



Statement of changes in Immigration Rules

*Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty*

May 2020

(This document is accompanied by an Explanatory Memorandum)



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¹STATEMENT OF CHANGES IN IMMIGRATION RULES

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

¹ This Statement of Changes can be viewed at

<https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

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

Implementation

The following sections shall take effect on 4 June 2020. If an application is supported by a Certificate of Sponsorship (CoS) or endorsement assigned before this date or an application for entry clearance, leave to enter or leave to remain is made before 4 June 2020, they will be decided in accordance with the Immigration Rules in force on 3 June 2020:

- Part 5 – Paragraphs 5.1 to 5.10
- Part 6A – Paragraphs 6A.1 and 6A.2
- Appendix W – Paragraph W1 to W41

The following sections shall take effect on 24 August 2020:

- Appendix EU – Paragraphs EU.1, EU.2, EU.5, EU.7 to EU.11, EU.13 to EU.15, EU.17 and EU.18
- Appendix EU (Family Permit) – Paragraphs EU(FP).1 to EU(FP).5 and EU(FP).7

The other changes set out in this statement shall take effect on 4 June 2020.

Review

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

The report must in particular:

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

“Review period” means:

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

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

“Relevant Rule” means an Immigration Rule which:

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

Changes to Part 5

5.1 In paragraph 144, after “are that he” add “genuinely”.

5.2 In paragraph 144(i), after “a business which has” add “, and will continue to have,”.

5.3 For paragraph 144(ii)(a), substitute:

“(a) as a senior employee of an active and trading overseas business which has no active branch, subsidiary or other representative in the United Kingdom for the purpose of representing that business in the United Kingdom by establishing and operating a registered branch or wholly-owned subsidiary of it, where that branch or subsidiary will actively trade in the same type of business as that overseas business and is not being established solely for the purpose of facilitating the entry and stay of the applicant; or”.

5.4 For paragraph 144(iii)(a), substitute:

“(a) will be the sole representative of that overseas business present in the United Kingdom under the terms of this paragraph, with the skills, experience and knowledge of the business necessary to undertake that role, and the full authority to negotiate and take operational decisions on behalf of that business;”.

5.5 For paragraph 144(iii)(b), substitute:

“(b) is an existing senior employee of that overseas business who intends to

be employed full time as a representative of that business and will not engage in business of his own or represent any other business's interest in the United Kingdom;”.

5.6 For paragraph 144(iii)(c), substitute:

“(c) does not have a majority stake in, or otherwise own or control, that overseas business, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement;”.

5.7 In paragraph 144(iii)(d)(1), after “distribution” add “or ownership”.

5.8 In paragraph 144(iii)(d)(4), for “is fully familiar with the company's activities and has full powers to negotiate and take operational decisions without reference to the parent company” substitute:

“has the relevant skills, experience, knowledge and authority as outlined in (iii)(a)”.

5.9 In paragraph 147(ii)(b), after “subsidiary” add “which they established in the UK in accordance with paragraph 144 of these rules”.

5.10 In paragraph 194, at the end of sub-paragraph (viii) after “entry in this capacity” insert:

“; and

(ix) where the applicant is accompanying or joining a person granted entry clearance or leave to enter or limited leave to remain as the sole representative of an overseas business within the meaning of paragraph 144(ii)(a), the applicant does not have a majority stake in, or otherwise own or control, that overseas business, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement”.

Changes to Part 6A

6A.1 Delete paragraph 245GF including all sub-paragraphs.

6A.2 Delete paragraph 245GF-SD including all sub-paragraphs.

Changes to Appendix EU

EU.1 In paragraph EU11., for conditions 5 and 6 in the table, substitute:

“

5.	<p>(a) The applicant is (or, as the case may be, was) a family member of a relevant EEA citizen; and</p> <p>(b) The relevant EEA citizen is a person who has ceased activity; and</p> <p>(c) The relevant EEA citizen:</p> <ul style="list-style-type: none"> (i) meets the requirements of sub-paragraph (b) of the definition of relevant EEA citizen in Annex 1; or (ii) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the definition of relevant EEA citizen in Annex 1; or (iii) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); and <p>(d) Sub-paragraph (a) above was met at the point at which the relevant EEA citizen became a person who has ceased activity; and</p> <p>(e) The applicant was resident in the UK and Islands for a continuous qualifying period immediately before the relevant EEA citizen became a person who has ceased activity; and</p> <p>(f) Since the relevant EEA citizen became a person who has ceased activity, no supervening event has occurred</p>
6.	<p>(a) The applicant is a family member of a relevant EEA citizen; and</p> <p>(b) The relevant EEA citizen has died and was resident in the UK as a worker or self-employed person at the time of their death; and</p> <p>(c) The relevant EEA citizen was resident in the UK and Islands for a continuous qualifying period of at least two years immediately before dying, or the death was the result of an accident at work or an occupational disease; and</p> <p>(d) The applicant was resident in the UK with the relevant EEA citizen immediately before their death and since then no supervening event has occurred</p>

”.

EU.2 In paragraph EU11., for sub-paragraph (b)(iii) of condition 7 in the table, substitute:

“(iii) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the definition of relevant EEA citizen in Annex 1; or
(iv) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1)”.

EU.3 In Annex 1, for sub-paragraph (c) of the definition of ‘continuous qualifying period’ in the table, substitute:

“(c) (where – save for the purposes of the reference to continuous qualifying period in condition 6 in the table in paragraph EU11 of this Appendix and in sub-paragraph (d)(iii)(aa) of the entry for ‘family member who has retained the right of residence’ in this table (as that reference applies to, as the case may be, the relevant EEA citizen or the qualifying British citizen) – the period is less than five years and the person has not acquired the right of permanent

residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man) which continues at the date of application”.

EU.4 In Annex 1, for sub-paragraph (b) of the definition of ‘date of application’ in the table, substitute:

“(b) (in the case of a paper application form):
 (i) the date of posting to the Home Office address specified on the form (where one is specified), as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or
 (ii) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office address specified on the form (where one is specified); or
 (iii) where the paper application form is sent by e-mail, the date on which it is recorded by Home Office e-mail software as received at the Home Office e-mail address specified on the form (where one is specified)”.

EU.5 In Annex 1, after sub-paragraph (c) of the definition of ‘EEA citizen’ in the table, insert:

“; or
 (d) a **relevant person of Northern Ireland**”.

EU.6 In Annex 1, for the entry for ‘family member who has retained the right of residence’ in the table, substitute:

“

family member who has retained the right of residence	<p>a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that the requirements set out in one of sub-paragraphs (a) to (e) below are met:</p> <p>(a) the applicant is an EEA citizen or non-EEA citizen who:</p> <ul style="list-style-type: none"> (i) was the family member of a relevant EEA citizen (or of a qualifying British citizen) and that person died; and (ii) was resident as the family member of a relevant EEA citizen (or of a qualifying British citizen) for a continuous qualifying period in the UK of at least a year immediately before the death of that person; or <p>(b) the applicant is an EEA citizen or non-EEA citizen who:</p> <ul style="list-style-type: none"> (i) is the child of: <ul style="list-style-type: none"> (aa) a relevant EEA citizen (or of a
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	<p>qualifying British citizen) who has died or of their spouse or civil partner immediately before their death; or</p> <p>(bb) a person who ceased to be a relevant EEA citizen (or a qualifying British citizen) on ceasing to reside in the UK or of their spouse or civil partner at that point; and</p> <p>(ii) was attending an educational course in the UK immediately before the relevant EEA citizen (or the qualifying British citizen) died or ceased to be a relevant EEA citizen (or a qualifying British citizen), and continues to attend such a course; or</p> <p>(c) the applicant is an EEA citizen or non-EEA citizen who is the parent with custody of a child who meets the requirements of sub-paragraph (b) above; or</p> <p>(d) the applicant (“A”) is an EEA citizen or non-EEA citizen who:</p> <p>(i) ceased to be a family member of a relevant EEA citizen (or of a qualifying British citizen) on the termination of the marriage or civil partnership of that relevant EEA citizen (or of that qualifying British citizen); for the purposes of this provision, where, after the initiation of the proceedings for that termination, that relevant EEA citizen ceased to be a relevant EEA citizen (or that qualifying British citizen ceased to be a qualifying British citizen), they will be deemed to have remained a relevant EEA citizen (or, as the case may be, a qualifying British citizen) until that termination; and</p> <p>(ii) was resident in the UK at the date of the termination of the marriage or civil partnership; and</p> <p>(iii) one of the following applies:</p> <p>(aa) prior to the initiation of the proceedings for the termination of the marriage or the civil partnership, the marriage or civil partnership had lasted for at least three years and the parties to the marriage or civil partnership had been resident for a continuous qualifying period in the UK of at least one year during its duration; or</p> <p>(bb) A has custody of a child of the relevant EEA citizen (or the qualifying British citizen); or</p> <p>(cc) A has the right of access to a child of the relevant EEA citizen (or the qualifying British citizen), where the child is under the</p>
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	<p>age of 18 years and where a court has ordered that such access must take place in the UK; or</p> <p>(dd) the continued right of residence in the UK of A is warranted by particularly difficult circumstances, such as where A or another family member has been a victim of domestic violence or abuse whilst the marriage or civil partnership was subsisting; or</p> <p>(e) the applicant (“A”) is an EEA citizen or non-EEA citizen who:</p> <p>(i) provides evidence that a relevant family relationship with a relevant EEA citizen (or with a qualifying British citizen) has broken down permanently as a result of domestic violence or abuse; and</p> <p>(ii) was resident in the UK when the relevant family relationship broke down permanently as a result of domestic violence or abuse, and the continued right of residence in the UK of A is warranted where A or another family member has been a victim of domestic violence or abuse before the relevant family relationship broke down permanently</p> <p>in addition:</p> <p>(a) ‘relevant family relationship’ in sub-paragraph (e) above means a family relationship with a relevant EEA citizen (or with a qualifying British citizen) such that the applicant is, or (immediately before the relevant family relationship broke down permanently as a result of domestic violence or abuse) was, a family member of a relevant EEA citizen (or of a qualifying British citizen); and</p> <p>(b) where sub-paragraph (e) above applies, then, where, following the permanent breakdown of the relevant family relationship as a result of domestic violence or abuse, the applicant remains a family member of a relevant EEA citizen (or of a qualifying British citizen), they will be deemed to have ceased to be such a family member for the purposes of this Appendix once the permanent breakdown occurred</p>
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”.

EU.7 In Annex 1, for sub-paragraph (a)(i) of the definition of ‘relevant document’ in the table, substitute:

“(a)(i)(aa) a family permit, registration certificate, residence card, document

certifying permanent residence, permanent residence card or derivative residence card issued by the UK under the EEA Regulations on the basis of an application made under the EEA Regulations before (in the case of a family permit) 1 July 2021 and otherwise before 1 January 2021; or
 (bb) (where the applicant is a family member of a relevant person of Northern Ireland and is a dependent relative or durable partner) other evidence which satisfies the Secretary of State of the same matters under this Appendix concerning the relationship and (where relevant) dependency as a document to which sub-paragraph (a)(i)(aa) above refers; for the purposes of this provision, where the Secretary of State is so satisfied, such evidence is deemed to be the equivalent of a document to which sub-paragraph (a)(i)(aa) above refers; or”.

EU.8 In Annex 1, in sub-paragraph (a)(ii) of the definition of ‘relevant document’ in the table, for “sub-paragraph (a)(i)” substitute “sub-paragraph (a)(i)(aa)”.

EU.9 In Annex 1, in sub-paragraph (d)(i) of the definition of ‘relevant document’ in the table, for “sub-paragraph (a)(i)” substitute “sub-paragraph (a)(i)(aa)”.

EU.10 In Annex 1, after sub-paragraph (d) of the definition of ‘relevant EEA citizen’ in the table, insert:

“; or

(e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):

(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or

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

(aa) has been or is being granted indefinite leave to enter or remain under this Appendix (or under its equivalent in the Islands); or

(bb) would be granted indefinite leave to enter or remain under this Appendix, if they made a valid application under it; or

(iii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, be granted indefinite leave to enter or remain under this Appendix, if they made a valid application under it”.

EU.11 In Annex 1, after the entry for ‘relevant naturalised British citizen’ in the table, insert:

“

relevant person of Northern Ireland	<p>a person who:</p> <p>(a) is:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; and <p>(b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
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”.

EU.12 In Annex 1, below sub-paragraph (c) of the definition of ‘required application process’ in the table, insert:

“in addition, where a paper application form is used under sub-paragraph (b) or (c) above, it must be sent by pre-paid post or courier to the Home Office address specified on the form (where one is specified), or by e-mail to the Home Office e-mail address specified on the form (where one is specified)”.

EU.13 In Annex 1, after the entry for ‘required biometrics’ in the table, insert:

“

required evidence of being a relevant person of Northern Ireland	<p>(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and</p> <p>(b) evidence which satisfies the Secretary of State that, at the time of the person's birth, at least one of their parents was:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence <p>in addition:</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English,</p>
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	the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix
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”

EU.14 In Annex 1, in the definition of ‘required evidence of family relationship’ in the table, for sub-paragraph (b)(i) of the provision beginning “in addition”, substitute:

“(i) the following proof of identity and nationality of (as the case may be) the relevant EEA citizen, or the qualifying British citizen, of whom the applicant is (or, as the case may be, for the relevant period was) a family member:

(aa) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of that entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, or in the case of a qualifying British citizen) their valid passport; or

(bb) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of that entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland) their valid national identity card or confirmation that they have been or are being granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or

(cc) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (d) of that entry in this table) their valid passport or their valid national identity card as a national of a country listed in sub-paragraph (a)(i) in the entry for ‘EEA citizen’ in this table, and information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State, which satisfies the Secretary of State that the person is a British citizen; or

(dd) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland) the **required evidence of being a relevant person of Northern Ireland**, and:

(aaa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State, which satisfies the Secretary of State that the person is a British citizen; or

(bbb) (where they are an Irish citizen) their valid passport or their valid national identity card as an Irish citizen, or confirmation that they have been or are being granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or

(ccc) (where they are a British citizen and an Irish citizen) the evidence required by sub-paragraph (b)(i)(dd)(aaa) or (b)(i)(dd)(bbb) above,

unless (in any case) the Secretary of State agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; and”.

EU.15 In Annex 1, in the definition of ‘required evidence of family relationship’ in the table, in sub-paragraph (b)(ii)(aa) of the provision beginning “in addition”, for “sub-paragraph (b), (c) or (d)” substitute “sub-paragraph (b), (c), (d) or (e)”.

EU.16 In Annex 1, in the definition of ‘required evidence of family relationship’ in the table, for sub-paragraphs (c) and (d) of the provision beginning “in addition”, substitute:

“(c) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and

(d) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and

(e) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix”.

EU.17 In Annex 1, after sub-paragraph (b) of the definition of ‘self-employed person’ in the table, insert:

“
,
irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland”.

EU.18 In Annex 1, after sub-paragraph (b) of the definition of ‘worker’ in the table, insert:

“
,
irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person

is, or (as the case may be) was, a relevant person of Northern Ireland”.

Changes to Appendix EU (Family Permit)

EU(FP).1 In Annex 1, in sub-paragraph (b) of the definition of ‘durable partner’ in the table, after “the person held a relevant document as the durable partner of the relevant EEA citizen” insert “or, where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable by the specified date”.

EU(FP).2 In Annex 1, for the entry for ‘EEA citizen’ in the table, substitute:

“

EEA citizen	a person who is: (a) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who (unless they are a relevant naturalised British citizen) is not also a British citizen; or (b) a relevant person of Northern Ireland
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”.

EU(FP).3 In Annex 1, for the entry for ‘relevant EEA citizen’ in the table, substitute:

“

relevant EEA citizen	(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who: (i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or (ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or (iii) (in the case of an Irish citizen who has not been granted indefinite leave to enter or remain or limited leave to enter or
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	<p>remain under Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on that person being a relevant person of Northern Ireland) the entry clearance officer is satisfied, including by the required evidence of qualification, would be granted such leave under that Appendix, if they made a valid application under it; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or</p> <p>(c) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who:</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p> <p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the entry clearance officer is satisfied, including by the required evidence of qualification, would be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it</p>
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”.

EU(FP).4 In Annex 1, after the entry for ‘relevant naturalised British citizen’ in the table, insert:

“

relevant person of Northern Ireland	<p>a person who:</p> <p>(a) is:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; and <p>(b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
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EU(FP).5 In Annex 1, after the entry for 'required biometrics' in the table, insert:

“

required evidence of being a relevant person of Northern Ireland	<p>(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and</p> <p>(b) evidence which satisfies the entry clearance officer that, at the time of the person's birth, at least one of their parents was:</p> <ul style="list-style-type: none"> (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence <p>in addition:</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
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”.

EU(FP).6 In Annex 1, in the definition of 'required evidence of family relationship'

in the table, for the provision beginning “in addition”, substitute:

“in addition:

(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and

(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix”.

EU(FP).7 In Annex 1, for the entry for ‘required evidence of qualification’ in the table, substitute:

“

required evidence of qualification	<p>(a) (in the case of a relevant EEA citizen who is an Irish citizen who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on the relevant EEA citizen being a relevant person of Northern Ireland):</p> <p>(i) their passport or national identity card as an Irish citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which satisfies the entry clearance officer that the person would be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it; or</p> <p>(b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen):</p> <p>(i) their passport or national identity card as an EEA citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is a British citizen; and</p>
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	<p>(iii) information or evidence which satisfies the entry clearance officer that the person would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it; or</p> <p>(c) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland, and who, where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table, has not been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules or under its equivalent in the Islands) the required evidence of being a relevant person of Northern Ireland, and:</p> <p>(i)(aa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the person is a British citizen; or</p> <p>(bb) (where they are an Irish citizen) their passport or national identity card as an Irish citizen, which is:</p> <p>(aaa) valid; and</p> <p>(bbb) the original document and not a copy; or</p> <p>(cc) (where they are a British citizen and an Irish citizen) the evidence required by sub-paragraph (c)(i)(aa) or (c)(i)(bb) above; and</p> <p>(ii) information or evidence which satisfies the entry clearance officer that the person would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for ‘relevant person of Northern Ireland’ in this table) be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it</p> <p>in addition:</p> <p>(a) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and</p> <p>(b) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa) or (c)(ii) above, the applicant submits a copy (and not the original) of a document, the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted;</p>
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	<p>and</p> <p>(c) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa) or (c)(ii) above, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
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Changes to Appendix FM

FM.1 In paragraph E-ECP.2.8. after “to take place”, insert “in the United Kingdom”.

FM.2 In paragraph S-LTR.1.4.(b) after “12 months”, insert “unless a period of 10 years has passed since the end of the sentence; or”.

Changes to Appendix FM-SE

FM-SE.1 At the end of paragraph 7(h)(bb) for the full stop after “Institute of Financial Accountants”, substitute:

“, The Association of Authorised Public Accountants, The Chartered Institute of Public Finance and Accountancy, The Chartered Institute of Management Accountants, the Association of International Accountants and The Association of Accounting Technicians.”.

FM-SE.2 Within paragraphs 9(b)(iv) of Appendix FM-SE, for the full stop after “Institute of Financial Accountants”, substitute:

“, The Association of Authorised Public Accountants, The Chartered Institute of Public Finance and Accountancy, The Chartered Institute of Management Accountants, the Association of International Accountants and The Association of Accounting Technicians.”.

Changes to Appendix M

M1. In the table in Appendix M, for:

“

All sports listed in Appendix M of the Immigration Rules	Home Office	Tier 2 (Sportsperson) and Tier 5 (Temporary Worker – Creative and Sporting)
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”.

substitute:

“

All sports not listed in Appendix M of the Immigration Rules	Home Office	Tier 2 (Sportsperson) and Tier 5 (Temporary Worker – Creative and Sporting)
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”

Changes to Appendix W

- W1. In paragraph W2.1(a), in the first row of the table, for “the time already granted”, substitute “the time the applicant has already spent”.
- W2. For paragraph W3.4, substitute:
- “W3.4 Restrictions for students
- (a) If the applicant’s last grant of leave was as a Tier 4 (General) Student, and they are applying in the UK, they must have been sponsored as a Tier 4 (General) Student by one of the following:
- (i) a higher education provider with a track record of compliance
 - (ii) an overseas higher education institution to undertake a short-term study abroad programme in the UK
 - (iii) an Embedded College offering Pathway Courses
 - (iv) an independent school
- (b) Regardless of their type of leave and where they are applying from, if the applicant was sponsored for their studies in the UK by a government or international scholarship agency, and the sponsorship is ongoing or ended less than 12 months before the date of application, the applicant must:
- (i) have been granted unconditional written consent to make the application by their sponsoring government or international scholarship agency
 - (ii) provide a letter from each sponsoring organisation confirming this
- The letter must be issued by an authorised official of that organisation and contain contact details which allow it to be verified. The document must confirm that the organisation gives the applicant unconditional consent to remain in or re-enter the UK for an unlimited time.”.
- W3. At the end of paragraph W3.9(e)(i), after “Rules”, insert “as being an institution where satisfactory verification checks cannot be made.”.
- W4. For paragraph W5.1(c), substitute:
- “(c) The *decision maker* may request additional information or evidence from the applicant or the *endorsing body* to support the information in the *endorsement letter*, and may refuse the application if they are not satisfied the endorsement criteria in paragraph W5.2 are met.”.

W5. After paragraph W5.1(e), insert:

- “(f) If the application is successful, the applicant must maintain contact with their *endorsing body* as required by that body and, as a minimum, after 6 months and 12 months from the date the application was granted. At these contact points, the applicant must **either**:
- (i) show reasonable progress, as assessed by their *endorsing body*, against the business plan assessed in their endorsement
 - (ii) show that they are pursuing a new business venture, which the *endorsing body* is satisfied meets the endorsement criteria in paragraph W5.2 below”.

W6. In paragraph W5.2 for “confirm **both** of the following” substitute “confirm **all** of the following”.

W7. In the table in paragraph W5.2(a), for the “viability” entry, substitute:

“

Viability
The applicant’s business plan is realistic and achievable based on the applicant’s available resources. The applicant has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business.

”.

W8. After paragraph W5.2(b), insert:

- “(c) The applicant must be either the sole founder of the business or an instrumental member of the founding team. More than one applicant can be endorsed for the same business as long as each applicant is a founding member.
- (d) The applicant must be relying on their own business plan. They must have generated the ideas in the plan (or made a significant contribution to those ideas) and must be responsible for executing the plan.”.

W9. In paragraph W5.3(a)(ii)(1), for “or it is a new organisation set up for this purpose by another body which has its own track record of this nature.)”, substitute

“(Exceptionally this requirement may be waived, for example where a new organisation is set up by another body which has its own track record.)”.

W10. In paragraph W5.3(a)(ii)(2), before “supported by”, insert “from or”.

W11. For paragraph W6.1(d), substitute:

“(d) The *decision maker* may request additional information or evidence from the applicant or the *endorsing body* to support the information in the *endorsement letter*, and may refuse the application if they are not satisfied the endorsement criteria in paragraph W6.3, W6.6 or W6.7 below (as appropriate) are met.”.

W12. After paragraph W6.1(f), insert:

“(g) If the application is successful, the applicant must maintain contact with their *endorsing body* as required by that body and, as a minimum, after 6 months, 12 months and 24 months from the date the application was granted. At these contact points, the applicant must **either**:

- (i) show reasonable progress, as assessed by their *endorsing body*, against the business plan assessed in their endorsement
- (ii) show that they are pursuing a new business venture, which the *endorsing body* is satisfied meets the “new business” endorsement criteria in paragraph W6.3 below”.

W13. In paragraph W6.2(a)(ii), (b)(ii) and (c)(ii), after “grant of leave”, in each place it occurs, insert “, or at a contact point with that endorsing body during that grant of leave”.

W14. In paragraph W6.3 for “confirm **both** of the following” substitute “confirm **all** of the following”.

W15. In the table in paragraph W6.3(a), for the “viability” entry, substitute:

“

Viability
The applicant’s business plan is realistic and achievable based on the applicant’s available resources. The applicant has the necessary skills, knowledge, experience and market awareness to successfully run the business.

”.

W16. After paragraph W6.3(b), insert:

“(c) The business may have already started trading in the UK, but the applicant must be either the sole founder of the business or an

instrumental member of the founding team. More than one applicant can be endorsed for the same business as long as each applicant is a founding member. This affects the funding requirement (as set out in paragraph W6.4(d)) and the endorsement requirements for settlement applications (as set out in paragraph W6.7(f)).

- (d) The applicant must be relying on their own business plan. They must have generated the ideas in the plan (or made a significant contribution to those ideas) and must be responsible for executing the plan.”.

W17. In paragraph W6.7(b)(vii), for “an average salary”, substitute “a mean salary”.

W18. For paragraph W6.8(a)-(b), substitute:

“(a) The organisation must be one of the following:

- (i) a UK higher education provider which meets both of the following requirements:

- (1) The institution is a higher education provider with a track record of compliance
- (2) The institution has established processes for identifying, nurturing and developing entrepreneurs among its undergraduate and postgraduate population.

- (ii) An organisation which meets both of the following requirements:

- (1) The organisation has a proven track record of supporting UK entrepreneurs, including *resident workers*.
(Exceptionally this requirement may be waived, for example where a new organisation is set up by another body which has its own track record.)
- (2) The request to become an *endorsing body* is from or supported by a UK or devolved government department as being clearly linked to the department’s policy objectives. The department must be either a core department led by a UK or devolved government minister or a regionally-devolved authority led by a directly-elected mayor.”.

W19. In paragraph W6.8, renumber sub-paragraphs (c) to (g) as (b) to (f) respectively.

W20. After paragraph W7.3(c), insert:

“(d) Applicants who held leave as a Tier 1 (Exceptional Talent) migrant

during their last grant of leave will be considered under the *extension* criteria in W7.3(a).”.

W21. For paragraph W7.4(a)(ii), substitute:

“(ii) show the organisation logo and registered address, if written on behalf of a third party organisation”.

W22. For W7.4(f), substitute:

“Where these Rules require applicants to provide a letter of recommendation, this letter must:

- (i) specifically refer to and support the Global Talent application, not be a general, all-purpose letter
- (ii) be a maximum length of 3 single sides of A4 paper, excluding the authors credentials and/or curriculum vitae.”.

W23. In paragraph W7.5.1(f), after “award was”, insert “for another individual, or”.

W24. At the end of paragraph W7.5.1(g)(iii) for “.” substitute:

“
(iv) for exceptional promise applicants, if the appearance was as part of another individual’s work, or work that the applicant took part in as part of a group, and the applicant is not named specifically, they must provide evidence from a senior individual linked to the work, outlining the significant and direct contribution the applicant made.”.

W25. In paragraph W7.5.3, in each instance it occurs, for “fashion industry” substitute “fashion design industry”.

W26. In the header in the table below W7.5.3(d), in both instances it occurs after “fashion” insert “design”.

W27. Delete paragraph W7.5.4(f).

W28. In paragraph W7.5.5, in each instance it occurs for “fashion industry applicants” substitute “fashion design industry applicants”.

W29. For paragraph W7.5.5(a)(ii), substitute:

“(ii) The letter must include details of how the author knows the applicant (whether through personal relationship or reputation).”.

W30. After paragraph W7.5.5(a)(iv), insert:

(v) The letter must be accompanied by the author’s Curriculum Vitae, résumé

or other alternative evidence deemed equivalent by the relevant endorsing body, to confirm the author's official credentials.”.

- W31. In the table in paragraph W7.5.5, in each instance it occurs, after “applicant’s specialist field” insert “(i.e. arts and culture, film and television or architecture)”.
- W32. In paragraph W7.6 after “proven technical expertise”, insert “with the latest technologies”.
- W33. In the key criteria in the first column in the table after W7.6(a), for “director” substitute “senior executive”.
- W34. In the qualifying criteria in the first column in the table after W7.6(a), for “entrepreneur”, substitute “senior executive”.
- W35. In the qualifying criteria in the second column in the table after W7.6(a), for “founder, entrepreneur or employee”, substitute “founder or employee”.
- W36. For paragraph W7.6(b)(iv), substitute:
- “(iv) Evidence of any active businesses established or businesses that have been dissolved in the last 5 years, either which must have been commercially successful or otherwise demonstrate how the applicant meets the endorsement criteria, in which the applicant has been a founder or senior executive, or evidence of share ownership through business in a digital technology sector company. This evidence is included in the maximum 10 documents listed in (v) below.”.
- W37. For paragraph W7.6(v), for “2 A4 sides” substitute “3 A4 sides”.
- W38. In paragraph W7.7.3(a)(i), for “Written confirmation of the award from the endorsed funder that confirms both”, substitute “Written confirmation from the endorsed funder of the grant or award, confirming both”.
- W39. In the table below W.7.7.4(a), in the first column, after “equivalent research experience” insert “(including industrial or clinical research)”.
- W40. In the table below W.7.7.4(a), in the second column, for “(including industrial research)” substitute “(including industrial or clinical research)”.
- W41. In Annex 2, after “Beatson Institute for Cancer Research”, insert “BirdLife International”.

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