

- To make other minor changes and clarifications.

### ***Changes relating to the knowledge of language and life***

7.46. Minor amendments are being made to reflect changes to the life in the UK test providers.

### ***New indefinite leave to remain rules for ECAA workers and business persons and their dependants***

7.47. The European Communities Association Agreement (ECAA) was set up, under the Ankara Agreement on 12 September 1963, with the general aim of promoting economic relations between Turkey and the European Economic Community and supporting the eventual accession of Turkey to the European Economic Community. The UK became an automatic signatory to the ECAA when it joined the Community in 1973. Under the Agreement and its associated Protocols, there are specific provisions (commonly referred to as the “standstill clause”) made for rights of access to the labour market for Turkish workers, and rights to establish a business, with conditions which are more favourable than those afforded to other third country/non-EU nationals. This had the effect of preserving the relevant parts of the Immigration Rules as they stood in 1973 for relevant applicants.

7.48. In March 2017, the Upper Tribunal confirmed that the “standstill clause” did not apply to indefinite leave to remain in the UK for ECAA business persons. The Court of Justice of the European Union (CJEU) had already determined as such for ECAA workers. As a result, the ILR route for business persons was closed on 16 March 2018.

7.49. The Government is introducing a new category within the current Immigration Rules that will provide a route for Turkish ECAA business persons, workers and their family members who wish to obtain ILR in the UK. The new ILR provision will recognise time spent as either an ECAA business person or as a worker (or equivalent Points Based System routes), as long as the most recent period of leave was under the ECAA. The eligibility criteria for main applicants include:

- the qualifying period for settlement is five years, in line with other settlement routes;
- the applicant must demonstrate sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL;
- the applicant does not fall for refusal under general grounds for refusal; and
- the applicant must pay the requisite fee as per other settlement routes.

7.50. For dependants, children will be granted ILR in line with the main applicant where the relevant criteria are met, whilst spouses, civil partners and unmarried partners will require five years residency, in line with other Points Based System routes, and to meet associated eligibility requirements.