(21 March 2014 to 24 April 2015)





This guidance is based on the Immigration.



This guidance is based on the Immigration Rules.

Prospective entrepreneur

About this guidance

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Key facts

Entry or extension requirements

Granting or refusing

Immigration Rules paragraphs 56N-56Q

This guidance tells you how to decide applications for prospective entropreneurs is described in paragraphs 56N-56Q of the Immigration Rules.

There is a link to the Immigration Rules in related links.

The prospective entrepreneur category is for people who are contract the UK to secure funding to set up a UK business. They must be currently in discussions with:

- one or more registered venture capitalist fit is regulated by the Financial Conduct Authority (FCA)
- one or more UK entrepreneurial seed furting currentiations listed as endorsed on the UK Trade & investment website and/or
- UK government departments

to enter the UK to:

- secure funding to help them join, so up or take over a business in the UK, and
- be actively involved in the including of that business.

Indefinite leave to not or remain and dependants of visitors

There are no provisio. within the Immigration Rules to grant:

- Indefine lease enter or remain (settlement) in any of the visitor categories. Or
- Entry to b UK as the dependant of a visitor. A dependant or family member will need to qualify a their own right in one of the visitor categories.

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.

In this section

Changes to this guidance

Contact

Information owner

Related links

Links to staff intranet removed

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

This guidance is based on the Immigration Rules.

Changes to this guidance – This page tells you what has changed since the previous version of this guidance.

Contacts – This page tells you who to contact for help if your senior seworker line manager can't answer your question.

Information owner – This page tells you about this version the grance and who owns it.



This guidance is based on the Immigration Rules.

Key facts: Prospective entrepreneurs

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

Eligibility requirements

Under paragraph 56O of the Immigration Rules the applicant must:

- Be genuinely seeking entry as a prospective entrepreneur for a period not exceeding six months.
- Provide an original letter supporting the appraisant from:
 - o one or more registered ventur capitalist fin is regulated by the Financial Conduct Anthon. (FCA)
 - o one or more <u>UK Trade & vestme</u> <u>(UKT</u> endorsed seed competitions, and or
 o one or more UK government uepartments

 - o this original letter most include the information specified in paragraph 560 (L (i) to (ii) the Rules
- Intend to leave the UK at the end of the period of the visit, unless they witch. In Tic 1 (Entrepreneur).
- Maintain and commous themselves and any dependant ade vately:
 - o out of reverces vailable to them without using public unds tak a employment, or
 - o w. With any dependants, be maintained and accommodated adequately by relatives or friends. And
- Do one of the following during their visit:
 - o secure funding with a view to joining, setting up or taking ov 7, and being actively involved in the running of a usiness in the UK, or
 - o carry out a permissible activity as defined in paragraph 56O(d)(i) of the Rules.

The applicant must not:

- intend to take employment in the UK
- 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.

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

For information on UK government departments see



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	www.gov.uk/government/organisations
Application forms	VAF 1C
Cost of application:	UK Visas and Immigration fees
Entry clearance mandatory?	Yes
Is biometric information	Not applicable.
required for applications	
made in the UK?	
Code of leave to enter	Code 3
granted	
Entry clearance	C: Special Visitor – LTE 6 months
endorsements	
Conditions of leave to enter	No work or study allowed. No recourse to public funds.
How long is leave to enter	Six months.
normally granted for?	
Are dependants allowed?	No – dependants must qualify as visitor i. their con right.
Work and study allowed?	No
Is switching into this category allowed?	No
Does this category lead to	No. While prospective entregeneur switch into Tier 1
settlement (indefinite leave to	(Entrepreneur), time in this cangory was not contribute towards
remain)?	meeting the settlement. Tuire, ents.
Is knowledge of language	No
and life required?	
CID case type	None
Immigration Rules	Paragre h 56N' - 5.
paragraphs	

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Prospective entrepreneurs

Changes to this guidance

- Grianges to time gaid			1
About this guidance	This page lists changes to the top.	o the 'Prospective entrepreneurs' guidance with the most recent at	See also Contact
Key facts	Date of the change	Details of the change	Contact
Entry or extension	21 March 2014	Six month review by the modernic 'd g' uance team:	Information owner
<u>requirements</u>			Links to staff intranet
Granting or refusing	05.0 1 1 0040	Minor housekeeping chang s.	removed
	25 September 2013	Six month review by the medornis of guidance team:	
		Throughout the document:	
		o re rence to a Financial Services Authority (FSA) have been replaced	
		with the Financial Conduct Authority (FCA)	
		Support g letters:	
		third aragraph, final bullet point has	
		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: All and the second of the se	
		 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', 	

This guidance is based on the Immigration Rules.

the first sentence has changed to read 'You must cancel the entry clearance and refuse leave to enter as a prospective entrepreneur if:' Minor housekeeping changes.	
For previous changes you will nee to access the archived guidance. See related link: Prospective entrepreneur – A shive	



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Prospective entrepreneurs

Entry or extension requirements

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Key facts

Entry or extension requirements

Granting or refusing

This section tells you what you must check to see if an applicant meas the entry or extension requirements in the prospective entrepreneur category

All applicants will require entry clearance.

Before considering an application you must check that:

- the application is valid
- the applicant's passport or travel document is go wine and valid
- the applicant meets the substantive requirements of unategory
- there are no general grounds for refus.

For more information, see related lin

- Specified application form and proc dures
- Passports and travel do uments
- General grounds for relesal.

Requirements for fary to der a migration Rules

Under paragraph 60 of the Immigration Rules, a prospective entrepreneur must:

- Be genuinely secting entry as a prospective entrepreneur for period not exceeding six months.
- Provide a let apporting the application, that meets the requirements and includes the information specified in paragraph 560 of the rules from one or more:
 - 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

In this section

Supporting letters

Permissible activities

Related links

Links to staff intranet removed

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-56Q</u>

<u>Immigration Rules:</u> Appendix 1

<u>UK Trade & Investment</u> website

This guidance is based on the Immigration Rules.

- 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 usiness 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 but of resources available to them without using public funds or taking employment. Or they will, with any dependants, be maintained and accommodified adequately by relatives or friends. And
- Do one or more of the following during their visit:
 - o secure funding to join, set up or take over, and be a lively involved in the running of a business in the UK
 - o carry out a permissible activity, for ore in ormation see related link: Permissible activities.

They must not:

- intend to take employment
- intend to produce good or provide services within the UK
- intend to undertake a coarse of stuly
- be a child under the ge of 's
- intend to mar , or for a civil partnership, or give notice of marriage or civil partnership
- intend to rece 'e p' vate lical treatment
- be in transit to a puntry outside the common travel area.

Requirements for extension

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

This guidance is based on the Immigration Rules.

Prospective entrepreneurs

Supporting letters

About this guidance	This page tells you about the information which must be prospective entrepreneurs.	e included in 'e letter of upport for
Key facts	The letter of support must be from either a:	

Entry or extension requirements

Granting or refusing

- registered venture capitalist firm regulated by the F. anc. Conduc Authority (FCA)
- UK entrepreneurial seed funding competition listed a endo. ad in the UK Trade & Investment website, or
- UK government department.

Any letter must be:

- an original document and not a py
- on the institution's official headed are er
- issued and signed by an amorised "icial of that institution, and
- dated no earlier than the ee months beare the date of application.

It must also contain:

- A description of the return of the individual or organisation supporting the application.
- A description the packground and nature of the proposed business.
- A description of the applicant's suitability to be involved with the proposed business.
- A continue of by the individual(s) or organisation(s) supporting the application to make a flecition provide a minimum of £50,000 funding for the proposed business within six conths 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.

In this section

Entry or extension requirements

Permissible activities

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

<u>Immigration Rules –</u> <u>Introduction: paragraph</u> <u>6</u>

Prospective entrepreneur visa

<u>UK Trade & Investment</u> website

This guidance is based on the Immigration Rules.

- Details of a named contact at the supporting organisation including telephone number and email address. And
- Confirmation the individual or organisation supporting the application on tent to be contacted if necessary.

An example letter is available on the GOV.UK website. See related link. Prospective entrepreneur visa.



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Prospective entrepreneurs

Permissible activities

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Key facts

Entry or extension requirements

Granting or refusing

This page tells you about the activities a person is allowed to do in the prospect entrepreneurs' category.

Prospective entrepreneurs are allowed to:

- attend meetings, which may be arranged when in the UK, cluding interviews arranged before coming to the UK, or conferences
- attend trade fairs, providing this is restricted to promot anal work and does not involve selling directly to members of the public
- arrange deals or negotiate or sign trade agreements contracts
- conduct site visits
- speak at a one-off conference, which is proorganised as a commercial concern
- undertake fact finding missions
- purchase, check details of, or example goods
- recruit staff for the proposed pusines, activity which is the object of the visa.

It is also reasonable to expect those coning to the UK as prospective entrepreneurs to want to make use of their land has one mart phones whilst in the country. Providing this is only to keep up to date with their porkloationad, or to liaise with contacts in the UK, the Home Office does not consider this as work for the purposes of the Immigration Rules.

Prospective entreprenturs are not allowed to undertake:

- activitic allowed within the cospective entrepreneur visa)
- activities llowed under the business visitor category (except for those allowed in the paragraph bove)
- any work beyond the permissible activities described above.

In this section

Entry or extension requirements

Supporting letters

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

<u>Immigration Rules –</u> <u>Introduction: paragraph</u> 6

This guidance is based on the Immigration Rules.

Prospective entrepreneurs

Granting or refusing

This section tells you when to grant or refuse entry or extension in the prospective In this section About this guidance entrepreneurs category. Grant or refuse entry Key facts For more information, see related links: clearance Entry or extension Admitting at port • Grant or refuse entry clearance requirements Admitting at port Grant or refuse • Grant or refuse extension of stay in the U Granting or refusing extension of stay in UK **External links** Immigration Rules – Part 2: paragraphs 56N-56Q

This guidance is based on the Immigration Rules.

Prospective entrepreneurs

Grant or refuse entry clearance

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About	this	arno	lance
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Key facts

Entry or extension requirements

Granting or refusing

This page tells you when to grant or refuse an application for entry c'arance in prospective entrepreneurs category.

Grant entry clearance

You must grant entry clearance if:

- the applicant meets all the requirements of paragrap 560 the immigration Rules, and
- none of the general grounds for refusal in parag. ah 32 apply.

For more information, see related links:

- Entry or extension requirement
- · General grounds for refusal.

Length of leave

Leave is granted for up to six months.

The endorsement is: 2: Prespect of Threpreneur. LTE 6 months, code 3.

The endorsement was a value om the date the applicant intends to travel to the UK.

Refusing C. Clearan

You must re use uppolication if:

- the app cant has not provided the required evidence that they meet all the requirements of paragraph 56O, or
- any of the general grounds for refusal in paragraph 320 apply.

In this section

Granting or refusing

Admitting at port

Grant or refuse extension of stay in UK

Related links

Links to staff intranet removed

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

<u>Immigration Rules - Part</u> 9: paragraph 320

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Prospective entrepreneurs

Admitting at port

About this g

Key facts

Entry or extension requirements

Granting or refusing

This page tells you when to admit a person with entry clearance as a prospective entrepreneur at a UK port.

Granting leave to enter

Prospective entrepreneurs must have entry clearance. You just a unit them if you are satisfied:

- they still meet the requirements of paragraph 560 of the Immigration Rules, and
- none of the general grounds for refusal in parag. and 321 of the rules apply.

For more information, see related links:

- Entry or extension requirement
- General grounds for refusal.

If you are satisfied the person meets all the a quirements:

- endorse the entry clearance with a lopen date stamp, and
- record the appropriate states states code (VPE) on the landing card.

Refusing leave to ntr

You must cancel the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and refuse leave to enter as a prospective entreprene to the try clearance and try clearance an

- you are a satisfied the applicant still meets each requirement of paragraph 56O of the Immigration Rules, or
- any of the eneral grounds for refusal in paragraph 321 apply.

In this section

Granting or refusing

Grant or refuse entry clearance

Grant or refuse extension of stay in UK

Related links

Entry or extension requirements

Links to staff intranet removed

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

<u>Immigration Rules - Part</u> 9: paragraphs 320-321

Immigration Rules:
Appendix 1

This guidance is based on the Immigration Rules.

Prospective entrepreneurs

Grant or refuse extension of stay in UK

	ision of stuy in ort	
About this guidance	This page tells you when to grant or refuse an application for an extresion of lease to remain in the prospective entrepreneur category.	In this section
Key facts	Refuse extension	Granting or refusing
Entry or extension requirements	There is no provision in the Immigration Rules for a prospective er repreneur to extend their leave in the UK. Where an application is submitted for an externion your must refuse it under paragraph 322(1).	Grant or refuse entry clearance
Granting or refusing	under paragraph 622(1).	Admitting at port
		Related links
		Entry or extension requirements
		Links to staff intranet removed
		External links
		<u>Immigration Rules –</u> <u>Part 2: paragraphs 56N-56Q</u>
		Immigration Rules - Part 9: paragraph 322

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Prospective entrepreneurs

Contact

About this guidance	This page tells you who to contact for more help with a specific case of the prospective entrepreneur category.	Related links
Key facts		Changes to this
	If you have read paragraphs 56N-56Q of the Immigration Rules as well as a guidance and	guidance
Entry or extension	still need more help, you must first ask your senior casewon. Ir or 'ne manager.	
requirements	If the question cannot be answered at that level, you may mail:	Information owner
Operation on an entire in a		External links
Granting or refusing	Study and visit operational policy for guidance the pilicy (see related link).	
	Border Force officers can email: BF OAS equiries (see elated link).	<u>Immigration Rules –</u>
		Part 2: paragraphs 56N-
	Changes to this guidance can only be made by the made guidance team (MGT). If	<u>56Q</u>
	you think the policy content needs ar anding you must contact the study and visit	
	operational policy team, who will ask the ball to update the guidance, if appropriate.	Links to staff intranet removed
	The MGT will accept direct for dback on brown links, missing information or the format, style	
	and navigability of this guida ce. You can send these using the link: Email: Modernised	
	guidance team.	

This guidance is based on the Immigration Rules.

Prospective entrepreneurs

Information owner

About this guidance

Key facts

Entry or extension requirements

Granting or refusing

This page tells you about this version of the 'Prospective entreprene guidance and who owns it.

Version	8.0
Valid from date	21 March 2014
Policy owner	Study and visit operation polic
Clearance by director	Sonia Dower
	Neil Hughes
Director's role	Director, operational pulsay at 1 rules
	Director, national pad, temp lry migration
Date cleared	28 Septemb 2012
This version approved for	Richard Short
publication by	* * * * * * * * * * * * * * * * * * *
Approver's role	Grade A Judernise guidance team
Approval date	.o warch ∠ 14

Changes to this guidance call only be milde by the modernised guidance team (MGT). If you think the policy content needs amending, you must contact the study and visit operational policy team (see relativity), who will ask the MGT to update the guidance, if appropriate.

The MGT will accept and edback on broken links, missing information or the format, style and navigability of the guida. e. You can send these using the link: Email: Modernised guidance team.

Related links

Changes to this guidance

Contact

External links

<u>Immigration Rules –</u>
<u>Part 2: paragraphs 56N-</u>
56Q

Links to staff intranet removed