1.5, insert:

“GT 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP GT2. After GT 16.5, insert:

“GT 16.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A

or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix High Potential Individual**

APP HPI1. After HPI 1.5, insert:

“HPI 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP HPI2. After HPI 10.4, insert:

“HPI 10.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Scale-Up**

APP SCU1. After SCU 1.5, insert:

“SCU 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SCU 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in SCU 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP SCU2. After SCU 7.6, insert:

#### **“Genuineness requirement for a Scale-Up Worker**

SCU 7A.1. The applicant must genuinely intend, and be able, to undertake the role for which they are being sponsored.”.

APP SCU3. After SCU 20.4, insert:

“SCU 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

APP SCU4. Delete SCU 23.3. and SCU 23.4.

APP SCU5. For SCU 32.2, substitute:

- “The applicant must either:
- (a) have last been granted permission as a partner or child of the person (P) in SCU 32.1; or
  - (b) have been born in the UK and be applying as a child of the person (P) in SCU 32.1.”.

APP SCU6. For SCU 32.3, substitute:

“If applying as a partner, the applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.”.

### **Changes to Appendix Innovator Founder**

APP INNF1. In INNF 7.2(a), after “Innovator Founder”, insert “or permission under the Start-up route”.

APP INNF2. After INNF 1.5, insert:

“INNF 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 12 months of study on that course.”.

APP INNF3. After INNF 22.4, insert:

“INNF 22.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 12 months of study on that course.”.

### **Changes to Appendix International Sportsperson**

APP ISP1. After ISP 1.5, insert:

“ISP 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B:
  - (i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in ISP 1.2(d) must have a start date no earlier than the course completion date; or
- (c) Condition C:
  - (i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) the Certificate of Sponsorship in ISP 1.2(d) must have a start date no earlier than 24 months after the start date of that course.”.

APP ISP2. After ISP 20.4, insert:

“ISP 20.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Temporary Work – Seasonal Worker**

APP TWSW1. Delete SAW 4.1B.

APP TWSW2. For SAW4.1(g) substitute:

“(g) confirm either:

- (i) if the applicant is being sponsored in the horticulture sector or under occupation code 8111, 9111, 9119 or 9134 in the poultry production sector, they will be paid at least £10.42 for each hour worked and receive at least 32 hours paid employment each week; or
- (ii) if the applicant is being sponsored under occupation code 5431 or 5433 in the poultry production sector, they will be paid at least £10.75 for each hour worked and £26,200 per year.”.

### **Changes to Appendix Youth Mobility Scheme**

APP YMS1. For YMS 7.1(b), substitute:

“(b) permission to stay for a period which means the period of permission (including the original permission to enter) granted under the Youth Mobility Scheme is for a total of 3 continuous years.”.

### **Changes to Appendix Temporary Work – Creative Worker**

APP CRV1. After CRV 10.4, insert:

“CRV 10.4A. An applicant who is applying for permission to stay and

has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Temporary Work – Religious Worker**

APP RW1. After RW 9.4, insert:

“RW 9.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Temporary Work - Charity Worker**

APP CW1. After CW 9.4, insert:

“CW 9.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:



- (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
- (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Temporary Work - International Agreement**

APP IA1. After IA 22.4, insert:

“IA 22.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Temporary Work – Government Authorised Exchange**

APP GAE1. After GAE 12.4, insert:

“GAE 12.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

- (a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or
- (b) Condition B: the applicant must:
  - (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
  - (ii) have completed at least 24 months of study on that course.”.

### **Changes to Appendix Government Authorised Exchange schemes**

APP GAES1. In the list of schemes, under the entry for “Diplomatic Missions Interns Scheme”, in the “Scheme” column, after “in a UK-based diplomatic mission or consular post” insert: “or (only where the sending state is also a member state of the European Union) the headquarters of the Delegation of the European Union to the United Kingdom of Great Britain and Northern Ireland”.

APP GAES2. In the list of schemes, under the entry for “Diplomatic Missions Interns Scheme”, in the “Name of overarching body (sponsor)” column, insert “Diplomatic missions or consular posts, or the Delegation of the European Union to the United Kingdom of Great Britain and Northern Ireland, that has a Memorandum of Understanding currently in place with the FCDO regarding their participation in this scheme”.

### **Changes to Appendix Service Providers from Switzerland**

APP SPS1. Delete SPS 4.11.

### **Changes to Appendix Hong Kong British National (Overseas)**

APP HK1. For HK 65.1, substitute:

“A person in the UK with permission on the Hong Kong BN(O) route may have that permission varied to remove a no access to public funds condition where the decision maker is satisfied that:

- (a) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
- (b) there are reasons relating to the welfare of a relevant child which outweigh the considerations for maintaining the condition (treating the best interests of a relevant child as a primary consideration); or
- (c) the applicant is facing exceptional circumstances affecting their income or expenditure.”.

APP HK2. After HK 65.1, insert:

“HK 65.2. For the purposes of HK 65.1, ‘relevant child’ means a person who:

- (i) is under the age of 18 years at the date of application; and
- (ii) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.”.

## **Changes to Appendix Ukraine Scheme**

APP UKR1. In the introduction, for:

“on or between 18 March 2022 and 16 May 2023, or if their last permission ended after 1 January 2022. Applications to this scheme must be made on or before 16 November 2023”

substitute:

“on or between 18 March 2022 and 16 November 2023, or if their last permission ended after 1 January 2022. Applications to this scheme must be made on or before 16 May 2024”.

APP UKR2. In UKR 21.2, for “be made on or before 16 November 2023”, substitute “be made on or before 16 May 2024”.

APP UKR3. In UKR 21.3, for “16 May 2023”, substitute “16 November 2023”.

## **Changes to Appendix Family Reunion (Protection)**

APP FRP1. Delete FRP 7.2.

APP FRP2. In FRP 9.2 after “granted under FRP 7.1.”, delete “or FRP.7.2(a) (Article 8 ECHR grounds)”.

## **Changes to Appendix Adult Dependent Relative**

APP ADR1. In the introduction, after “*The applicant must apply for and obtain entry clearance as an Adult Dependent Relative before their arrival in the UK.*”, insert:

*“The partner of an Adult Dependent Relative may also apply for entry clearance as an Adult Dependent Relative if they are the partner of either the parent or grandparent of the sponsor who is applying at the same time.*

*Where a couple, who are both the parents or grandparents of the sponsor, are applying as Adult Dependent Relatives only one of them needs to require long-term personal care.”.*

APP ADR2. For ADR 1.1.(b), substitute:

“(b) for applicants in the UK, form “Further leave to remain – Human Rights.”.

APP ADR3. For ADR 1.2.(d), substitute:

“(d) the applicant and their sponsor must both be aged 18 or over at the date of application.”.

APP ADR4. For ADR 5.1, substitute:

“The applicant, or if the applicant is applying as a parent or grandparent, the applicant’s partner, must as a result of age, illness or disability require long term personal care to perform everyday tasks.”.

APP ADR5. For ADR 5.2, substitute:

“Where the application is for entry clearance, the applicant, or if the applicant is applying as a parent or grandparent, the applicant’s partner, must be unable to obtain the required level of care in the country where they are living, even with the financial help of the sponsor because either:

- (a) the care is not available and there is no person in that country who can reasonably provide it: or
- (b) the care is not affordable.”.

APP ADR6. Delete ADR 5.3.

APP ADR7. After ADR 5.3. insert:

**“Partner requirement on the Adult Dependent Relative route**

ADR 5.3A.1. If the applicant is the sponsor's parent or grandparent they must not be in a subsisting relationship with a partner, unless that partner is applying for entry clearance or permission to stay as an Adult Dependent Relative at the same time.”.

APP ADR8. In ADR 6.2.(c), for “employment” substitute “self-employment”.

APP ADR9. For ADR 9.4(b), substitute:

“(b) work permitted (including self-employment and voluntary work); and”.

**Changes to Appendix Private Life**

APP PL1. For PL 10.5, substitute:

“The grant of permission will be subject to the following conditions:

- (a) work (including self-employment and voluntary work) permitted; and
- (b) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (c) if the decision maker is satisfied that:
  - (i) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
  - (ii) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration), or
  - (iii) the applicant is facing exceptional circumstances affecting their income or expenditure,

then the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.”.

APP PL2. For PL 25.1, substitute:

“The grant of permission will be subject to the following conditions:

- (a) work is permitted; and
- (b) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (c) if the decision maker is satisfied that:
  - (i) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
  - (ii) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration), or
  - (iii) the applicant is facing exceptional circumstances affecting their income or expenditure,

then the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.”.

### **Changes to the Statement of Changes in Immigration Rules (HC 1160)**

HC1160.1. In the implementation section, in the list of paragraph numbers below the heading “The following paragraphs shall take effect on 12 April 2023. In

relation to those changes, if an application for entry clearance, leave to enter or leave to remain, has been made before 12 April 2023, such applications will be decided in accordance with the Immigration Rules in force on 11 April 2023.”, delete “APP FRP1” and “APP CNP1”.

HC1160.2. In the implementation section, after the section “The following paragraphs shall take effect on 12 April 2023.”, insert:

“The following paragraphs shall take effect on 12 April 2023, except for paragraphs FRP 1.1 and FRP 1.2 in APP FRP1 which only apply to applications made on or after 12 April 2023.

- APP FRP1
- APP CNP1”.

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