



Home Office

Prospective entrepreneurs

This guidance is based on the Immigration Rules

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Prospective entrepreneur

About this guidance

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>Immigration Rules paragraphs 56N-56Q</p> <p>This guidance tells you how to decide applications for prospective entrepreneurs as described in paragraphs 56N-56Q of the Immigration Rules.</p> <p>There is a link to the Immigration Rules in related links.</p> <p>The prospective entrepreneur category is for people who are coming to the UK to secure funding to set up a UK business. They must be currently in discussions with:</p> <ul style="list-style-type: none">• one or more registered venture capitalist firms regulated by the Financial Conduct Authority (FCA)• one or more UK entrepreneurial seed funding competitions listed as endorsed on the UK Trade & investment website, and/or• UK government departments <p>to enter the UK to:</p> <ul style="list-style-type: none">• secure funding to help them join, set up or take over a business in the UK, and• be actively involved in the running of that business. <p>Indefinite leave to enter or remain and dependants of visitors</p> <p>There are no provisions within the Immigration Rules to grant:</p> <ul style="list-style-type: none">• Indefinite leave to enter or remain (settlement) in any of the visitor categories. Or• Entry to the UK as the dependant of a visitor. A dependant or family member will need to qualify in their own right in one of the visitor categories. <p>If a prospective entrepreneur switches into Tier 1 (Entrepreneur), any time spent as a prospective entrepreneur will not count toward meeting the Tier 1 settlement requirements.</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Contact</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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	<p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p> <p>Contacts – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p>Information owner – This page tells you about this version of the guidance and who owns it.</p>	
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Key facts: Prospective entrepreneurs

This page shows you the key facts for the prospective entrepreneurs category

Category: Prospective entrepreneurs	
Eligibility requirements	<p>Under paragraph 56O of the Immigration Rules the applicant must:</p> <ul style="list-style-type: none">• Be genuinely seeking entry as a prospective entrepreneur for a period not exceeding six months.• Provide an original letter supporting the application from:<ul style="list-style-type: none">○ one or more registered venture capitalist firms regulated by the Financial Conduct Authority (FCA).○ one or more UK Trade & Investment (UKTI) endorsed seed competitions, and/or○ one or more UK government departments○ this original letter must include the information specified in paragraph 56O (b) (i) to (vii) of the Rules• Intend to leave the UK at the end of the period of the visit, unless they switch into Tier 1 (Entrepreneur).• Maintain and accommodate themselves and any dependants adequately:<ul style="list-style-type: none">○ out of resources available to them without using public funds or taking employment, or○ will, with any dependants, be maintained and accommodated adequately by relatives or friends. And• Do one or more of the following during their visit:<ul style="list-style-type: none">○ secure funding with a view to joining, setting up or taking over, and being actively involved in the running of a business in the UK, or○ carry out a permissible activity as defined in paragraph 56O(d)(i) of the Rules. <p>The applicant must not:</p> <ul style="list-style-type: none">• intend to take employment in the UK• intend to produce goods or provide services within the UK• intend undertaking a course of study• be a child under the age of 18• intend to marry or form a civil partnership, or give notice of marriage or civil partnership• intend to receive private medical treatment• be in transit to a country outside the common travel area. <p>A definition for venture capitalists can be found on the Business Scotland website. Venture capitalist firms must be regulated by the FCA. The FCA website is at www.fca.org.uk</p>

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	For information on UK government departments see www.gov.uk/government/organisations
Application forms	VAF 1C
Cost of application:	Fees for Home Office services
Entry clearance mandatory?	Yes
is biometric information required for applications made in the UK?	Not applicable.
Code of leave to enter granted	Code 3
Entry clearance endorsements	C: Special Visitor – LTE 6 months
Conditions of leave to enter	No work or study allowed. No recourse to public funds.
How long is leave to enter normally granted for?	Six months.
Are dependants allowed?	No – dependants must qualify as a visitor in their own right.
Work and study allowed?	No
Is switching into this category allowed?	No
Does this category lead to settlement (indefinite leave to remain)?	No. While prospective entrepreneurs switch into Tier 1 (Entrepreneur), time in this category will not contribute towards meeting the settlement requirements.
Is knowledge of language and life required?	No
CID case type	None
Immigration Rules paragraphs	Paragraph 56N – 56Q

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Changes to this guidance

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page lists changes to the prospective entrepreneurs guidance, with the most recent at the top.</p> <table border="1"> <thead> <tr> <th data-bbox="495 440 831 480">Date of the change</th> <th data-bbox="831 440 1532 480">Details of the change</th> </tr> </thead> <tbody> <tr> <td data-bbox="495 480 831 1409">25 September 2013</td> <td data-bbox="831 480 1532 1409"> <p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none"> • Throughout the document: <ul style="list-style-type: none"> ○ references to the Financial Services Authority (FSA) have been replaced with the Financial Conduct Authority (FCA) • Supporting letters: <ul style="list-style-type: none"> ○ third paragraph, final bullet point has changed from ‘be produced within the three months immediately before the date of application’ to ‘be dated no earlier than three months before the date of application.’ • Grant or refuse entry at UK port: <ul style="list-style-type: none"> ○ the page has been renamed ‘Admitting at port’ ○ sub-heading ‘Granting leave to enter’, the first paragraph has been rewritten ○ sub-heading ‘Refusing leave to enter’, the first sentence has changed to read ‘You must cancel the entry clearance and refuse leave to enter as a prospective entrepreneur if:’ </td> </tr> </tbody> </table>	Date of the change	Details of the change	25 September 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none"> • Throughout the document: <ul style="list-style-type: none"> ○ references to the Financial Services Authority (FSA) have been replaced with the Financial Conduct Authority (FCA) • Supporting letters: <ul style="list-style-type: none"> ○ third paragraph, final bullet point has changed from ‘be produced within the three months immediately before the date of application’ to ‘be dated no earlier than three months before the date of application.’ • Grant or refuse entry at UK port: <ul style="list-style-type: none"> ○ the page has been renamed ‘Admitting at port’ ○ sub-heading ‘Granting leave to enter’, the first paragraph has been rewritten ○ sub-heading ‘Refusing leave to enter’, the first sentence has changed to read ‘You must cancel the entry clearance and refuse leave to enter as a prospective entrepreneur if:’ 	<p>Related links</p> <p>Supporting letters</p> <p>Admitting at port</p> <p>See also</p> <p>Contact</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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25 September 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none"> • Throughout the document: <ul style="list-style-type: none"> ○ references to the Financial Services Authority (FSA) have been replaced with the Financial Conduct Authority (FCA) • Supporting letters: <ul style="list-style-type: none"> ○ third paragraph, final bullet point has changed from ‘be produced within the three months immediately before the date of application’ to ‘be dated no earlier than three months before the date of application.’ • Grant or refuse entry at UK port: <ul style="list-style-type: none"> ○ the page has been renamed ‘Admitting at port’ ○ sub-heading ‘Granting leave to enter’, the first paragraph has been rewritten ○ sub-heading ‘Refusing leave to enter’, the first sentence has changed to read ‘You must cancel the entry clearance and refuse leave to enter as a prospective entrepreneur if:’ 					

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		<ul style="list-style-type: none">• Minor housekeeping changes.	
	19 March 2013	Six month review by the modernised guidance team: <ul style="list-style-type: none">• No changes made.	
		For previous changes you will need to access the archived guidance. See related link: Prospective entrepreneur – Archive.	

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Entry or extension requirements

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This section tells you what you must check to see if an applicant meets the entry or extension requirements in the prospective entrepreneur category.</p> <p>All applicants will require entry clearance.</p> <p>Before considering an application you must check that:</p> <ul style="list-style-type: none">• the application is valid• the applicant's passport or travel document is genuine and valid• the applicant meets the substantive requirements of the category• there are no general grounds for refusal. <p>For more information, see related links:</p> <ul style="list-style-type: none">• Specified application forms and procedures• Passports and travel documents• General grounds for refusal. <p>Requirements for entry under the Immigration Rules</p> <p>Under paragraph 56O of the Immigration Rules, a prospective entrepreneur must:</p> <ul style="list-style-type: none">• Be genuinely seeking entry as a prospective entrepreneur for period not exceeding six months.• Provide a letter supporting the application, that meets the requirements and includes the information specified in paragraph 56O of the rules from one or more:<ul style="list-style-type: none">○ registered venture capitalist firms regulated by the Financial Conduct Authority (FCA)○ UK entrepreneurial seed funding competitions which is listed as endorsed on the UK Trade & Investment website (see related link), or	<p>In this section</p> <p>Supporting letters</p> <p>Permissible activities</p> <p>Links to staff intranet removed</p>
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- UK government departments
- Have a primary intention of applying as a prospective entrepreneur to secure funding to join, set up or take over, and be actively involved in the running of a business in the UK.
- Intend to leave the UK at the end of the period of the visit, unless they switch into Tier 1 (Entrepreneur).
- Maintain and accommodate themselves and any dependants adequately out of resources available to them without using public funds or taking employment. Or they will, with any dependants, be maintained and accommodated adequately by relatives or friends. And
- Do one or more of the following during their visit:
 - secure funding to join, set up or take over, and be actively involved in the running of a business in the UK
 - carry out a permissible activity, for more information see related link: Permissible activities.

They must not:

- intend to take employment
- intend to produce goods or provide services within the UK
- intend to undertake a course of study
- be a child under the age of 18
- intend to marry or form a civil partnership, or give notice of marriage or civil partnership
- intend to receive private medical treatment
- be in transit to a country outside the common travel area.

Requirements for an extension

There are no provisions in the Immigration Rules for prospective entrepreneurs to extend their leave. If they have secured investment they can switch into Tier 1 (Entrepreneur).

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Supporting letters

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you about the information which must be included in the letter of support for prospective entrepreneurs.</p> <p>The letter of support must be from either a:</p> <ul style="list-style-type: none">• registered venture capitalist firm regulated by the Financial Conduct Authority (FCA)• UK entrepreneurial seed funding competition listed as endorsed on the UK Trade & Investment website, or• UK government department. <p>Any letter must be:</p> <ul style="list-style-type: none">• an original document and not a copy• on the institution's official headed paper• issued and signed by an authorised official of that institution, and• dated no earlier than three months before the date of application. <p>It must also contain:</p> <ul style="list-style-type: none">• A description of the nature of the individual or organisation supporting the application.• A description of the background and nature of the proposed business.• A description of the applicant's suitability to be involved with the proposed business.• A commitment by the individual(s) or organisation(s) supporting the application to make a decision to provide a minimum of £50,000 funding for the proposed business within six months of the applicant entering the UK. If there is more than one individual or organisation supporting the application, each amount proposed may be smaller than £50,000, providing the total amount is a minimum of £50,000.• A commitment by the individual or organisation supporting the application to say the proposed business will be set up and run from the UK.	<p>In this section</p> <p>Entry or extension requirements</p> <p>Permissible activities</p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none">• Details of a named contact at the supporting organisation including telephone number and email address. And• Confirmation the individual or organisation supporting the application is content to be contacted if necessary. <p>An example letter is available on the Home Office website. See related link: What documents do you need as a prospective entrepreneur?</p>	
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Permissible activities

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you about the activities a person is allowed to do in the prospective entrepreneurs' category.</p> <p>Prospective entrepreneurs are allowed to:</p> <ul style="list-style-type: none">• attend meetings, which may be arranged when in the UK, including interviews arranged before coming to the UK, or conferences• attend trade fairs, providing this is restricted to promotional work and does not involve selling directly to members of the public• arrange deals or negotiate or sign trade agreements or contracts• conduct site visits• speak at a one-off conference, which is not organised as a commercial concern• undertake fact finding missions• purchase, check details of, or examine goods• recruit staff for the proposed business activity which is the object of the visa. <p>It is also reasonable to expect those coming to the UK as prospective entrepreneurs to want to make use of their laptops or smart phones whilst in the country. Providing this is only to keep up to date with their workload abroad, or to liaise with contacts in the UK, the Home Office does not consider this as work for the purposes of the Immigration Rules.</p> <p>Prospective entrepreneurs are not allowed to:</p> <ul style="list-style-type: none">• undertake activities allowed under the sports or entertainer visitor category (except those allowed within the prospective entrepreneur visa)• undertake activities allowed under the business visitor category (except for those allowed in the paragraph above)• undertake any work beyond the permissible activities described above.	<p>In this section</p> <p>Entry or extension requirements</p> <p>Supporting letters</p> <p>Links to staff intranet removed</p>
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Granting or refusing

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This section tells you when to grant or refuse entry or extension in the prospective entrepreneurs category.</p> <p>For more information, see related links:</p> <ul style="list-style-type: none">• Grant or refuse entry clearance• Grant or refuse entry at UK port• Grant or refuse extension of stay in the UK.	<p>In this section</p> <p>Grant or refuse entry clearance</p> <p>Grant or refuse entry at UK port</p> <p>Grant or refuse extension of stay in UK</p> <p>Links to staff intranet removed</p>
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Grant or refuse entry clearance

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you when to grant or refuse an application for entry clearance in the prospective entrepreneurs category.</p> <p>Grant entry clearance</p> <p>You must grant entry clearance if:</p> <ul style="list-style-type: none">• the applicant meets all the requirements of paragraph 56O of the Immigration Rules, and• none of the general grounds for refusal in paragraph 320 apply. <p>For more information, see related links:</p> <ul style="list-style-type: none">• Entry or extension requirements• General grounds for refusal. <p>Length of leave</p> <p>Leave is granted for up to six months.</p> <p>The endorsement is: C: Prospective Entrepreneur. LTE 6 months, code 3.</p> <p>The endorsement must be valid from the date the applicant intends to travel to the UK.</p> <p>Refusing entry clearance</p> <p>When the applicant has not provided the required evidence that they meet all the requirements of paragraph 56O, or if any of the general grounds for refusal in paragraph 320 apply, you must refuse the application.</p>	<p>In this section</p> <p>Granting or refusing</p> <p>Grant or refuse entry at UK port</p> <p>Grant or refuse extension of stay in UK</p> <p>Related links</p> <p>Entry or extension requirements</p> <p>Links to staff intranet removed</p>
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Admitting at port

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you when to admit a person with entry clearance as a prospective entrepreneur at a UK port.</p> <p>Granting leave to enter Prospective entrepreneurs must have entry clearance. You must admit them if you are satisfied :</p> <ul style="list-style-type: none">• they still meet the requirements of paragraph 56O of the Immigration Rules, and• none of the general grounds for refusal in paragraph 321 of the rules apply. <p>For more information, see related links:</p> <ul style="list-style-type: none">• Entry or extension requirements• General grounds for refusal. <p>If you are satisfied the person meets all the requirements, endorse the entry clearance with an open date stamp and record the appropriate statistical code (VPE) on the landing card.</p> <p>Refusing leave to enter You must cancel the entry clearance and refuse leave to enter as a prospective entrepreneur if :</p> <ul style="list-style-type: none">• you are not satisfied the applicant still meets each requirement of paragraph 56O of the Immigration Rules, or• any of the general grounds for refusal in paragraph 321 apply.	<p>In this section</p> <p>Granting or refusing</p> <p>Grant or refuse entry clearance</p> <p>Grant or refuse extension of stay in UK</p> <p>Related links</p> <p>Entry or extension requirements</p> <p>Links to staff intranet removed</p>
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Grant or refuse extension of stay in UK

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you when to grant or refuse an application for an extension of leave to remain in the prospective entrepreneur category.</p> <p>Refuse extension</p> <p>There is no provision in the Immigration Rules for a prospective entrepreneur to extend their leave in the UK. Where an application is submitted for an extension you must refuse it under paragraph 322(1).</p>	<p>In this section</p> <p>Granting or refusing</p> <p>Grant or refuse entry clearance</p> <p>Grant or refuse entry at UK port</p> <p>Related links</p> <p>Entry or extension requirements</p> <p>Links to staff intranet removed</p>
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Contact

<p>About this guidance</p> <p>Key facts</p> <p>Entry or extension requirements</p> <p>Granting or refusing</p>	<p>This page tells you who to contact for more help with a specific case in the prospective entrepreneur category.</p> <p>If you have read paragraphs 56N-56Q of the Immigration Rules as well as this guidance and still need more help, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, you may email:</p> <ul style="list-style-type: none">• Study and visit operational policy for guidance on the policy (see related link).• Entry clearance officers can email: ECO support (see related link).• Border Force officers can email: BF OAS enquiries (see related link). <p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the study and visit operational policy team, who will ask the MGT to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>	<p>Related links</p> <p>Changes to this guidance</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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Information owner

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