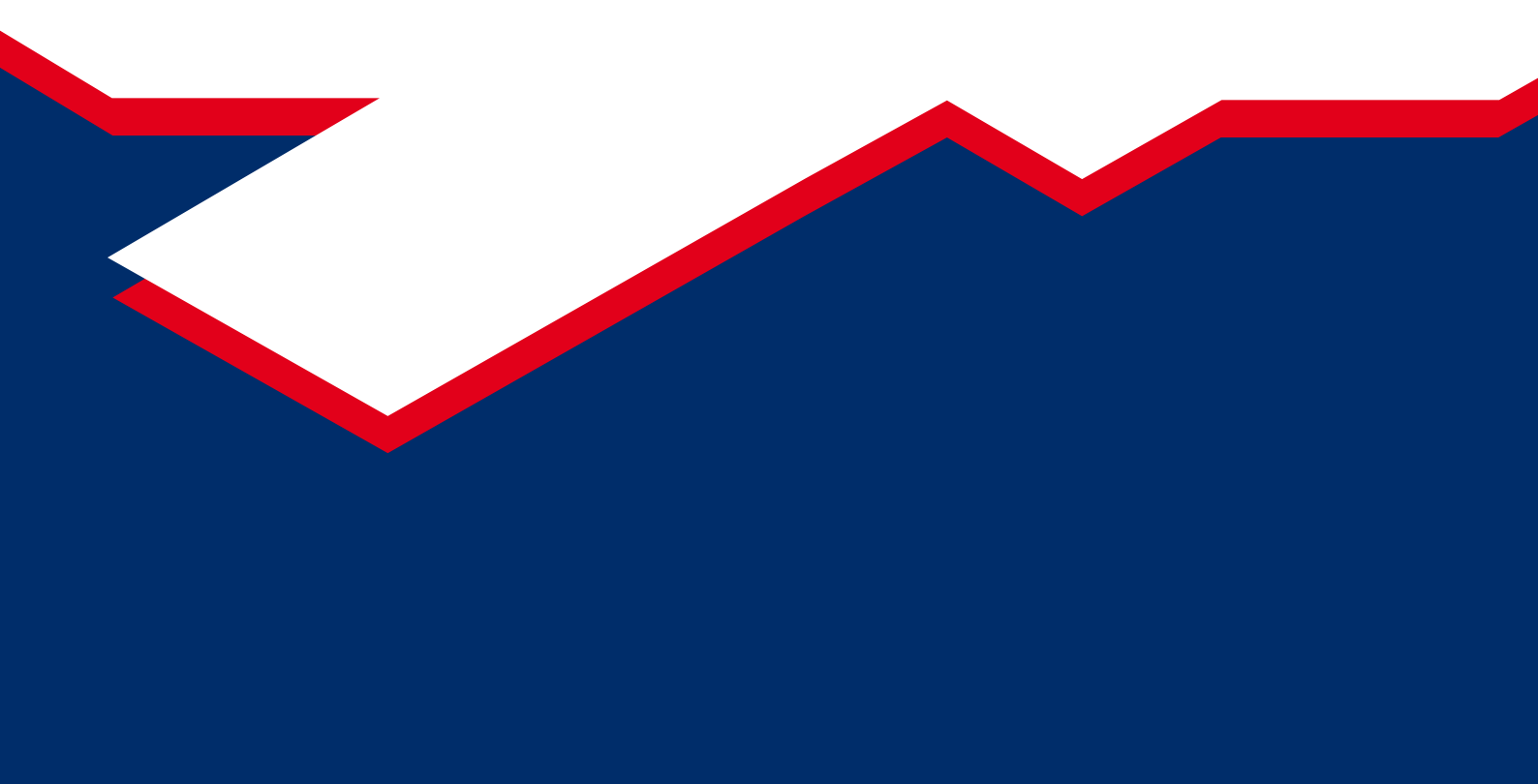




**SECURING
OUR BORDER
CONTROLLING
MIGRATION**

TIER 2 OF THE POINTS BASED SYSTEM
STATEMENT OF INTENT, TRANSITIONAL
MEASURES AND INDEFINITE LEAVE
TO REMAIN

February 2011



CONTENTS

Introduction	3
Tier 2 - Overview	4
Tier 2 (General) - Changes affecting all migrants (except as stated)	5
Tier 1 and Tier 2 transitional arrangements	10
Appendix A: Tier 2 graduate occupations	12
Appendix B: Tier 2 at a glance	15

INTRODUCTION

On 23 November 2010, the Home Secretary announced the Government's plans to change how Tiers 1 and 2 of the Points Based System operate. In 2011/12, these changes will include a limit of 20,700 for Tier 2 (General) and 1000 for the Tier 1 (Exceptional Talent) route.

The limits and other changes, including some clarification of the existing requirements for indefinite leave to remain, will come into effect on 6 April 2011.

We will lay the necessary changes to the Immigration Rules before Parliament in mid-March, and the UK Border Agency will, at that point, publish detailed guidance for migrants and employers. In the meantime, this Statement provides information on how the new arrangements will operate. We are publishing it now to help ensure a smooth transition with minimal disruption to sponsors' recruitment plans.

The measures outlined in this Statement should not be seen as a definitive account of the requirements that will apply from 6 April 2011. The definitive version is expected to be set out in the Immigration Rules and formal Guidance published in March. The Statement does however represent the Government's current intentions.

This document also includes information about the transitional measures which will apply to migrants with leave to remain in Tiers 1 and 2 granted before 6 April 2011.

The Government announced on 23 November 2010 that it would introduce a new Exceptional Talent category in Tier 1 and would also reform the Tier 1 Investor and Entrepreneur routes. We intend to introduce these changes from 6 April 2011 but they are not included in this Statement. We will set them out separately as soon as possible.

The Government will review annually the level and scope of the limit for future years.

TIER 2 - OVERVIEW

Tier 2 of the Points Based System was introduced in November 2008 and caters for skilled workers with a job offer in the UK. Tier 2 migrants require a Certificate of Sponsorship (CoS) from a licensed Tier 2 sponsor and once this has been assigned they may apply for entry clearance or leave to remain in the UK.

This statement is concerned with the application of two Tier 2 categories¹:

- Tier 2 General – for workers coming to the UK to fill a vacancy that cannot be filled by a resident worker. This is normally because, having advertised the vacancy, the employer has been unable to find a suitable resident worker (the Resident Labour Market Test or RLMT). Where the occupation is included on the Government's Shortage Occupation List an employer does not need to conduct the RLMT.
- Tier 2 Intra Company Transfer (ICT) – for existing company employees transferred to the UK because, for example, they possess company-specific expertise which cannot be sourced from the resident labour market at short notice, or they are coming to the UK for career development purposes.

From 6 April 2011, we will change the eligibility criteria (e.g. minimum skills levels) and introduce a limit on certain Tier 2 applications. All current requirements and procedures will continue to apply unless stated otherwise.

Introducing a limit on parts of Tier 2 means that we will require sponsors to check our guidance before they issue a CoS to see whether the role they wish to fill falls into the 'Restricted' or 'Unrestricted' category.

If the role they wish to fill is subject to the limit, the sponsor has to apply for a restricted CoS. The UK Border Agency will assess applications for restricted CoS once a month throughout the year (we will publish a timetable to show when we will make these monthly decisions).

As part of applying for a restricted CoS, a sponsor will need to confirm that:

- the occupation is on the Shortage Occupation List; or
- they have carried out a Resident Labour Market Test,

The sponsor will also be asked to confirm that

- the job is on the published Graduate Occupations List of jobs eligible for Tier 2; and
- the role meets the requirements for the occupation as specified on the Shortage Occupation List or the sponsor has carried out a RLMT; and
- the job meets the minimum applicable salary requirements.

If sponsors apply for more CoS than we have available in any given month, we will allocate CoS according to the ranking system explained below.

If we allocate a 'restricted' CoS to a sponsor, they will issue it to their prospective overseas worker as they do now.

If the UK Border Agency allocates a restricted CoS to a sponsor, this does not mean that we have approved the application to bring that worker to the UK. All Tier 2 migrants must still apply for entry clearance and that will be granted if they can show they have sufficient points for holding a valid CoS, appropriate salary for the job in question, maintenance (as now) and appropriate level of English, and do not fall under the general grounds for refusal.

¹ The changes set out in this Statement do not apply to the Tier 2 categories of Sportspeople and Ministers of Religion.

TIER 2 (GENERAL) - CHANGES AFFECTING ALL MIGRANTS (EXCEPT AS STATED)

GRADUATE OCCUPATIONS

We are raising the minimum skill level for an eligible job to one broadly corresponding to graduate level occupations. Our Graduate Occupation List was recommended by the Migration Advisory Committee (MAC). It contains a list of qualifying occupations by Standard Occupational Classification (SOC) code and can be found at **Appendix A**. Only jobs in an occupation with these SOC Codes or on the Shortage Occupation List (see below) will be eligible within Tier 2 General.

The Tier 2 migrant does not necessarily need to hold a graduate qualification. So, for instance, a nurse qualified to Diploma level may continue to enter so long as the vacancy they are filling is included in an occupation on the list.

The Shortage Occupation List will be amended to remove those occupations not on the new Graduate Occupations List referred to above. The MAC is also reviewing whether those jobs currently on the Shortage Occupation List, but not on the new Graduate Occupations List, should be retained on the Shortage Occupation List, where some positions may in effect skilled at the appropriate level. This will involve defining minimum salary levels for some graduate-level jobs within occupations not on the Graduate Occupations List. The MAC will publish its recommendations, and the Government will respond to them, before 6 April.

ENGLISH LANGUAGE

We are raising the English language requirements for Tier 2 (General) from basic to intermediate English at level B1 on the Common European Framework of Reference for languages.

ENTRY CLEARANCE APPLICATIONS

We will apply a new test to all Tier 2 applicants applying for entry clearance or switching employers. We will replace the existing points table with the streamlined test below. We will no longer award points for an individual's qualifications, so Tier 2 applicants will no longer need to provide a degree certificate (or similar) with their entry clearance application.

Points table applicable to migrants with CoS seeking entry clearance

Requirement	Points
Valid Certificate of Sponsorship held	30
Appropriate salary for the immigration route and occupation (the minimum salary for Tier 2 General will remain at £20k. Different requirements apply to ICTs. The appropriate rate in the Code of Practice will also apply).	20
Maintenance (as now)	10
B1 level English language (or A1 level in the case of intra-company transfers seeking to extend their stay beyond 3 years)	10
Minimum of 70 points required.	

We will require that sponsors must assign a 'restricted' Certificate of Sponsorship (CoS) to their prospective Tier 2 applicant within 3 months of the UK Border Agency allocating the CoS to the sponsor.

As at present, the prospective Tier 2 applicant must apply for entry clearance, or leave to remain, within 3 months of the CoS being assigned to them by their sponsor.

Tier 2 categories affected by the limit

The Tier 2 (General) category will be subject to a limit on numbers of 20,700 in the year commencing 6 April 2011.

This limit will apply to CoS for those seeking admission to the United Kingdom as a Tier 2 (General) migrant. These CoS will be known as “restricted”.

Tier 2 categories not affected by the limit

- Intra Company Transfers;
- Tier 2 migrants extending their stay with their original employer;
- Tier 2 migrants with valid leave extending their stay by switching to a new employer;
- those admitted in another category of stay and applying to switch in-country into the Tier 2 (general) category;
- where transitional arrangements for those already in the United Kingdom as a Tier 2 migrant or work permit holder apply;
- those seeking admission to fill a vacancy attracting a salary of £150,000 or more; or
- Tier 2 Sports People or Ministers of Religion

CoS for these applications will be known as ‘unrestricted’ and sponsors can issue these CoS without first applying to the UK Border Agency for permission.

Tier 2 (General) migrants paid more than £150,000

As well as applications for a CoS to fill a vacancy that attracts a salary of £150,000 or more not being restricted, we will also not apply the Resident Labour Market Test (RLMT) requirement to these applications.

The current limited waiver of the RLMT for jobs paid at £130,000 or more will be abolished

Applying for CoS in unrestricted categories

UKBA will be approaching registered Tier 2 sponsors over the coming weeks to work out initial allocations of unrestricted CoS. Sponsors will still be able to apply for additional unrestricted CoS during the financial year just as they have been able to do since Tier 2 was first introduced.

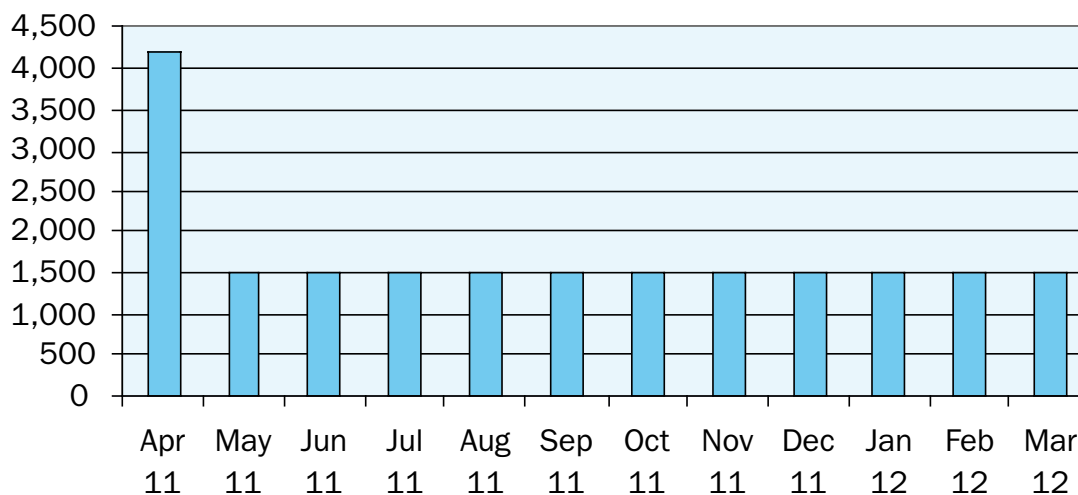
If a sponsor is found to be issuing unrestricted CoS to Tier 2 migrants within the restricted category, consideration will be given to withdrawing their Tier 2 sponsor licence.

Operating the limit for Tier 2 General

The UK Border Agency will operate the limit by not allowing any sponsor to issue a ‘restricted’ CoS unless they first get permission using the new monthly process.

The limit of 20,700 places will be subdivided into 12 monthly allocations.

The UK Border Agency’s experience is that while different sectors see some seasonality of demand for CoS this tends to balance out. We will front load the first month, making 4,200 places available.



■ Certificates of sponsorship quota

Thereafter the limit will be set at 1,500 places per month. These monthly limits will be set out in the Immigration Rules. Employers should not apply earlier than they need to and in any case not more than 3 months before they intend to assign the CoS.

Accessing restricted CoS

During each month, sponsors will apply to the UK Border Agency for permission to issue a 'restricted' CoS. At a set and published date, the UK Border Agency will consider all applications received by that month's deadline against the ranking criteria shown below.

We will not charge sponsors to apply for a restricted CoS, but we will continue to charge for issuing a CoS.

If the monthly limit is undersubscribed, we will award CoS to all qualifying applications. Any unallocated CoS will be added to the following month's allocation, until the end of the year when a fresh limit will be set.

Where the monthly limit is oversubscribed, we will award CoS to all applications with sufficient points to place them above the monthly threshold (see below). An employer who has applied for, but not been allocated a CoS will have to re-apply. Their application will not be automatically rolled forward to the next month.

We expect the first monthly allocation of CoS to take place in early April. We expect to begin accepting applications for restricted CoS from 16th March 2011.

Returning unneeded CoS

If a sponsor is allocated a restricted CoS and then does not use it, we will make arrangements for the sponsor to return the CoS to us so it can be used in subsequent monthly allocations.

PRIORITISING APPLICATIONS FOR CERTIFICATES OF SPONSORSHIP

All applications for restricted CoS must score a minimum of 32 points from the table below. When the monthly allocation of restricted CoS is oversubscribed by eligible applications, we will collate and prioritise application using the points scored in the table below.

CoS allocation points table

Route	Points	Salary (mandatory)	Points
SOL	75	£20,000 to £20,999	2
PHD level posting and RLMT	50	£21,000 to £21,999	3
RLMT	30	£22,000 to £22,999	4
		£23,000 to £23,999	5
		£24,000 to £24,999	6
		£25,000 to £25,999	7
		£26,000 to £26,999	8
		£27,000 to £27,999	9
		£28,000 to £31,999	10
		£32,000 to £45,999	15
		£46,000 to £74,999	20
		£75,000 to £99,999	25
		£100,000 to £149,999	30
Minimum 32 points required			

Migrants can only score for one entry in each column. For example, if a job is in a shortage occupation and is a PhD level posting, the migrant will score 75 points from the first column, not 125.

Further examples:

- a RLMT migrant paid £24,500 would score 36 points;
- a migrant in a Shortage Occupation paid £20,999 would score 77 points;
- a migrant in a PhD level job paid £22,100 would score 54 points;
- a RLMT migrant paid £75,000 would score 55 points.

This process will mean that a number of applications scoring an equal number of points may straddle the cut-off point at which applications would otherwise be successful.

The Immigration Rules governing the operation of limit will make it clear that all such applications will be approved where to do so would not cause the monthly allocation to be exceeded by more than 100. In that event, the monthly allocation for the following month will be reduced accordingly.

For example, if June's allocation of 1500 is exceeded by 70 CoS, then July's allocation will be reduced from 1500 to 1430.

Where granting all applications scoring an equal number of points would mean that we would exceed the monthly allocation by more than 100, all those applications will be refused and instead the balance of the monthly allocation will be carried over to the next monthly allocation.

For example, if October's allocation is held at 1,450 because there are more than 150 applications at the next 'score' on the table above, then November's allocation will be increased to 1,550.

The points table is structured so as to prioritise Shortage Occupations and then high level research posts for highly qualified individuals on lower rates of pay. The list of "PhD level" jobs includes all jobs in the following SOC codes, regardless of whether the individual themselves holds a PhD or not. This means that, for example, applications for researchers who have not yet completed their PhDs will still score the additional points.

- 1137 – Research and Development Managers
- 2111 – Chemists
- 2112 – Biological Scientists and Biochemists
- 2113 – Physicists, Geologists and Meteorologists
- 2311 – Higher Education Teaching Professionals
- 2321 – Scientific Researchers
- 2322 – Social Science Researchers
- 2329 – Researchers not elsewhere classified

TIER 2 INTRA COMPANY TRANSFER (ICT)

We are changing the ICT route in two ways:

First, as for Tier 2 General, the job will have to be in an occupation on the Graduate Occupation List.

Second, we will grant those paid between £24k and £40k leave no longer than 12 months; at which point they must leave the UK and will not be able to re-apply for further leave as an ICT until 12 months after their last leave as an ICT expired. Those paid more than £40k will be granted leave for up to 3 years with the possibility of extending for a further two; they will not be able to extend beyond 5 years, and will not be able to re-apply to return to the UK as an ICT until 12 months after their last leave as an ICT has expired.

Visas will continue to be multiple entry giving flexibility for those who want to make several shorter stays.

The current ICT sub-routes for graduate trainees and skills transfer will remain.

The conditions applying to the short and long term ICT routes are summarised in the table below.

Stage	Shorter term ICTs	Longer term ICTs
Entry clearance	<ul style="list-style-type: none"> • Must be paid over £24k; • No more than 40% of the salary package may be comprised of accommodation allowances (as now); • Must meet points test (Table 2 above). 	<ul style="list-style-type: none"> • Must be paid over £40k; • No more than 30% of the salary package may be comprised of accommodation allowances (as now); • Must meet points test (Table 2 above).
Initial grant of leave	<ul style="list-style-type: none"> • Up to 12 months, multiple-entry. 	<ul style="list-style-type: none"> • Up to 3 years, multiple-entry.
At end of that period	<ul style="list-style-type: none"> • Must leave the UK, cannot extend beyond a total of 12 months stay in the UK. 	<ul style="list-style-type: none"> • May extend for a further two years • After five years they cannot extend and must leave the UK.
Returning to the UK as an ICT	<ul style="list-style-type: none"> • Not as short-term ICT within 12 months of expiry of last leave as an ICT. • If salary increased above £40k during period of leave as short-term ICT, cannot extend but can apply out of country to return as long-term ICT. 	<ul style="list-style-type: none"> • Not as an ICT within 12 months of expiry of last period of leave as an ICT.
Switching in to Tier 2 General	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • No

We will not apply the new Rules to ICTs already in the UK.

TIER 1 AND TIER 2 TRANSITIONAL ARRANGEMENTS

We will not apply the new requirements described above to migrants already in the UK with leave granted under Tier 1 or Tier 2 before 6 April 2011.

We will consider applications for entry clearance or for leave to remain under Tier 1 and Tier 2 made on or after 6 April 2011 in accordance with the new Rules in force after that date. This means that if a migrant applies for entry clearance or leave to remain under Tier 2 on or after the 6 April 2011, we will consider their application under the new rules, even if they hold a CoS issued before 6 April.

There will be transitional arrangements for those already in the routes as follows:

TIER 1

- The Tier 1 (General) route will remain open in order to enable those with existing leave to enter or remain under Tier 1 (General), or its pre-PBS predecessor categories² to extend their leave. The points threshold for extensions will, however, be raised to 100 for those who were required to score 100 points when they were originally granted Tier 1 (General) leave. The points requirements will otherwise be unchanged.
- Those not already in Tier 1 (General) or a pre-PBS predecessor category will not be able to switch into it after 6 April 2011. This includes those with existing leave to enter or remain in the Tier 1 (Post Study Work) category or its predecessor categories, and those in Tier 4. They will not be able to switch into Tier 1 (General), but will be permitted to switch into Tier 2 (General). The allocation of a CoS for the purpose of such a switching application will not count towards the annual limit in 2011/12 nor will it be subject to the RLMT where the worker is switching from a Post-Study Work category and has been in post for six months or more.

TIER 2

- The new Tier 2 criteria (i.e. the requirement to be in a graduate level occupation, the new salary thresholds and the requirement to have competence in English language to level B1) and the limit will not apply to those with leave under Tier 2 or as a work permit holder granted before 6 April 2011 and are seeking to extend their stay as a Tier 2 migrant
- These requirements will also not apply to Tier 2 migrants or work permit holders granted leave before 6 April 2011 who are applying for leave to remain as a Tier 2 migrant in order to change their employer. Any such change of employment application will, however, be subject to the RLMT requirement as at present;
- The new requirements for intra-company transfers will not apply to those granted entry clearances before 6 April 2011. Those granted entry clearance in the Tier 2 Intra-Company Transfer category before 6 April 2011 will continue to be able to apply for extensions of stay beyond 5 years; those admitted under the Rules in place before 6 April 2010 (when the relevant Rules change was made) will continue to be able to qualify for settlement after 5 years leave in that category.

INDEFINITE LEAVE TO REMAIN (SETTLEMENT)

On the 23 November 2010, the Home Secretary set out the Government's intention to restrict settlement and to end the link between temporary migration for work or study and staying in the UK permanently. As a first step towards achieving these objectives, there will be some preliminary tightening of the settlement rules from April 2011 which will affect those submitting applications for settlement on or after 6 April.

² The Highly Skilled Migrant Programme (HSMP) and the categories for Writers, Composers and Artists and Self-Employed Lawyers.

We will consult later in the year on further settlement reforms. However, those making applications for leave to enter or who are already in the UK and apply to switch into an alternative route on or after 6 April 2011 should be aware that the opportunity to apply for settlement and the requirements for applicants may change. Applicants will need to meet the rules in place at the time of their application for settlement.

CHANGES TO THE SETTLEMENT RULES FROM APRIL 2011

Rules and guidance changes effective from April 2011 will:

- introduce a new income requirement for Tier 1 (General), Tier 2 (General) and Work Permit holders applying for settlement;
- amend the Knowledge of Language and Life in the UK requirement for Tier 1 (General), Tier 2 (General) and Work Permit holders; and
- clarify the criminality test applied to all applicants for settlement.

Income requirement

We will introduce a new income requirement for Tier 1 (General), Tier 2 (General) and Work Permit holders applying for settlement. Although granted leave to enter or remain with the intention that they should undertake skilled or highly skilled work, these groups currently are not required to demonstrate this at the settlement stage. An income requirement will help ensure that these migrants have continued to work in skilled or highly skilled occupations by confirming their income is at least the level stipulated when they were last granted leave.

From April, we intend to apply the same income criteria for settlement as we do when an applicant applies for further leave to remain. We will clearly set out these requirements in the forthcoming Statement of Changes to the Immigration Rules and in guidance, however, in general terms:

- Tier 1 (General) migrants will need to score points against the same criteria as their last application as set out in Appendix A of the Immigration Rules;
- Tier 2 (General) and Work Permit migrants will need to be paid the appropriate salary for the occupation as set out in the relevant Code of Practice for sponsored skilled workers.

English Language

Those here under Tier 1 and Tier 2 of the Points Based System and as Work Permit holders who apply for settlement are required to demonstrate a Knowledge of Language and Life in the UK prior to being granted settlement. From April, they will be able to meet this requirement only by completing the Life in the UK Test. They will no longer be able to rely on taking an English for Speakers of Other Languages (ESOL) with citizenship course. This will ensure that all Tier 1, Tier 2 and Work Permit migrants meet at least English level B1 of the Common European Framework of Reference for languages, as this is the level at which we set the Life in the UK Test. Dependants of Tier and Tier 2 migrants will be unaffected by this change.

Criminality test

We will reform the current criminality threshold for settlement to bring it more in line with that for citizenship (naturalisation) applicants. All migrants (except refugees) will need to be free of unspent convictions when applying for settlement. Those who are not, and have no other legitimate basis of stay here, will be expected to leave the UK.

APPENDIX A:

TIER 2 GRADUATE OCCUPATIONS

SOC code	Occupation
1111	Senior officials in national government
1112	Directors and chief executives of major organisations
1113	Senior officials in local government
1114	Senior officials of special interest organisations
1121	Production, works and maintenance managers
1122	Managers in construction
1123	Managers in mining and energy
1131	Financial managers and chartered secretaries
1132	Marketing and sales managers
1133	Purchasing managers
1134	Advertising and public relations managers
1135	Personnel, training and industrial relations managers
1136	Information and communication technology managers
1137	Research and development managers
1141	Quality assurance managers
1142	Customer care managers
1151	Financial institution managers
1152	Office managers
1161	Transport and distribution managers
1171	Officers in armed forces
1172	Police officers (inspectors and above)
1173	Senior officers in fire, ambulance, prison and related services
1174	Security managers
1181	Hospital and health service managers
1182	Pharmacy managers
1183	Healthcare practice managers
1184	Social services managers
1185	Residential and day care managers
1212	Natural environment and conservation managers
1219	Managers in animal husbandry, forestry and fishing n.e.c.
1222	Conference and exhibition managers
1231	Property, housing and land managers
1235	Recycling and refuse disposal managers
1239	Managers and proprietors in other services n.e.c.

SOC code	Occupation
2111	Chemists
2112	Biological scientists and biochemists
2113	Physicists, geologists and meteorologists
2121	Civil engineers
2122	Mechanical engineers
2123	Electrical engineers
2124	Electronics engineers
2125	Chemical engineers
2126	Design and development engineers
2127	Production and process engineers
2128	Planning and quality control engineers
2129	Engineering professionals n.e.c.
2131	IT strategy and planning professionals
2132	Software professionals
2211	Medical practitioners
2212	Psychologists
2213	Pharmacists/pharmacologists
2214	Ophthalmic opticians
2215	Dental practitioners
2216	Veterinarians
2311	Higher education teaching professionals
2312	Further education teaching professionals
2313	Education officers, school inspectors
2314	Secondary education teaching professionals
2315	Primary and nursery education teaching professionals
2316	Special needs education teaching professionals
2317	Registrars and senior administrators of educational establishments
2319	Teaching professionals n.e.c.
2321	Scientific researchers
2322	Social science researchers
2329	Researchers n.e.c.
2411	Solicitors and lawyers, judges and coroners
2419	Legal professionals n.e.c.
2421	Chartered and certified accountants
2422	Management accountants
2423	Management consultants, actuaries, economists and statisticians
2431	Architects
2432	Town planners
2433	Quantity surveyors
2434	Chartered surveyors (not quantity surveyors)
2441	Public service administrative professionals
2442	Social workers
2443	Probation officers
2444	Clergy

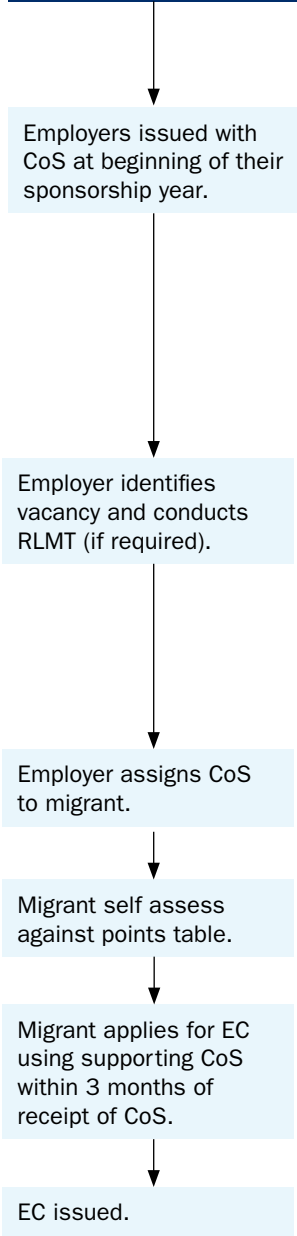
SOC code	Occupation
2451	Librarians
2452	Archivists and curators
3121	Architectural technologists and town planning technicians
3123	Building inspectors
3131	IT operations technicians
3211	Nurses
3212	Midwives
3213	Paramedics
3214	Medical radiographers
3215	Chiropodists
3218	Medical and dental technicians
3221	Physiotherapists
3222	Occupational therapists
3223	Speech and language therapists
3229	Therapists n.e.c.
3319	Protective service associate professionals n.e.c.
3411	Artists
3412	Authors, writers
3413	Actors, entertainers
3414	Dancers and choreographers
3415	Musicians
3416	Arts officers, producers and directors
3422	Product, clothing and related designers
3431	Journalists, newspaper and periodical editors
3432	Broadcasting associate professionals
3433	Public relations officers
3512	Aircraft pilots and flight engineers
3513	Ship and hovercraft officers
3531	Estimators, valuers and assessors
3532	Brokers
3534	Finance and investment analysts/advisers
3535	Taxation experts
3537	Financial and accounting technicians
3539	Business and related associate professionals n.e.c.
3541	Buyers and purchasing officers
3543	Marketing associate professionals
3551	Conservation and environmental protection officers
3561	Public service associate professionals
3564	Careers advisers and vocational guidance specialists
3565	Inspectors of factories, utilities and trading standards
3566	Statutory examiners
3567	Occupational hygienists and safety officers (health and safety)
3568	Environmental health officers

APPENDIX B: TIER 2 AT A GLANCE

The table below summarises Tier 2 as it will be for those applying on or after 6 April 2011.

Route	Within limit	Minimum salary	Grants of leave	Cooling off period	Extension criteria	Settlement	Dependants
Tier 2 General – out of country	✓ (unless salary of £150,000 or above)	£20,000 or appropriate rate as per Code of Practice (whichever is higher).	3 years followed by 2 years.		Certificate of Sponsorship for continuing period. Control tests including appropriate rate.	After 5 years, but subject to review.	✓
Tier 2 General – in country	Exempt	£20,000 or appropriate rate as per Code of Practice (whichever is higher).	3 years followed by 2 years.		Certificate of Sponsorship for continuing period. Control tests including appropriate rate.	After 5 years, but subject to review .	✓
Tier 2 Intra Company transfer – Longer term	Exempt	£40,000 including permitted allowances.	3 years followed by 2 years.	1 year after leaving the UK upon expiry of leave	Certificate of Sponsorship for continuing period. Control tests including appropriate rate. Cannot extend beyond 5 years.	This route does not lead to settlement.	✓
Tier 2 Intra Company transfer - Shorter term	Exempt	£24,000 including permitted allowances.	1 year only	1 year after leaving the UK upon expiry of leave	Certificate of Sponsorship for continuing period. Control tests including appropriate rate. Cannot extend beyond 1 year.	This route does not lead to settlement.	✓

Pre-limits Process



Proposed new Process

