

STATEMENT OF CHANGES IN IMMIGRATION RULES

*Presented to Parliament pursuant to section 3(2) of
the Immigration Act 1971*

*Ordered by the House of Commons to be printed
15 March 2022*

(This document is accompanied by an Explanatory Memorandum)



© Crown copyright 2022

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Queries should be directed to the Home Office as per the 'Contact UKVI' section on the visas and immigration pages of the GOV.UK website at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>.

Specific written queries relating to this Statement of Changes should be directed to StatementofChanges@homeoffice.gov.uk. Please note that this mailbox is only for Parliamentary use and specific technical queries regarding the drafting of this Statement of Changes. It is not a contact point for general enquiries. Queries to this e-mail address from outside Parliament about other immigration issues, including how these changes affect applications, will not receive a response.

A copy of this Statement of Changes can be found at www.gov.uk/official-documents and also on the visas and immigration pages of the GOV.UK website at www.gov.uk/government/collections/immigration-rules-statement-of-changes

ISBN 978-1-5286-3221-8

E02724891 03/22

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of Her Majesty's Stationery Office

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 (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), 12 March 2020 (HC 120), 14 May 2020 (CP 232), 10 September 2020 (HC 707), 22 October 2020 (HC 813), 10 December 2020 (HC 1043), 31 December 2020 (CP 361), 4 March 2021 (HC 1248), 10 September 2021 (HC 617), 11 October 2021 (CP 542), 1 November 2021 (HC 803), 14 December 2021 (HC 913), 24 January 2022 (HC 1019) and 17 February 2022 (CP 632).

¹ This Statement of Changes can be viewed at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

Implementation

The following paragraphs shall take effect on 6 April 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain, or a Global Talent Endorsement application has been made before 6 April 2022, such applications will be decided in accordance with the Immigration Rules in force on 5 April 2022.

- APP AR1 to APP AR4
- APP AR6
- APP ST1 to APP ST8
- APP STS1
- APP GR1 to APP GR5
- APP MOR1
- APP ROB7 and APP ROB8
- APP GT1 to APP GT9
- APP GT11 and APP GT12
- APP GTPP1 to APP GTPP7
- APP INN1 to APP INN4
- APP INN6 to APP INN7
- APP DW1 and APP DW2
- APP TWSW1 to APP TWSW13
- APP YMS1 to APP YMS3
- APP YMSEN1
- APP HK1 to APP HK6
- APP ATAS3

The following paragraphs shall take effect on 6 April 2022.

- INTRO1 to INTRO4
- 6A.1 to 6A.2
- 1.1 to 1.4
- 1.7 to 1.17
- 7.11
- 8.6 to 8.8
- 9.3
- 10.1 to 10.3
- APP EU1 to APP EU26
- APP EU(FP)1 to APP EU(FP)25
- APP PFFL1
- APP SW3 and APP SW4
- APP UKA1 to APP UKA3
- APP ISP2 and APP ISP3
- APP SGB1 to APP SGB4
- APP CRV1 to APP CRV4
- APP RW1
- APP CW1
- APP IA11 and APP IA12
- APP GAE1

- APP GAES 1 to GAES2
- APP CWCOP1 TO APP CWCOP3
- APP KOLUK1
- APP CR1

The following paragraphs shall take effect at 0900 on 11 April 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 0900 on 11 April 2022, such applications will be decided in accordance with the Immigration Rules in force 10 April 2022.

- INTRO5
- INTRO7
- INTRO8
- INTRO11 to INTRO14
- INTRO16
- INTRO19 to INTRO23
- 1.5
- 9.4
- 9.6
- 9.8
- 9.10
- 9.12
- 9.14
- 9.16
- 9.18 and 9.19
- APP SW1
- APP IC1
- APP SO1 to APP SO4
- APP GBM1
- APP ROB1 to APP ROB6
- APP IA1 to APP IA10
- APP ATAS1
- APP FIN1

The following paragraphs shall take effect at 0900 on 30 May 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 0900 on 30 May 2022, such applications will be decided in accordance with the Immigration Rules in force on 29 May 2022.

- INTRO6
- INTRO9 and INTRO10
- APP HPI1
- APP EL1
- APP EL4
- APP EL6

The following paragraphs shall take effect on 20 June 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 20 June 2022, such applications will be decided in accordance with the Immigration Rules in force on 19 June 2022.

- INTRO15
- 1.6
- 7.1 to 7.10
- 8.1 to 8.5
- 9.1 and 9.2
- 13.1
- APP FM1 to APP FM9
- APP FM-SE1
- APP STP1
- APP INN5
- APP PL1
- APP SF1
- APP EL2 and APP EL3
- APP EL5
- APP KOLUK2 and APP KOLUK3
- APP CR2
- APP RWP1

The following paragraphs shall take effect on 22 August 2022. In relation to those changes, if an application for entry clearance, leave to enter or leave to remain has been made before 22 August 2022, such applications will be decided in accordance with the Immigration Rules in force on 21 August 2022.

- INTRO17 and INTRO18
- 9.5
- 9.7
- 9.9
- 9.11
- 9.13
- 9.15
- 9.17
- 9.20
- APP SW2
- APP SO5 to APP SO11
- APP MOR2
- APP GT10
- APP SCU1
- APP ISP 1
- APP ATAS2
- APP KOLUK4

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:

imposes requirements, restrictions or conditions, or sets standards, in relation to any activity carried on by a business or voluntary or community body; or

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 the Introduction

INTRO1. In paragraph 6.2, for the definition of “Certificate of Sponsorship” substitute:

“**“Certificate of Sponsorship”** means either:

- (a) an electronic document with a unique reference number issued by a sponsor via the Sponsor Management System, or
 - (b) confirmation of sponsorship, issued by a sponsor using the successor to the Sponsorship Management System,
- that confirms the details of the job for which the sponsor is sponsoring the applicant.”.

INTRO2. In paragraph 6.2, in the definition of “Consecutive engagements”, in each place it occurs, for “Creative or Sporting Worker”, substitute “Creative Worker”.

INTRO3. In Paragraph 6.2, delete the definition of “Deemed sponsorship status”.

INTRO4. In paragraph 6.2, after the definition of “Fee” add:

“**“Fee Waiver”** means a decision by the Secretary of State that the usual fee in relation to an immigration function need not be paid or need only be paid in specified part (whether a fee waiver can be requested for an application or service is set out in the Immigration and Nationality (Fees) Regulations).”.

INTRO5. In paragraph 6.2, after the definition of “Full-time course”, insert:

“**Global Business Mobility routes**” means any of the following:

- (a) Appendix Global Business Mobility – Graduate Trainee; or
- (b) Appendix Global Business Mobility – Secondment Worker; or
- (c) Appendix Global Business Mobility – Senior or Specialist Worker; or
- (d) Appendix Global Business Mobility – Service Supplier; or
- (e) Appendix Global Business Mobility – UK Expansion Worker.”.

INTRO6. In paragraph 6.2, after the definition of “Global Talent”, insert:

“**Global Universities List**” means the list of universities published by the Home Office on the Gov.uk website, which is compiled on an annual basis and consists of all non-UK institutions that are ranked in the top 50 of at least two of the following ranking systems:

- (a) Times Higher Education World University Rankings; and
- (b) Quacquarelli Symonds World University Rankings; and
- (c) The Academic Ranking of World Universities.”.

INTRO7. In paragraph 6.2, after the definition of “Graduate”, insert:

“**Graduate Trainee**” means a person who has, or had, permission under any of the following:

- (a) Appendix Global Business Mobility – Graduate Trainee; or
- (b) the Intra-Company Graduate Trainee route of Appendix Intra-Company Routes under the rules in force before 11 April 2022; or
- (c) as a Tier 2 (Intra-Company Transfer) migrant in the Graduate Trainee sub-category under the rules in force before 0900 on 1 December 2020.”.

INTRO8. In paragraph 6.2, for the definition of “High earner”, substitute:

“**High earner**” means a person on the Global Business Mobility – Senior or Specialist Worker route or Global Business Mobility – UK Expansion Worker route who is sponsored in a job with a gross annual salary of £73,900 or more (based on working a maximum of 48 hours per week) as confirmed by their sponsor.”.

INTRO9. In paragraph 6.2, after the definition of “Higher education provider”, insert:

“**High Potential Individual**” means a person who has, or had, permission as a High Potential Individual under Appendix High Potential Individual.”.

INTRO10. In paragraph 6.2, after the definition of “High Potential Individual”, insert:

“**High Potential Individual route**” means the route under Appendix High Potential Individual.”.

INTRO11. In paragraph 6.2, delete the definition of “Intra-Company Graduate Trainee”.

INTRO12. In paragraph 6.2, delete the definition of “Intra-Company Transfer”.

INTRO13. In paragraph 6.2, for the definition of “Intra-Company routes”, substitute:

“**Intra-Company routes**” means any of the following:

- (a) Appendix Global Business Mobility – Senior or Specialist Worker; or
- (b) Appendix Global Business Mobility – Graduate Trainee; or
- (c) Appendix Intra-Company routes under the rules in force before 11 April 2022; or
- (d) the Tier 2 (Intra-Company Transfer) route under the rules in force before 0900 on 1 December 2020.”.

INTRO14. In paragraph 6.2, after the definition of “Overseas higher education institution”, insert:

“**Overseas service provider**” means a business based outside the UK with no commercial presence in the UK, that is one of the following:

- (a) a natural or legal person that has a contract to provide services to a UK business, where that UK business is on the register of licensed sponsors maintained by the Home Office; or
- (b) a natural or legal person that is subcontracted to provide services to a UK business by a natural or legal person coming within paragraph (a)”.

INTRO15. In paragraph 6.2, for the definition of “Present and settled” substitute:

“**Present and settled**” means that the person concerned is settled in the UK and, at the date of application, is physically present in the UK.

Where the person concerned is a British Citizen or settled in the UK and is:

- (a) a member of HM Forces serving overseas; or
- (b) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government, or a permanent member of the British Council on a tour of duty outside the UK, and the applicant has provided the evidence specified in paragraph 26A of Appendix FM-SE, then for the purposes of Appendix FM and Appendix Settlement Family Life, where the applicant is applying for settlement the person is to be regarded as present and settled in the UK, and in paragraphs R-LTRP.1.1.(a) and RILRP.1.1.(a) of Appendix FM the requirement “and their partner must be in the UK” is to be disregarded.”.

INTRO16. In paragraph 6.2, after the definition of “Protection claim”, insert:

“**Provisional rating**” means a sponsor which is recorded as having a rating of “Provisional” on the register of licensed sponsors: workers on the gov.uk website at: www.gov.uk/government/publications/register-of-licensed-sponsors-workers.”.

INTRO17. In paragraph 6.2, after the definition of “S2 Healthcare Visitor” insert:

“**Scale-up route**” means the route under Appendix Scale-up.”.

INTRO18. In paragraph 6.2, after the definition of “Scale-up route”, insert:

“**Scale-up Worker**” means a person who has, or had, permission as Scale-up Worker under Appendix Scale-up.”.

INTRO19. In paragraph 6.2, after the definition of “Self-employed Lawyer”, insert:

“**Secondment Worker**” means a person who has, or last had, permission as a Secondment Worker under Appendix Global Business Mobility – Secondment Worker.”.

INTRO20. In paragraph 6.2, after the definition of “Secondment Worker”, insert:

“**Senior or Specialist Worker**” means a person who has, or last had, permission under any of the following routes:

- (a) Appendix Global Business Mobility – Senior or Specialist Worker; or
- (b) the Intra-Company Transfer route under the rules in force before 11 April 2022; or
- (c) as a Tier 2 (Intra-Company Transfer) migrant in the Long-Term Staff sub-category under the rules in force before 0900 on 1 December 2020.”.

INTRO21. In paragraph 6.2, after the definition of “Series of events”, insert:

“**Service Supplier**” means a person who has, or last had, permission under Appendix Global Business Mobility – Service Suppliers, or as a contractual service supplier or independent professional under any of the following routes:

- (a) Appendix Temporary Work – International Agreement under the rules in force before 11 April 2022; or
- (b) Appendix T5 (Temporary Worker) International Agreement Worker under the rules in force between 0900 1 December 2020 and 10 October 2021 (inclusive); or
- (c) the International Agreement sub-category in the Tier 5 (Temporary Worker) route under part 6A of the rules in force before 0900 on 1 December 2020.”.

INTRO22. In paragraph 6.2, after the definition of “Sponsor”, insert:

“**Sponsor group**”, under the Global Business Mobility routes, means the sponsor and any business or organisation that is linked to the sponsor by common ownership or control, or by a joint venture on which the applicant is sponsored to work.”.

INTRO23. In paragraph 6.2, after the definition of “UK Border”, insert:

“**UK Expansion Worker**” means a person who has, or last had, permission as a UK Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker.”.

Changes to Part 1

- 1.1. In paragraph 28A(a), for “Appendix T5 (Temporary Worker) Creative or Sporting Worker” substitute “Appendix Temporary Work – Creative Worker”.
- 1.2. In paragraph 28A(b), for “as a under Appendix T5 (Temporary Worker) Youth Mobility Scheme” substitute “under Appendix Youth Mobility Scheme”.
- 1.3. Delete paragraphs 31 and 31A.
- 1.4. Delete paragraph 33A.
- 1.5. In paragraph A34, delete “Appendix Intra Company Routes” and after “Appendix Skilled Worker” insert:

“Appendix Global Business Mobility – Senior or Specialist Worker

Appendix Global Business Mobility – Graduate Trainee
Appendix Global Business Mobility – UK Expansion Worker
Appendix Global Business Mobility – Service Supplier
Appendix Global Business Mobility – Secondment Worker
Appendix ECAA: Extension of Stay
Appendix Settlement Protection
Appendix Graduate
Appendix Overseas Domestic Worker
Appendix Domestic Worker who is a Victim of Modern Slavery
Appendix Domestic Workers in a Private Household”.

1.6. In paragraph A34, after “Appendix Hong Kong British National (Overseas)” insert:

“Appendix Settlement Family Life
Appendix Private life.”.

1.7. For the title “How to make a valid application for leave to remain in the UK” substitute “How to make a valid application for permission to stay in the UK”.

1.8. In paragraph 34, replace the reference to “leave to remain” with “permission to stay”.

1.9. In paragraph 34(3), at the end for “.”, substitute “unless the applicant has made an application for a fee waiver which has been granted in whole or in part.”.

1.10. In paragraph 34A, for “leave to remain” substitute “permission to stay”.

1.11. For paragraph 34BB, substitute:

“Variation of an application

34BB Except where one or more applications have been made under Appendix EU (see paragraph EU10 of Appendix EU):

- (1) Where an applicant has an outstanding application for entry clearance or permission to stay which has not been decided (“the previous application”), any further application for entry clearance or permission to stay will be treated as an application to vary the previous application and only the most recent application will be considered.
- (2) An application to vary a previous application must comply with the requirements of paragraph 34, or the validity requirements for the route applied for or, subject to paragraph 34B, the application to vary will be invalid and will not be considered.
- (3) Any valid application to vary a previous application will be decided in accordance with the immigration rules in force at the date the application to vary is made.
- (4) Where an application to vary a previous application has been made, the Secretary of State will contact the applicant to notify them that the application is being treated as an application to vary and that any previous application will have been varied.
- (5) Where more than one application to vary has been made, or where it is not clear which is the most recent application, the Secretary of State will request that the applicant confirm which application they want to be considered.
- (6) If the applicant does not provide confirmation within 14 days of the request, the most recent application will be considered and any other applications will be treated as varied, unless it is not clear which is the most recent application, in which case all applications

will be treated as invalid.

(7) Where a human rights claim is made as part of an application and a subsequent application is made which varies that application under paragraph 34BB(1), if the applicant is then granted entry clearance or permission to stay, any outstanding human rights claim will be treated as withdrawn, but where any subsequent application is refused, the human rights claim, if not already decided, remains outstanding and will be considered at a time decided by the Secretary of State.”.

1.12. For the title “Dependent applicants applying at the same time as the main applicant” substitute “Applications made by dependants”.

1.13. After paragraph 34C, insert:

“34DA. An applicant applying as a dependent partner or dependent child must be applying as the partner or child of a person (P) where:

(i) P has made a valid application for entry clearance, permission to enter, permission to stay or settlement on the same route as the applicant and that application has not been decided; or

(ii) P has entry clearance, permission to enter, or permission to stay, on the same route as the route on which the applicant is applying; or

(iii) P is settled or a British citizen, providing P had permission on the route on which the applicant is applying when they settled, and the applicant had permission as their partner or child at that time.”.

1.14. Delete title “Variation of application for permission to stay.”.

1.15. Delete paragraphs 34E and 34F.

1.16. For paragraph 34GB, substitute:

“34GB. Where a variation application is made in accordance with paragraph 34BB, the date the variation application (the new application) is made is deemed to be the date the previous application was made prior to it being varied (the old application).”.

1.17. For paragraph 34X(5), substitute:

“34X(5) Subparagraphs (1), (2) and (4) above do not apply to an application for administrative review made under:

(a) Appendix AR (EU); or

(b) Appendix AR where the decision being reviewed is a decision to do one of the following:

(i) cancel leave to enter or remain which is in force under paragraph A3.2(b) of Annex 3 to Appendix EU or paragraph A3.4(b) of Annex 3 to Appendix EU (Family Permit); or

(ii) cancel permission to enter or permission to stay which is in force under paragraph HV 11.1(c) of Appendix S2 Healthcare Visitor; or

(iii) cancel permission to enter which is in force under paragraph SPS 9.1(c) of Appendix Service Providers from Switzerland.”.

Changes to Part 6A

6A.1. In paragraph 245AAA, before (a) insert:

“(za) References to “PhD level occupation” refer to the following occupation codes:

2111 Chemical scientists

2112 Biological scientists and biochemists

2113 Physical scientists

2114 Social and humanities scientists

2119 Natural and social science professionals not elsewhere classified [Note: For immigration purposes this code includes researchers in research organisations other than universities.]

2150 Research and development managers

2311 Higher education teaching professionals.”.

6A.2. In paragraph 245AAA(a)(i)(3), for “of the occupations in table 1 of Appendix J” substitute “PhD level occupation listed in (za)”.

Changes to Part 7

7.1. In paragraph 276A delete “and 276ADE(1)”.

7.2. In paragraph 276A delete subparagraph 276A(c).

7.3. Delete paragraph 276A(2).

7.4. Delete paragraph 276A0.

7.5. Delete paragraph 276A00.

7.6. Delete paragraph 276A01(1).

7.7. Delete paragraph 276A02.

7.8. For paragraph 276A03, substitute:

“276A03. Where a person aged 18 or over is granted limited leave to remain under this Part (on the basis of long residence or outside the rules on Article 8 grounds), or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the condition in Appendix ATAS of these rules.”.

7.9. For paragraph 276A04, substitute:

“276A04. Where a person who has made an application for indefinite leave to remain under this Part does not meet the requirements for indefinite leave to remain, but the Secretary of State believes the person may qualify for limited leave to remain under this Part (on the basis of long residence, Appendix Private Life or outside the rules on Article 8 grounds):

(a) the Secretary of State will instead treat the application for indefinite leave to remain as an application for limited leave to remain; and

(b) the Secretary of State will notify the applicant in writing of any requirement to pay

an immigration health charge under the Immigration (Health Charge) Order 2015 in relation to the application for leave to remain; and
(c) if any required immigration health charge is not paid, the application for limited leave to remain will be invalid and will not be considered and the Secretary of State will not refund any fee paid in respect of the application for indefinite leave to remain.”.

7.10. Delete paragraphs 276ADE(1) to 276DH (Private Life).

7.11. In Paragraph 276BB2, after subparagraph (ii)(c), insert:

“; and

(iii) where directly employed by, or contracted to, a UK Government Department or Unit, was not dismissed from their job (except in circumstances where the Secretary of State considers that the person was dismissed for a minor reason).”.

Changes to Part 8

8.1. In paragraph A277B(a), for “paragraphs 276ADE to 276DH (private life)” substitute “Appendix Private Life”.

8.2. In paragraph A277B(b), for “paragraphs 276ADE to 276DH” substitute “Appendix Private Life”.

8.3. For paragraph A277C, substitute:

“A277C. Subject to paragraphs A277 to A280B and paragraph GEN.1.9. of Appendix FM, the Secretary of State may consider any application to which the provisions of Appendix FM (family life) and Appendix Private life of these rules do not apply, under paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d), R-LTRC.1.1.(a), (b) and (d) of Appendix FM (family life) and Appendix Private life of these rules. If the applicant meets the requirements for leave under those provisions (except the requirement for a valid application), the applicant will be granted leave under paragraph D-LTRP.1.2., D-LTRPT.1.2. or D-LTRC.1.1. of Appendix FM or under Appendix Private Life.”.

8.4. In paragraph A277D, for “paragraphs 276ADE(1) to 276DH” substitute “Appendix Private Life”.

8.5. In paragraph A280B, for “paragraph 276BE to 276CE” substitute “Appendix Private Life”.

8.6. In paragraph 319E(d)(d)(3), for “of the occupations in table 1 of Appendix J” substitute “PhD level occupation listed in paragraph 245AAA(za) of these rules”.

8.7. In paragraph 319E(d)(d)(4), for “of the occupations in table 1 of Appendix J” substitute “PhD level occupation listed in paragraph 245AAA(za) of these rules”.

8.8. In paragraph 319E(d)(d)(4)(a), for “an occupations that would appear in table 1 of Appendix J” substitute “a PhD level occupation listed in paragraph 245AAA(za) of these rules”.

Changes to Part 9

9.1. For subparagraph 9.1.1.(b), substitute:

“(b) an application on grounds of private life under Appendix Private Life, except paragraphs 9.6.1. and 9.6.2.; and”.

9.2. In paragraph 9.1.1, after subparagraph (l), insert:

“and
(m) Appendix Settlement Protection; and
(n) Appendix Settlement Family Life, except paragraphs 9.6.1. and 9.6.2.”.

9.3. For paragraph 9.8.3A, substitute:

“9.8.3A. An application for entry clearance, permission to enter, or permission to stay may be refused where a person used deception in relation to a previous application (whether or not successfully).”.

9.4. In paragraph 9.25.1, after subparagraph (l), insert:

“; or
(m) Global Business Mobility routes.”.

9.5. After paragraph 9.25.1(m), insert:

“; or
(n) Scale-up (subject to paragraph 9.33.1.).”.

9.6. In the opening text of paragraph 9.27.1, substitute “A person’s entry clearance or permission on the Skilled Worker, Intra-Company, Global Business Mobility, Representative of an Overseas Business, T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may be cancelled if:”.

9.7. In the opening text of paragraph 9.27.1, after “Representative of an Overseas Business,” insert “Scale-up Worker (subject to paragraph 9.33.1.),”.

9.8. In the opening text of paragraph 9.28.1, substitute: “A person on the Student, Child Student, Skilled Worker, Intra-Company, Global Business Mobility, T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may have their entry clearance or permission cancelled if:”.

9.9. In the opening text of paragraph 9.28.1, after “Global Business Mobility,”, insert “Scale-up Worker (subject to paragraph 9.33.1.),”.

9.10. In the opening text of paragraph 9.29.1, substitute “A person on the Skilled Worker, Intra-Company, Global Business Mobility, T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may have their permission cancelled where they have changed their employer, unless any of the following exceptions apply:”.

9.11. In the opening text of paragraph 9.29.1, after “Global Business Mobility,”, insert “Scale-up Worker (subject to paragraph 9.33.1.),”.

9.12. In the opening text of paragraph 9.30.1, after “Representative of an Overseas Business”, insert “Global Business Mobility”.

- 9.13. In the opening text of paragraph 9.30.1, after “Representative of an Overseas Business,”, insert “Scale-up (subject to paragraph 9.33.1.)”.
- 9.14. In the opening text of paragraph 9.31.1, after “Representative of an Overseas Business,”, insert “Global Business Mobility,”.
- 9.15. In the opening text of paragraph 9.31.1, after “Representative of an Overseas Business,”, insert “Scale-up (subject to paragraph 9.33.1.)”.
- 9.16. For paragraph 9.31.1(a), substitute “they are a person on the Intra-Company, Global Business Mobility, or Skilled Worker routes and have changed to a different job in the same occupation code but the salary rate for the new job is lower than the salary rate for the old job as set out in Appendix Skilled Occupations.”.
- 9.17. In paragraph 9.31.1(a), after “Skilled Worker”, add “or a Scale-up Worker”.
- 9.18. For paragraph 9.31.2.(a), substitute “the person is a Graduate Trainee on a graduate training programme covering multiple roles within the sponsor group; and”.
- 9.19. For paragraph 9.31.3.(b), substitute “the person is on the Intra-Company or Global Business Mobility routes and a reduction in salary coincides with working for the sponsor group while the person is not physically present in the UK; or”.
- 9.20. After paragraph 9.32.1, insert:

“Exception for Scale-up Workers

9.33.1 Paragraphs 9.25.1. and 9.27.1. to 9.31.1. only apply to a Scale-up Worker during the 6-month period that the Scale-up Worker is required to work for a Sponsor under Appendix Scale-up.”.

Changes to Part 10

- 10.1. In paragraph 326(2)(i), for “seasonal agricultural worker” substitute “Seasonal Worker”.
- 10.2. In paragraph 326(2)(ii), for “Tier 5 (Temporary Worker) Migrant” substitute “Temporary Worker”.
- 10.3. In paragraph 326(2)(iii), for “Tier 2 (Minister of Religion) Migrant” substitute “T2 Minister of Religion”.

Changes to Part 13

- 13.1. For paragraph 400 substitute:

“400. Where a person claims that their removal under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971, section 10 of the Immigration and Asylum Act 1999 or section 47 of the Immigration, Asylum and Nationality Act 2006 would be contrary to the UK’s obligations under Article 8 of the Human Rights Convention, the Secretary of State may require an application under Appendix Private Life or under paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1. of Appendix FM (family life as a partner or parent) of

these rules. Where an application is not required, in assessing that claim the Secretary of State or an immigration officer will, subject to paragraph 353, consider that claim against the requirements to be met (except the requirement to make a valid application) under Appendix Private Life or paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1.1 of Appendix FM (family life as a partner or parent) of these rules as appropriate and if appropriate, the removal decision will be cancelled.”.

Changes to Appendix AR

APP AR1. At the end of AR3.2(c)(viii), for “,” substitute:

- “;
- (ix) Appendix Private Life;
- (x) Appendix Settlement Family Life;
- (xi) Appendix Settlement Protection.”.

APP AR2. At the end of AR3.2(c), delete “in which case the appropriate remedy is an appeal under section 82 of the Nationality, Immigration and Asylum Act 2002 rather than an application for administrative review.”.

APP AR3. After AR3.2(k), insert:

- “(l) A decision on an application where the application was made for permission to stay as:
 - (i) a Scale-up Worker under Appendix Scale-up; or
 - (ii) the partner or child of a Scale-up Worker under Appendix Scale-up.

- (m) A decision on an application where the application was made for permission to stay as:
 - (i) a High Potential Individual under Appendix High Potential Individual; or
 - (ii) the partner or child of a High Potential Individual under Appendix High Potential Individual.

- (n) A decision on an application where the application was made for permission to stay as:
 - (i) a Senior or Specialist Worker under Appendix Global Business Mobility – Senior or Specialist Worker; or
 - (ii) a Graduate Trainee under Appendix Global Business Mobility – Graduate Trainee; or
 - (iii) an Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker; or
 - (iv) a Secondment Worker under Appendix Global Business Mobility – Secondment Worker; or
 - (v) a Service Supplier under Appendix Global Business Mobility – Service Supplier.

- (o) A decision on an application where the application was made for permission to stay as the partner or child of:
 - (i) a Senior or Specialist Worker under Appendix Global Business Mobility – Senior or Specialist Worker; or
 - (ii) a Graduate Trainee under Appendix Global Business Mobility – Graduate Trainee; or
 - (iii) an Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker; or
 - (iv) a Secondment Worker under Appendix Global Business Mobility – Secondment Worker; or

(v) a Service Supplier under Appendix Global Business Mobility – Service Supplier.”.

APP AR4. After AR5.2(h), insert:

- “(i) An eligible decision is also a refusal of an application for entry clearance as:
- (i) a Scale-up Worker under Appendix Scale-up; or
 - (ii) the partner or child of a Scale-up Worker under Appendix Scale-up.
- (j) An eligible decision is also a refusal of an application for entry clearance as:
- (i) a High Potential Individual under Appendix High Potential Individual; or
 - (ii) the partner or child of a High Potential Individual under Appendix High Potential Individual.
- (k) An eligible decision is also a refusal of an application for entry clearance as:
- (i) a Senior or Specialist Worker under Appendix Global Business Mobility – Senior or Specialist Worker; or
 - (ii) a Graduate Trainee under Appendix Global Business Mobility – Graduate Trainee; or
 - (iii) an Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker; or
 - (iv) a Secondment Worker under Appendix Global Business Mobility – Secondment Worker; or
 - (v) a Service Supplier under Appendix Global Business Mobility – Service Supplier.
- (l) An eligible decision is also a refusal of an application for entry clearance as the partner or child of:
- (i) a Senior or Specialist Worker under Appendix Global Business Mobility – Senior or Specialist Worker; or
 - (ii) a Graduate Trainee under Appendix Global Business Mobility – Graduate Trainee; or
 - (iii) an Expansion Worker under Appendix Global Business Mobility – UK Expansion Worker; or
 - (iv) a Secondment Worker under Appendix Global Business Mobility – Secondment Worker; or
 - (v) a Service Supplier under Appendix Global Business Mobility – Service Supplier.”.

Changes to Appendix EU

APP EU1. For paragraph EU10., substitute:

“EU10. (1) An application made under this Appendix will be rejected as invalid where it does not meet the requirements in paragraph EU9.

(2) Paragraph 34BB of these Rules does not apply to applications made under this Appendix. Where a further valid application is made under this Appendix before a previous such application has been decided, the further application will be treated as an application to vary the previous application and only the latest application will be considered.

(3) Where a valid application is made under this Appendix before a previous valid application made under another part of or outside the Immigration Rules has been

decided (or where a valid application is made under another part of or outside the Immigration Rules, or varied by a further such application, before a previous valid application made under this Appendix has been decided), both applications will be considered.

(4) Where both applications considered in accordance with sub-paragraph (3) above fall to be granted, the Secretary of State will inform the applicant that they satisfy the relevant criteria in respect of both applications and ask them to confirm which application they want to be decided and which they want to be treated as withdrawn. If the applicant does not so confirm within 14 days, the latest application will be decided and the other treated as withdrawn.”.

- APP EU2. In paragraph EU11., for sub-paragraph (c) of condition 1 in the table, substitute:
“(c) Since they did, no **supervening event** has occurred in respect of the applicant”.
- APP EU3. In sub-paragraph EU11., for sub-paragraph (c) of condition 3 in the table, substitute:
“(c) Since then no supervening event has occurred in respect of the applicant”.
- APP EU4. In sub-paragraph EU11., for sub-paragraph (f) of condition 5 in the table, substitute:
“(f) Since the relevant EEA citizen became a person who has ceased activity, no supervening event has occurred in respect of the applicant”.
- APP EU5. In paragraph EU11A., for sub-paragraph (c) of condition 1 in the table, substitute:
“(c) Since then no supervening event has occurred in respect of the applicant”.
- APP EU6. In paragraph EU11A., for sub-paragraph (f) of condition 2 in the table, substitute:
“(f) Since the relevant sponsor became a person who has ceased activity, no supervening event has occurred in respect of the applicant”.
- APP EU7. In paragraph EU12., for sub-paragraph (c) of condition 1 in the table, substitute:
“(c) No supervening event has occurred in respect of the applicant”.
- APP EU8. In paragraph EU12., for sub-paragraph (d) of condition 3 in the table, substitute:
“(d) Since completing the continuous qualifying period of five years, no supervening event has occurred in respect of the applicant”.
- APP EU9. In paragraph EU14., after sub-paragraph (b) of condition 1 in the table, insert:
“; and
(c) Where the applicant is a family member of a relevant EEA citizen, there has been no supervening event in respect of the relevant EEA citizen”.
- APP EU10. In paragraph EU14A., after sub-paragraph (b) of the condition in the table, insert:

“; and

(c) Where the applicant is a joining family member of a relevant sponsor, there has been no supervening event in respect of the relevant sponsor”.

APP EU11. In paragraph EU15.(2), for “where the applicant’s presence in the UK” substitute “where the Secretary of State deems the applicant’s presence in the UK”.

APP EU12. For paragraph EU15.(3), substitute:

“(3) An application made under this Appendix will be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands deportation order**.

(4) An application made under this Appendix may be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands exclusion decision**.”.

APP EU13. In paragraph EU16., for sub-paragraph (c)(ii)(bb), substitute:

“(bb) In respect of conduct committed after the specified date, where the Secretary of State deems the applicant’s presence in the UK is not conducive to the public good; or”.

APP EU14. In paragraph EU16.(d), for “relevant excluded person” substitute “**relevant excluded person**”.

APP EU15. In Annex 1, in sub-paragraph (a) of the definition of ‘continuous qualifying period’ in the table, after “unless the person is a joining family member of a relevant sponsor,” insert “is a **relevant EEA family permit case**,”.

APP EU16. In Annex 1, in sub-paragraph (b)(ii) of the definition of ‘deportation order’ in the table, for “who meets the requirements of” substitute “who, but for the making of the deportation order, meets the requirements of”.

APP EU17. In Annex 1, in sub-paragraph (b) of the definition of ‘exclusion decision’ in the table, for “who meets the requirements of” substitute “who, but for the making of the exclusion direction, meets the requirements of”.

APP EU18. In Annex 1, for sub-paragraph (a) of the definition of ‘Islands deportation order’ in the table, substitute:

“(a) in respect of conduct committed after the specified date and has effect in relation to the person, by virtue of paragraph 3 of Schedule 4 to the Immigration Act 1971, as if it was a deportation order made under that Act; or”.

APP EU19. In Annex 1, in sub-paragraph (b) of the definition of ‘Islands deportation order’ in the table, for “who meets the requirements of” substitute “who, but for the making of the deportation order, meets the requirements of”.

APP EU20. In Annex 1, in sub-paragraph (b) of the definition of ‘Islands exclusion decision’ in the table, for “who meets the requirements of” substitute “who, but for the making of the exclusion direction, meets the requirements of”.

APP EU21. In Annex 1, for sub-paragraph (a)(i)(aa) 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, where the applicant is not a dependent relative, of a family permit) 1 July 2021 and otherwise before the specified date (or, in any case, a letter from the Secretary of State, issued after 30 June 2021, confirming their qualification for such a document, had the route not closed after 30 June 2021); or”.

APP EU22. In Annex 1, after the entry for ‘relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)’ in the table, insert:

“

<p>relevant EEA family permit case</p>	<p>(a) family member of a relevant EEA citizen who is: (i) a dependent relative or a durable partner who (in either case) arrived in the UK after the specified date and by 30 June 2021 with a valid EEA family permit issued under the EEA Regulations on the basis of a valid application made under the EEA Regulations before the specified date; or (ii) a dependent relative or (on the basis of a valid application made under the EEA Regulations before the specified date) a durable partner who (in either case) arrived in the UK after the specified date with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met the definition in Annex 1 to that Appendix of ‘specified EEA family permit case’; or (b) a person with a derivative right to reside or a person with a Zambrano right to reside who (in either case) arrived in the UK after the specified date and by 30 June 2021 with a valid EEA family permit issued under the EEA Regulations on the basis of a valid application made under the EEA Regulations before the specified date; or (c) a person with a derivative right to reside or a person with a Zambrano right to reside who (in either case) arrived in the UK after the specified date with an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules on the basis they met the definition in Annex 1 to that Appendix of ‘specified EEA family permit case’</p> <p>in addition, where sub-paragraph (b) or (c) above applies, the reference to ‘specified date’ in the entry for (as the case may be) ‘person with a derivative right to reside’ or ‘person with a Zambrano right to reside’ in this table is to be read as meaning the date on which the person made a valid application under the EEA Regulations on the basis of which the family permit referred to in (as the case may be) sub-paragraph (b) or (c) above was issued</p>
--	--

”.

APP EU23. In Annex 1, for sub-paragraph (d) of the definition of ‘relevant naturalised British citizen’ in the table, substitute:

“(d) meets the criteria contained in regulation 9A(2) or (3) as the dual national (“DN”) to whom those provisions refer (save for the requirement in regulation 4(1)(c)(ii) and (d)(ii) of the EEA Regulations for comprehensive sickness insurance cover in the UK and regardless of whether, save in conditions 5 and 6 in the table in paragraph EU11 of this Appendix and in conditions 2 and 3 in the table in paragraph EU11A, they otherwise remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship)”.

APP EU24. In Annex 1, for the entry for ‘required date’ in the table, substitute:

“

required date	<p>(a) where the applicant does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix:</p> <p>(i) (where sub-paragraph (a)(ii), (a)(iii) or (a)(iv) below does not apply) the date of application is:</p> <p>(aa) before 1 July 2021; or</p> <p>(bb) (where the deadline in sub-paragraph (a)(i)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) on or after 1 July 2021; or</p> <p>(ii) (in the case of a joining family member of a relevant sponsor and that joining family member arrived in the UK on or after 1 April 2021, and where sub-paragraph (a)(iii) below does not apply, or that joining family member is a child born in the UK on or after 1 April 2021 or adopted in the UK on or after that date in accordance with a relevant adoption decision, or on or after 1 April 2021 became a child in the UK within the meaning of the entry for ‘child’ in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) the date of application is:</p> <p>(aa) within three months of the date on which they arrived in the UK (or, as the case may be, of the date on which they were born in the UK, adopted in the UK or became a child in the UK within the meaning of the entry for ‘child’ in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(bb) (where the deadline in sub-paragraph (a)(ii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after that deadline; or</p> <p>(iii) (in the case of a joining family member of a relevant sponsor as described in sub-paragraph (b) of that entry in</p>
---------------	--

	<p>this table and that joining family member arrived in the UK on or after 1 April 2021) the date of application is:</p> <ul style="list-style-type: none"> (aa) within three months of the date on which they arrived in the UK, and before 1 January 2026; or (bb) (where the deadline in sub-paragraph (a)(iii)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after that deadline; or <p>(iv) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i), (a)(iii), (a)(v) or (a)(vi) of the entry for ‘family member of a qualifying British citizen’ in this table) the date of application is:</p> <ul style="list-style-type: none"> (aa) before 2300 GMT on 29 March 2022; or (bb) (where the deadline in sub-paragraph (a)(iv)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after 2300 GMT on 29 March 2022; or <p>(v) (in the case of an applicant who has limited leave to enter or remain granted under another part of these Rules or outside the Immigration Rules, which has not lapsed or been cancelled, curtailed or invalidated, and the date of expiry of that leave is on or after 1 July 2021, which, notwithstanding the deadline in sub-paragraph (a)(i)(aa) above, the Secretary of State will deem to be reasonable grounds for the person’s failure to meet that deadline), the date of application is:</p> <ul style="list-style-type: none"> (aa) before the date of expiry of that leave; or (bb) (where the deadline in sub-paragraph (a)(v)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after the date of expiry of that leave; or <p>(vi) (in the case of an applicant who ceases to be exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971 on or after 1 July 2021, which, notwithstanding the deadline applicable under sub-paragraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above, the Secretary of State will deem to be reasonable grounds for the person’s failure to meet that deadline), the date of application is:</p> <ul style="list-style-type: none"> (aa) within the period of 90 days beginning on the day on which they ceased to be exempt from immigration control; or (bb) (where the deadline in sub-paragraph
--	--

	<p>(a)(vi)(aa) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after that deadline; or</p> <p>(b) where the applicant has limited leave to enter or remain granted under this Appendix, which has not lapsed or been cancelled, curtailed or invalidated, the date of application is:</p> <p>(i) before the date of expiry of that leave; or</p> <p>(ii) (where the deadline in sub-paragraph (b)(i) above was not met and the Secretary of State is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s delay in making their application) after the date of expiry of that leave</p> <p>in addition:</p> <p>(a) for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix; and</p> <p>(b) the deadline in sub-paragraph (a)(i)(aa) above does not apply (and the applicant therefore has to meet no requirement under sub-paragraph (a) above) where the applicant:</p> <p>(i) is a joining family member of a relevant sponsor; and</p> <p>(ii) does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix; and</p> <p>(iii) is not caught by the deadline in sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) above; and</p> <p>(iv) does not fall within sub-paragraph (a)(v) or (a)(vi) above</p>
--	---

”.

APP EU25. In Annex 1, in sub-paragraph (a) of the definition of ‘supervening event’ in the table, for “the applicant” substitute “the person”.

APP EU26. In Annex 3, in paragraph A3.1., for “where the person’s presence in the UK” substitute “where the Secretary of State or an Immigration Officer deems the person’s presence in the UK”.

Changes to Appendix EU (Family Permit)

APP EU(FP)1. In paragraph FP6.(1), for sub-paragraph (e), substitute:

“(e) The applicant (“A”) is not the **spouse, civil partner or durable partner** of a relevant EEA citizen (“B”) where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, immediately before or since the specified date held a valid document in that capacity issued under the **EEA Regulations** or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.”.

APP EU(FP)2. In paragraph FP6.(2), for sub-paragraph (e), substitute:

“(e) The applicant (“A”) is not the spouse, civil partner or durable partner of a qualifying British citizen (“B”) where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, immediately before or since the specified date held a valid document in that capacity issued under the EEA Regulations or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.”.

APP EU(FP)3. In paragraph FP7.(2), for “where the applicant’s presence in the UK is not conducive” substitute “where the applicant’s presence in the UK is deemed not to be conducive”.

APP EU(FP)4. For paragraph FP7.(3), substitute:

“(3) An application made under this Appendix will be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands deportation order**.

(3A) An application made under this Appendix may be refused on grounds of suitability where at the date of decision the applicant is subject to an **Islands exclusion decision**.”.

APP EU(FP)5. In paragraph FP7.(4), for sub-paragraph (b)(ii)(bb), substitute:

“(bb) In respect of conduct committed after the specified date, where the applicant’s presence in the UK is deemed not to be conducive to the public good.”.

APP EU(FP)6. After paragraph FP8., insert:

“FP8A. The applicant will be granted an entry clearance under this Appendix, in the form of an EU Settlement Scheme Family Permit, where:

(a) the entry clearance officer is satisfied that the applicant is a **specified EEA family permit case**; and

(b) had the applicant made a valid application under this Appendix, it would not have been refused on grounds of suitability under paragraph FP7.”.

APP EU(FP)7. In paragraph FP11., after “in respect of the” insert “revocation of an entry clearance that was granted under this Appendix, and of the”.

APP EU(FP)8. In Annex 1, in sub-paragraph (b)(ii) of the definition of ‘deportation order’ in the table, for “who meets the requirements of” substitute “who, but for the making of the deportation order, meets the requirements of”.

APP EU(FP)9. In Annex 1, in sub-paragraph (a) of the definition of ‘durable partner’ in the table, for “the person” substitute “the applicant”.

APP EU(FP)10. In Annex 1, in sub-paragraph (b) of the definition of ‘durable partner’ in the table, for “the person” substitute “the applicant”.

- APP EU(FP)11. In Annex 1, in sub-paragraph (b) of the definition of ‘exclusion decision’ in the table, for “who meets the requirements of” substitute “who, but for the making of the exclusion direction, meets the requirements of”.
- APP EU(FP)12. In Annex 1, at the end of sub-paragraph (a)(viii) of the definition of ‘family member of a qualifying British citizen’ in the table, for “and” substitute:
- “or
(ix) as a person who the entry clearance officer is satisfied by evidence provided by the person that they would, if they made a valid application under Appendix EU to these Rules in the UK, be granted (as the case may be) indefinite leave to remain under paragraph EU2 of that Appendix or limited leave to remain under paragraph EU3 as a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen (as defined in Annex 1 to Appendix EU); and”.
- APP EU(FP)13. In Annex 1, for sub-paragraph (b)(ii) of the definition of ‘family member of a qualifying British citizen’ in the table, substitute:
- “(ii) (save where the date of application is after the specified date and where those conditions concern matters relevant to the dependency referred to in sub-paragraph (b)(ii)(bb) of the entry for ‘child’ in this table or in sub-paragraph (b)(ii) of the entry for ‘dependent parent’ in this table, or save where sub-paragraph (a)(ix) above applies) at the date of application
- in addition, where sub-paragraph (a)(ix) above applies, the requirements in paragraph FP6(2)(c) and (d) of this Appendix do not apply”.
- APP EU(FP)14. In Annex 1, in sub-paragraph (f) of the definition of ‘family member of a relevant EEA citizen’ in the table, for “the date of application under this Appendix:” substitute “the date of application under this Appendix (and, in respect of that application, the requirements in paragraph FP6(1)(c) and (d) of this Appendix do not apply):”.
- APP EU(FP)15. In Annex 1, for sub-paragraph (a) of the definition of ‘Islands deportation order’ in the table, substitute:
- “(a) in respect of conduct committed after the specified date and has effect in relation to the person, by virtue of paragraph 3 of Schedule 4 to the Immigration Act 1971, as if it was a deportation order made under that Act; or”.
- APP EU(FP)16. In Annex 1, in sub-paragraph (b) of the definition of ‘Islands deportation order’ in the table, for “who meets the requirements of” substitute “who, but for the making of the deportation order, meets the requirements of”.
- APP EU(FP)17. In Annex 1, in sub-paragraph (b) of the definition of ‘Islands exclusion decision’ in the table, for “who meets the requirements of” substitute “who, but for the making of the exclusion direction, meets the requirements of”.
- APP EU(FP)18. In Annex 1, in sub-paragraph (d) of the definition of ‘person exempt from immigration control’ in the table, for “**qualification**” substitute “**qualification**,”.

APP EU(FP)19. In Annex 1, for the entry for ‘qualifying British citizen’ in the table, substitute:

“

qualifying British citizen	<p>a British citizen who:</p> <p>(a)(i) (where sub-paragraph (a)(ii) or (a)(iii) below does not apply) will be returning to the UK with the applicant before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the British citizen’s failure to meet that deadline); or</p> <p>(ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(ii), (a)(iv), (a)(vii) or (a)(viii) of the entry for ‘family member of a qualifying British citizen’ in this table) will be returning to the UK with the applicant and the entry clearance officer is satisfied that there are reasonable grounds why the British citizen did not do so before the specified date; or</p> <p>(iii) is the qualifying British citizen referred to in sub-paragraph (a)(ix) of the entry for ‘family member of a qualifying British citizen’ in this table; and</p> <p>(b) satisfied regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the British citizen (“BC”) to whom those provisions refer, with the applicant being treated as the family member (“F”) or, as the case may be, as the extended family member (“EFM”), to whom those provisions refer):</p> <p style="padding-left: 40px;">(i) before the specified date; and</p> <p style="padding-left: 40px;">(ii) (save where sub-paragraph (a)(ix) of the entry for ‘family member of a qualifying British citizen’ in this table applies) at the date of application</p> <p>in addition, for the avoidance of doubt, for the purposes of sub-paragraph (b) above, service as a member of HM Forces (as defined in the Armed Forces Act 2006) in a country listed in sub-paragraph (a) of the entry for ‘specified EEA citizen’ in this table may satisfy the conditions of being a “worker” for the purposes of the EEA Regulations</p>
----------------------------	---

”

APP EU(FP)20. In Annex 1, in sub-paragraph (a)(iv) of the definition of ‘relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)’ in the table, for “(where the date of application under this Appendix is on or after 1 July 2021)” substitute “(where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)”.

APP EU(FP)21. In Annex 1, for sub-paragraph (b) of the definition of ‘relevant naturalised British citizen’ in the table, substitute:

“(b) meets the criteria contained in regulation 9A(2) or (3) as the dual national (“DN”) to whom those provisions refer (save for the requirement in regulation 4(1)(c)(ii) and (d)(ii) of the EEA Regulations for comprehensive sickness insurance

cover in the UK and regardless of whether they otherwise remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship); and”.

APP EU(FP)22. In Annex 1, in sub-paragraph (c) of the definition of ‘relevant naturalised British citizen’ in the table, for “qualification” substitute “qualification,”.

APP EU(FP)23. In Annex 1, after the entry for ‘specified EEA citizen’ in the table, insert:

“

<p>specified EEA family permit case</p>	<p>a person who:</p> <p>(a) on the basis of a valid application made under the EEA Regulations before the specified date, would, had the route not closed after 30 June 2021, have been issued an EEA family permit under regulation 12 of the EEA Regulations:</p> <p>(i)(aa) as an extended family member under regulation 8; and</p> <p>(bb) where the “relevant EEA national” referred to in regulation 12(4) was resident in the UK in accordance with regulation 12(1)(a)(i) before the specified date; or</p> <p>(ii)(aa) as a person with a derivative right to reside in the UK by virtue of regulation 16(1); and</p> <p>(bb) where, pursuant to regulation 12(2), any person from whom the right to be admitted to the UK under the criteria in regulation 11(5) was derived was resident in the UK before the specified date; or</p> <p>(b) after the specified date and before 1 June 2021 was issued an EEA family permit under regulation 12 of the EEA Regulations, has contacted the Home Office to advise that they were not able to travel to the UK by 30 June 2021, and the entry clearance officer is satisfied by information or evidence provided by the person that there were compelling practical or compassionate reasons or COVID-19 related reasons why they were not able to travel to the UK by 30 June 2021; or</p> <p>(c) on or after 1 June 2021 was issued an EEA family permit under regulation 12 of the EEA Regulations with an expiry date of 30 June 2021, and has contacted the Home Office to advise that they were not able to travel to the UK by 30 June 2021</p> <p>in addition, there must not have been a significant change in circumstances since the date on which the person was issued an EEA family permit under regulation 12 of the EEA Regulations (or, as the case may be, since the date on which the person’s appeal against the refusal of such a family permit was allowed or on which they would otherwise have been issued one, had the route not closed after 30 June 2021), such that it is not appropriate for them to be granted an entry clearance under this Appendix</p>
---	--

”

APP EU(FP)24. In Annex 3, in paragraph A3.1., for “the person’s presence in the UK is not conducive” substitute “the person’s presence in the UK is deemed not to be

conducive”.

APP EU(FP)25. In Annex 3, in paragraph A3.3., for “the person’s presence in the UK is not conducive” substitute “the person’s presence in the UK is deemed not to be conducive”.

Changes to Appendix FM

APP FM1. For paragraph GEN 1.11A, substitute:

“GEN.1.11A. Where entry clearance or leave to remain as a partner, child or parent is granted under paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2., if the decision maker is satisfied that:

- (a) the applicant is destitute as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
- (b) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration), the applicant will not be subject to a condition of no access to public funds and if the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds.

For the purposes of this paragraph ‘relevant child’ means a person who:

- (i) is under the age of 18 years at the date of application; and
- (ii) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no recourse to public funds condition.”.

APP FM2. For paragraph GEN 1.15, substitute:

“GEN.1.15. Where, pursuant to paragraph D-ILRP.1.2., D-ILRP.1.3., D-ILRPT.1.2. or D-ILRPT.1.3., a person who has made an application for indefinite leave to remain under this Appendix does not meet the requirements for indefinite leave to remain, but the Secretary of State believes they may qualify for limited leave to remain under this Appendix or under Appendix Private Life:

- (a) the Secretary of State will instead treat the application for indefinite leave to remain as an application for limited leave to remain; and
- (b) the Secretary of State will notify the applicant in writing of any requirement to pay an immigration health charge under the Immigration (Health Charge) Order 2015 in relation to that application for limited leave to remain; and
- (c) if any requested immigration health charge is not paid, the application for limited leave to remain will be invalid and will not be considered and the Secretary of State will not refund any fee paid in respect of the application for indefinite leave to remain.”.

APP FM3. After GEN.1.16, add:

“GEN.1.17. An application for settlement as a partner or parent (or the dependent child of a partner or parent) on the basis of a 10-year qualifying period for settlement must meet the requirements under Appendix Settlement Family Life (and the application for settlement will not be considered under this Appendix).”.

APP FM4. For E-ILRP.1.1, substitute:

“E-ILRP.1.1. To meet the eligibility requirements for indefinite leave to remain as a partner after a 5 year qualifying period all of the requirements of paragraphs E-ILRP.1.2. to 1.6. must be met.”.

APP FM5. For E-ILRP.1.3, substitute:

“E-ILRP.1.3. (1) Subject to subparagraph (2), the applicant must, at the date of application, have completed a period of continuous residence in the UK of at least 5 years (60 months) with the following:

- (a) leave to enter granted on the basis of entry clearance as a partner granted under paragraph D-ECP.1.1; or
- (b) limited leave to remain as a partner granted under paragraph D-LTRP.1.1; or
- (c) a combination of leave under (a) and (b).

(1A) In respect of an application falling within subparagraph (1) above, the applicant must meet all the requirements of Section E-LTRP: Eligibility for leave to remain as a partner (except that paragraph E-LTRP.1.2. cannot be met on the basis set out in sub-paragraph (c), (d) or (e) of that paragraph, and in applying paragraph E-LTRP.3.1.(b)(ii) disregard the words “2.5 times”).

(2) In calculating periods of leave for the purposes of subparagraph (1) above, any period of leave to enter or leave to remain as a fiancé(e) or proposed civil partner will be disregarded.”.

APP FM6. For paragraph D-LTRC.1.1, substitute:

“D-LTRC.1.1. If the applicant meets the requirements for leave to remain as a child the applicant will be granted leave to remain, either:

- (a) of a duration which will expire at the same time as the limited leave granted to the applicant’s parent(s) and will be subject to the same conditions in respect of recourse to public funds as their parent(s); or
- (b) 30 months, where a parent is settled but the child does not qualify for settlement, subject to the following conditions:

- (i) no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition; and
- (ii) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is aged 18 or over.

To qualify for indefinite leave to remain as a child of a person with indefinite leave to remain as a partner or parent, the applicant must meet the requirements of Appendix Settlement Family Life if applying as a dependent of a partner or parent who is applying under that Appendix, otherwise the applicant must meet the requirements of paragraph 298 of these rules.”.

APP FM7. For R-ILRPT.1.1, substitute:

“R-ILRPT.1.1. The requirements to be met for indefinite leave to remain as a parent after a 5 year qualifying period are that:

- (a) the applicant must be in the UK; and
- (b) the applicant must have made a valid application for indefinite leave to remain as

- a parent; and
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) the applicant must meet all of the requirements of Section E-ILRPT: Eligibility for indefinite leave to remain as a parent.”.

APP FM8. For E-ILRPT.1.3, substitute:

“E-ILRPT.1.3(1) The applicant must, at the date of application, have completed a continuous period of residence of at least 5 years (60 months) with the following:

- (a) leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1.; or
- (b) limited leave to remain as a parent granted under paragraph D-LTRPT.1.1.; or
- (c) a combination of leave under (a) and (b).

(1A) In respect of an application falling within subparagraph (1) above, the applicant must meet all of the requirements of Section E-LTRPT: Eligibility for leave to remain as a parent (except that paragraph E-LTRPT.2.2.(c) cannot be met on the basis of a person being in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)).”.

APP FM9. For Deportation and removal paragraph substitute:

“Where the Secretary of State or an immigration officer is considering deportation or removal of a person who claims that their deportation or removal from the UK would be a breach of the right to respect for private and family life under Article 8 of the Human Rights Convention that person may be required to make an application under this Appendix or Appendix Private Life, but if they are not required to make an application Part 13 of these Rules will apply.”.

Changes to Appendix FM:SE

APP FM-SE1. For paragraph 26A substitute:

“26A. Where:

(a) An applicant for entry clearance, limited leave to enter or remain or indefinite leave to remain as a partner under Appendix FM (except as a fiancé(e) or proposed civil partner) or Appendix Settlement Family Life intends to enter or remain in the UK to begin their probationary period (or has done so) and then to live outside the UK for the time being with their sponsor (or is doing so or has done so) before the couple live together permanently in the UK; and

(b) the sponsor, who is a British Citizen or settled in the UK, is an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government, or a permanent member of the British Council on a tour of duty outside the UK,

the applicant must provide a letter on official stationery from the sponsor’s head of mission confirming the information at (a) and (b) and confirming the start date and expected end date of the sponsor’s tour of duty outside the UK.”.

Changes to Appendix Settlement Protection

APP STP1. For STP 6.1. substitute:

“An applicant who is applying for settlement as a partner or child of a person on a protection route must apply online on the gov.uk website on the specified form as follows:

Applicant	Form
Partner	Either: ‘Apply to settle in the UK – refugee or humanitarian protection’; or ‘Settlement as a partner or parent’ (where available).
Child	Either: ‘Apply to settle in the UK – refugee or humanitarian protection’; or ‘Settlement as a child (including a child aged over 18 already in the UK as a dependent)’ (where available).

”.

Changes to Appendix Visitor: Permit Free Festival List

APP PFFL1. For PFF 1, substitute:

“PFF 1. An artist, entertainer or musician visiting the UK to perform at one or more of the following permit free festivals may receive payment to do so:

- (a) Aldeburgh Festival
- (b) American Express presents BST Hyde Park
- (c) Barbican Festivals – Live from the Barbican
- (d) Belfast International Arts Festival
- (e) Belsonic
- (f) Billingham International Folklore Festival of World Dance
- (g) Birmingham, Sandwell & Westside Jazz Festival
- (h) Boomtown Festival
- (i) Brass
- (j) Breakin’ Convention
- (k) Brighton Festival
- (l) Brighton Fringe
- (m) Brouhaha International
- (n) Cambridge Folk Festival
- (o) Camp Bestival Dorset
- (p) Camp Bestival Shropshire
- (q) Celtic Connections
- (r) Cheltenham Festivals (Jazz, Science, Music & Literature Festivals)
- (s) Cornwall International Male Choral Festival
- (t) Coventry UK City of Culture
- (u) Creamfields North
- (v) Creamfields South
- (w) DaDaFest International
- (x) Dance Umbrella
- (y) Download
- (z) Edinburgh Festival Fringe

- (aa) Edinburgh International Book Festival
- (bb) Edinburgh International Children’s Festival
- (cc) Edinburgh International Festival
- (dd) Edinburgh International Jazz and Blues Festival
- (ee) Freedom Festival Arts Trust
- (ff) Garsington Opera
- (gg) Glasgow International Jazz Festival
- (hh) Glastonbury Festival
- (ii) Glyndebourne
- (jj) Greenbelt
- (kk) Greenwich and Docklands International Festival
- (ll) Green Man
- (mm) Harrogate International Festivals
- (nn) Hay Festival Foundation Ltd
- (oo) Huddersfield Contemporary Music Festival
- (pp) Isle of Wight Festival
- (qq) Latitude
- (rr) Leeds Festival
- (ss) Llangollen International Musical Eisteddfod
- (tt) London International Festival of Theatre (LIFT)
- (uu) Love Supreme
- (vv) Manchester International Festival
- (ww) Meltdown (Southbank Centre)
- (xx) Norfolk & Norwich Festival
- (yy) Out There Festival
- (zz) Parklife
- (aaa) Reading Festival
- (bbb) Shubbak
- (ccc) Sonica
- (ddd) Southbank Centre Festivals
- (eee) SPECTRA Festival of Light
- (fff) Summer at Snape
- (ggg) The EFG London Jazz Festival
- (hhh) The Great Escape Festival
- (iii) The Royal Edinburgh Military Tattoo
- (jjj) The Warehouse Project
- (kkk) Wilderness
- (lll) Wireless Festival
- (mmm) WOMAD
- (nnn) WWE Live.”.

Changes to Appendix Student

APP ST1. For ST 12.6, substitute:

“ST 12.6. The applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance unless the applicant is relying on a student loan or official financial sponsorship which meets the requirements of FIN 8.3. in Appendix Finance.”.

APP ST2. In ST 12.7, for “in part used to pay outstanding course fees or a deposit for

accommodation” substitute, “used to pay outstanding course fees, a deposit for accommodation or other costs associated with the proposed course of study in the UK.”.

APP ST3. For ST 17.3, substitute:

“ST 17.3. A work placement on a course that is at degree level or above:
(a) at a higher education provider with a track record of compliance; or
(b) at an overseas higher education institution in the UK; or
(c) as part of a qualification recognised as being at UK bachelor’s degree level or above by a student undertaking a study abroad programme in the UK, must not be longer than half of the total length of the course of study.”.

APP ST4. For ST 26.6, substitute:

“ST 26.6. A Student who makes a valid application for permission to stay under the Skilled Worker, or Graduate route, may start employment in a full-time permanent vacancy either up to 3 months prior to the course completion date (for the Skilled Worker route) or once they have successfully completed their course of study (for the Graduate route), provided all of the following apply:
(a) the Student is studying a full-time course of study at degree level or above with a higher education provider with a track record of compliance; and
(b) the application as a Skilled Worker, or Graduate, was made when the applicant had permission as a Student; and
(c) a decision has not been made on the Skilled Worker, or Graduate, application, or where a decision has been made, any Administrative Review against a refusal of that application has not been finally determined.”.

APP ST5. For ST 27.3(c), after “assigned for”, insert “unless they were last granted permission to study an integrated master’s or PhD programme and will now be studying on the lower level qualification of that programme.”.

APP ST6. For ST 28.2, substitute:

“ST 28.2. An application for entry clearance or permission to stay as a partner or child of a Student must meet all the following requirements:
(a) any fee and Immigration Health Charge must have been paid; and
(b) the applicant must have provided any required biometrics; and
(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
(d) the applicant must be applying as partner or child of a person who:
(i) has made a valid application for entry clearance or permission to stay on the Student route that has not been decided; or
(ii) has entry clearance or permission to stay on the Student route.”.

APP ST7. In ST 33.6. remove “in part”.

APP ST8. In ST 37.5. remove “in part”.

Appendix Short-term Student

APP STS1. In STS 4.2, insert “at least 6 months and” after “that lasts”.

Changes to Appendix Graduate

APP GR1. For GR 1.2(c), substitute:

“(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and”.

APP GR2. For GR 6.1, substitute:

“GR 6.1. The applicant must have held permission as a Student, which was granted to study the relevant qualification in the UK, for a minimum period of time (the relevant period), as in the table below.”.

APP GR3. For GR 6.2, substitute:

“GR 6.2. Where distance learning took place overseas between 24 January 2020 and 6 April 2022, this will not prevent the applicant meeting the requirement to spend the relevant period at GR 6.1 studying in the UK if either:

- (a) they began a course of 12 months or less prior to 21 June 2021 and entered the UK on or before 27 September 2021 with permission as a Student; or
- (b) they began a course of 12 months or less between 21 June 2021 and 6 April 2022 and entered the UK on or before 6 April 2022 with permission as a Student.”.

APP GR4. In GR 6.3, change “27 September 2021” to “6 April 2022”.

APP GR5. For GR 9.2, substitute:

“GR 9.2. An application for permission to stay as a partner or child of a Graduate must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for permission to stay on the Graduate route that has not been decided; or
 - (ii) has permission to stay on the Graduate route.”.

Changes to Appendix Skilled Worker

APP SW1. In paragraph SW 14.5(b), for “SW 12.1. to SW 12.4”, substitute “SW 14.1. to SW 14.4.”.

APP SW2. For paragraph SW 21.2 (h), substitute:

“

- (h) Scale-up; or
- (i) permission on any other route, during the time the applicant was waiting for a decision on their application as a Skilled Worker, provided that application:

- (i) was for permission to stay; and
- (ii) was made between 24 January 2020 and 30 June 2021 (inclusive); and
- (iii) was supported on the date of application by a certificate of sponsorship assigned by a licensed sponsor; and
- (iv) was granted.”.

APP SW3. For SW 26.2, substitute:

“SW 26.2. An application for entry clearance or permission to stay as a partner or child of a Skilled Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person (P) who:
 - (i) has made a valid application for entry clearance or permission to stay in the UK on the Skilled Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Skilled Worker route; or
 - (iii) is settled or has become a British citizen, providing that P had permission on the Skilled Worker route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP SW4. For SW 37.2, substitute:

“SW 37.2. An application for settlement as a partner or child of a person on the Skilled Worker route must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK on the Skilled Worker route and that application has not been decided; or
 - (ii) is settled or has become a British citizen, provided that P had permission on the Skilled Worker route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix Intra-Company Routes

APP IC1. Delete Appendix Intra Company Routes.

Changes to Appendix Skilled Occupations

APP SO1. From the start of Appendix Skilled Occupations, down to the header row of Table 1, substitute:

“Appendix Skilled Occupations: Eligible occupation codes and going rates for the Skilled Worker and Global Business Mobility routes

In this Appendix:

- “SW” refers to the Skilled Worker route
- “GBM” refers to the Global Business Mobility routes
- “GTR” refers to the Global Business Mobility - Graduate Trainee route

Nothing in this Appendix exempts an applicant from being paid the National Minimum Wage or the National Living Wage, where these apply.

Table 1: Eligible occupation codes where going rates are based on Annual Survey of Hours and Earnings (ASHE) data

Going rates in Table 1 are per year and based on a 37.5-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant’s sponsor. Options A to F refer to the tradeable points options set out in Appendix Skilled Worker.

Occupation code	Related job titles	Going rate (SW - option A, GBM - minimum rate)	90% of going rate (SW - option B)	80% of going rate (SW - options C and D)	70% of going rate (SW - option E, GTR - minimum rate)	Eligible for PhD points (SW)?	Eligible for GBM?
------------------------	---------------------------	---	--	---	--	--------------------------------------	--------------------------

”.

APP SO2. In Table 1, in the final column of the rows containing “3411 Artists”, “3412 Authors, writers and translators”, “3413 Actors, entertainers and presenters”, “3414 Dancers and choreographers” and “3422 Product, clothing and related designers”, for “Yes”, substitute “No” in each place it occurs.

APP SO3. For Tables 2 to 4, including their titles and introductory text, substitute:

“Table 2: Eligible health and education occupation codes where going rates are based on national pay scales

Occupation codes in Table 2 are eligible for the Global Business Mobility routes unless otherwise stated.

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2211 Medical practitioners (England)	<ul style="list-style-type: none"> • Anaesthetist • Consultant (Hospital Service) • Doctor • General practitioner • Medical practitioner • Paediatrician • Psychiatrist • Radiologist • Surgeon 	<p>Medical professionals on the NHS junior doctor contract:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £28,808 • Foundation year 2 (F2) and equivalent: £33,345 • Specialty registrar (StR) at ST/CT1-2 and equivalent: £39,467 • Specialty registrar (StR) at CT3/ST3-5: £56,077 <p>Other medical professionals:</p> <ul style="list-style-type: none"> • Specialty doctor and equivalent: £45,124 • Salaried General practitioner (GP) and equivalent: £62,268 • Specialist doctor and equivalent: £79,894 • Consultant and equivalent: £84,559 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	<p>NHS Employers Pay and Conditions Circular MD-3-2021 (nhsemployers.org)</p>

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2211 Medical practitioners (Scotland)	<ul style="list-style-type: none"> • Anaesthetist • Consultant (Hospital Service) • Doctor • General practitioner • Medical practitioner • Paediatrician • Psychiatrist • Radiologist • Surgeon 	<p>Medical professionals on the NHS junior doctor contract:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £26,462 • Foundation year 2 (F2) and equivalent: £32,822 • Specialty registrar (StR) at ST/CT1-2 and equivalent: £36,412 • Specialty registrar (StR) at CT/ST3 and above £43,998 <p>Other medical professionals:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £26,462 • Foundation year 2 (F2) and equivalent: £32,822 • Specialty registrar (StR) and equivalent: £34,901 • Specialty doctor and equivalent: £43,246 • Salaried General practitioner (GP) and equivalent: £62,268 • Consultant and equivalent: £87,534 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	<p>NHS Pay and Conditions Circular: PCS(DD)2021/02</p>

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2211 Medical practitioners (Wales)	<ul style="list-style-type: none"> • Anaesthetist • Consultant (Hospital Service) • Doctor • General practitioner • Medical practitioner • Paediatrician • Psychiatrist • Radiologist • Surgeon 	<p>Medical professionals on the NHS junior doctor contract:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £27,159 • Foundation year 2 (F2) and equivalent: £33,782 • Specialty registrar (StR) at ST/CT1-2 and equivalent: £35,956 • Specialty registrar (StR) at CT/ST3 and above £44,826 <p>Other medical professionals:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £25,563 • Foundation year 2 (F2) and equivalent: £31,708 • Specialty registrar (StR) and equivalent: £33,883 • Specialty doctor and equivalent: £45,345 • Salaried General practitioner (GP) and equivalent: £63,803 • Consultant and equivalent: £82,356 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	NHS Employers Pay and Conditions Circular M&D(W) 04/2021 Pay Circular

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2211 Medical practitioners (Northern Ireland)	<ul style="list-style-type: none"> • Anaesthetist • Consultant (Hospital Service) • Doctor • General practitioner • Medical practitioner • Paediatrician • Psychiatrist • Radiologist • Surgeon 	<p>Medical professionals on the HSC Doctors and Dentists in Training contract:</p> <ul style="list-style-type: none"> • Foundation year 1 (F1) and equivalent: £25,563 • Foundation year 2 (F2) and equivalent: £31,706 • Specialty registrar (StR) at ST/CT1-2 and equivalent: £33,880 • Specialty registrar (StR) at CT/ST3 and above £38,849 <p>Other medical professionals:</p> <ul style="list-style-type: none"> • Specialty doctor (new 2021 contract) and equivalent: £45,344 • Salaried General practitioner (GP) and equivalent: £63,170 • Specialist (new 2021 contract) and equivalent): £79,894 • Consultant and equivalent: £84,975 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	Workforce Policy Directorate -Medical and Dental Pay Circular 2021
2212 Psychologists	<ul style="list-style-type: none"> • Clinical psychologist • Educational psychologist • Forensic psychologist • Occupational psychologist • Psychologist • Psychometrist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2213 Pharmacists	<ul style="list-style-type: none"> • Chemist (pharmaceutical) • Dispensary manager • Pharmaceutical chemist • Pharmacist • Pharmacy manager 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2214 Ophthalmic opticians	<ul style="list-style-type: none"> • Ophthalmic optician • Optician • Optologist • Optometrist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2215 Dental practitioners (England)	<ul style="list-style-type: none"> • Dental surgeon • Dentist • Orthodontist • Periodontist 	<ul style="list-style-type: none"> • Dental foundation training (Hospital dental services) and equivalent: £33,720 (35 hour week) • Dental core training and equivalent: £39,467 (35 hour week) • Dental specialty training and equivalent: £50,017 (35 hour week) • Band A posts (for example, Community practitioner) and equivalent: £43,019 (37.5 hour week) • Band B posts (for example, Senior dental officer) and equivalent: £66,919 (37.5 hour week) • Band C posts (for example, Specialist / managerial posts) and equivalent: £80,063 (37.5 hour week) • Consultant and equivalent: £84,559 (40 hour week) <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	NHS Employers Pay and Conditions Circular MD-3-2021 (nhsemployers.org)

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2215 Dental practitioners (Scotland)	<ul style="list-style-type: none"> • Dental surgeon • Dentist • Orthodontist • Periodontist 	<ul style="list-style-type: none"> • Dental foundation training (Hospital dental services) known as Vocational Training in Scotland: £33,728, • Dental core training and equivalent: £38,764, • Band A posts (for example, Community practitioner) and equivalent: £44,315, • Band B posts (for example, Senior dental officer) and equivalent: £68,934, • Band C posts (for example, Specialist / managerial posts) and equivalent: £82,475 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	<p>NHS Pay and Conditions Circular: PCS(DD)2021/02</p> <p>PCAD20217-Amendment-No.-153-to-the-SDR-Pay-Award-27-October-2021-MEMORANDUM.pdf (scottishdental.org)</p>

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2215 Dental practitioners (Wales)	<ul style="list-style-type: none"> • Dental surgeon • Dentist • Orthodontist • Periodontist 	<ul style="list-style-type: none"> • Dental foundation training (Hospital dental services) and equivalent: £34,380 • Dental core training and equivalent: £38,238 • Band A posts (for example, Community practitioner) and equivalent: £43,021 • Band B posts (for example, Senior dental officer) and equivalent: £66,920 • Band C posts (for example, Specialist / managerial posts) and equivalent: £80,067 • Consultant and equivalent: £82,356 <p>These going rates are per year and based on a 40-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	NHS Employers Pay and Conditions Circular M&D(W) 04/2021 Pay Circular

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2215 Dental practitioners (Northern Ireland)	<ul style="list-style-type: none"> • Dental surgeon • Dentist • Orthodontist • Periodontist 	<ul style="list-style-type: none"> • Dental foundation year two training (Hospital dental services) and equivalent: £31,706 • Dental specialty training and equivalent: £33,880 (40-hour week) • Community Dental Officer) and equivalent: £43,021 (37.5-hour week) • Senior community dental officer) and equivalent: £ 66,922 (37.5-hour week) • Specialist Community Dentist: £80,063 (37.5-hour week) • Assistant Community Clinical Director: £80,063, (37.5-hour week) • Clinical Director: £80,063 (37.5-hour week) • Administrative dentists: Dental Officer: £39,485 (37-hour week) • Senior Dental Officer: £56,423 (37-hour week), • Assistant clinical Director: £74,964, (37-hour week) • Clinical Director: £74,976 (37-hour week) • Consultant Northern Ireland: £84,975 (40-hour week) <p>These going rates are per year and based on the weekly working hours stated above. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	Workforce Policy Directorate -Medical and Dental Pay Circular 2021
2217 Medical radiographers	<ul style="list-style-type: none"> • Medical radiographer • Radiographer • Sonographer • Therapeutic radiographer • Vascular technologist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2218 Podiatrists	<ul style="list-style-type: none"> • Chiropodist • Chiropodist-podiatrist • Podiatrist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2219 Health professionals not elsewhere classified	<ul style="list-style-type: none"> • Audiologist • Dental hygiene therapist • Dietician-nutritionist • Family planner • Occupational health adviser • Paramedical practitioner 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2221 Physiotherapists	<ul style="list-style-type: none"> • Electro-therapist • Physiotherapist • Physiotherapy practitioner 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2222 Occupational therapists	<ul style="list-style-type: none"> • Occupational therapist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2223 Speech and language therapists	<ul style="list-style-type: none"> • Language therapist • Speech and language therapist • Speech therapist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2229 Therapy professionals not elsewhere classified	<ul style="list-style-type: none"> • Art therapist • Chiropractor • Cognitive behavioural therapist • Dance movement therapist • Family therapist • Nutritionist • Osteopath • Psychotherapist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2231 Nurses	<ul style="list-style-type: none"> • District nurse • Health visitor • Mental health practitioner • Nurse • Practice nurse • Psychiatric nurse • Staff nurse • Student nurse 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2232 Midwives	<ul style="list-style-type: none"> • Midwife • Midwifery sister 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
2312 Further education teaching professionals (England)	<ul style="list-style-type: none"> • FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education) 	<ul style="list-style-type: none"> • Unqualified lecturer: £19,758 • Qualified lecturer: £24,702 • Advanced teaching and training: £37,258 • Leadership & management: £37,258 <p>These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	English FE pay scales
2312 Further education teaching professionals (Scotland)	<ul style="list-style-type: none"> • FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education) 	<ul style="list-style-type: none"> • Lecturer and equivalent: £22,609 • Senior lecturer and equivalent: £37,258 <p>These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	No national pay scales published – minimum rates taken as the lowest of the other three nations

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2312 Further education teaching professionals (Wales)	<ul style="list-style-type: none"> • FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education) 	<ul style="list-style-type: none"> • Instructor/demonstrator and associate lecturer: £21,135.82 • Main grade lecturer: £26,910.81 • Upper pay spine: £38,679.68 • Management: £41,919.28 <p>These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	Wales FE pay scales
2312 Further education teaching professionals (Northern Ireland)	<ul style="list-style-type: none"> • FE College lecturer • Lecturer (further education) • Teacher (further education) • Tutor (further education) 	<ul style="list-style-type: none"> • Lecturer: £22,609 • Principal lecturer: £43,734 <p>These going rates are per year and based on the definition of a full-time teaching professional used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.</p>	Northern Ireland FE pay scales
2314 Secondary education teaching professionals	<ul style="list-style-type: none"> • Deputy head teacher (secondary school) • Secondary school teacher • Sixth form teacher • Teacher (secondary school) 	See relevant pay rate in Table 4	Teachers' national pay scales
2315 Primary and nursery education teaching professionals	<ul style="list-style-type: none"> • Deputy head teacher (primary school) • Infant teacher • Nursery school teacher • Primary school teacher 	See relevant pay rate in Table 4	Teachers' national pay scales

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2316 Special needs education teaching professionals	<ul style="list-style-type: none"> • Deputy head teacher (special school) • Learning support teacher • Special needs coordinator • Special needs teacher 	See relevant pay rate in Table 4	Teachers' national pay scales
2442 Social workers	<ul style="list-style-type: none"> • Psychiatric social worker • Senior practitioner (local government: social services) • Social worker 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
3213 Paramedics	<ul style="list-style-type: none"> • Ambulance paramedic • Emergency care practitioner • Paramedic • Paramedic-ECP 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
3218 Medical and dental technicians (not eligible for GBM)	<ul style="list-style-type: none"> • Cardiographer • Dental hygienist • Dental technician • Medical technical officer • Orthopaedic technician 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
3219 Health associate professionals not elsewhere classified (not eligible for GBM)	<ul style="list-style-type: none"> • Acupuncturist • Homeopath • Hypnotherapist • Massage therapist • Reflexologist • Sports therapist 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
6141 Nursing auxiliaries and assistants (not eligible for GBM)	<ul style="list-style-type: none"> • Auxiliary nurse • Health care assistant (hospital service) • Health care support worker • Nursing assistant • Nursing auxiliary 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland
6143 Dental nurses (not eligible for GBM)	<ul style="list-style-type: none"> • Dental assistant • Dental nurse • Dental nurse-receptionist • Dental surgery assistant 	See relevant pay band in Table 3	NHS Agenda for Change: England , Scotland , Wales , Northern Ireland

Table 3: Going rates for listed healthcare occupation codes by administration and band

Going rates in Table 3 are per year and based on a 37.5-hour week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant's sponsor.

Band or equivalent	England	Scotland	Wales	Northern Ireland
Band 3	£20,330	£21,709	£20,330	£19,337
Band 4	£22,549	£23,709	£22,549	£21,892
Band 5	£25,655	£26,104	£25,655	£24,907
Band 6	£32,306	£33,072	£32,306	£31,365
Band 7	£40,057	£40,872	£40,057	£38,890
Band 8a	£47,126	£50,470	£47,126	£45,753
Band 8b	£54,764	£60,730	£54,764	£53,168
Band 8c	£65,664	£72,792	£65,664	£63,751
Band 8d	£78,192	£86,611	£78,192	£75,914
Band 9	£93,735	£103,358	£93,735	£91,004

Table 4: Going rates for listed education occupation codes by administration and role

Going rates in Table 4 are per year and based on the definition of a full-time teacher used when determining these pay scales. They must be pro-rated for other working patterns, based on the weekly working hours stated by the applicant’s sponsor.

Role	England (excluding London / Fringe)	London Fringe	Outer London	Inner London	Scotland	Wales	Northern Ireland
Unqualified teachers / Probationers	£18,419	£19,613	£21,832	£23,099	£27,498	£18,487	£15,358
Qualified teachers	£25,714	£26,948	£29,915	£32,157	£32,994	£27,491	£24,137
Chartered teachers	-	-	-	-	£42,696	-	-
Principal teachers	-	-	-	-	£45,150	-	-
Leadership group	£42,195	£43,356	£45,542	£50,167	-	£42,934	£41,884
Lead practitioners	£42,402	£43,570	£45,766	£50,415	-	£43,145	-

”.

APP SO4. For the title and introductory text of Table 5, substitute:

“Table 5: Occupation codes which are not eligible for the Skilled Worker or Global Business Mobility routes

These occupations are ineligible for the Skilled Worker or Global Business Mobility routes because:

- they do not meet the required skill level; or
- applicants must be sponsored in another route for jobs in these occupations; or
- those subject to immigration control cannot apply for jobs in these occupations.

Where indicated, some occupation codes in Tables 1 and 2 are also not eligible for the Global Business Mobility routes.”.

APP SO5. In the title of the Appendix, for “Skilled Worker and Global Business Mobility routes”, substitute, “Skilled Worker, Global Business Mobility and Scale-up routes”.

APP SO6. In the introductory text at the start of the Appendix, after the bullet point

defining “GTR”, add new bullet point:

“

- “SCU” refers to the Scale-up route”.

APP SO7. In the header row of Table 1, for both instances of “GBM”, substitute “GBM and SCU”.

APP SO8. In the introductory text above Table 2, for “Global Business Mobility routes”, substitute “Global Business Mobility and Scale-up routes”.

APP SO9. In the last four rows of Table 2, for “GBM”, substitute “GBM or SCU” in each place it occurs.

APP SO10. In the title of Table 5, for “Skilled Worker or Global Business Mobility routes”, substitute, “Skilled Worker, Global Business Mobility or Scale-up routes”.

APP SO11. In the introductory text above Table 5, for “Global Business Mobility routes”, substitute, “Global Business Mobility or Scale-up routes” in both places it occurs.

Insert new Appendixes Global Business Mobility routes

APP GBM1. After “Appendix Shortage Occupation list”, insert:

“

Global Business Mobility routes

Appendix Global Business Mobility – Senior or Specialist Worker

The Global Business Mobility – Senior or Specialist Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is a senior manager or specialist employee and is being assigned to a UK business linked to their employer overseas. This type of assignment is often called an intra-company transfer or ICT.

A partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Senior or Specialist Worker route is not a route to settlement.

Validity requirements for Global Business Mobility – Senior or Specialist Worker (“Senior or Specialist Worker”)

SNR 1.1. A person applying for entry clearance or permission to stay as a Senior or

Specialist Worker must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Global Business Mobility visa”; or
- (b) for applicants inside the UK, form “Global Business Mobility”.

SNR 1.2. An application for entry clearance or permission to stay as a Senior or Specialist Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SNR 1.3. The applicant must be aged 18 or over on the date of application.

SNR 1.4. An applicant applying for entry clearance or permission to stay as a Senior or Specialist Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SNR 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SNR 1.6. An application which does not meet all the validity requirements for a Senior or Specialist Worker is invalid and may be rejected and not considered.

Suitability requirements for a Senior or Specialist Worker

SNR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SNR 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a Senior or Specialist Worker

Entry requirements for a Senior or Specialist Worker

SNR 3.1. A person seeking to come to the UK as a Senior or Specialist Worker must apply for and obtain entry clearance as a Senior or Specialist Worker before their arrival in the UK.

SNR 3.2. A person applying for entry clearance as a Senior or Specialist Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Senior or Specialist Worker

SNR 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	SNR 5.1. to SNR 5.9.	20
Job at an appropriate skill level	SNR 6.1. to SNR 6.7.	20
Salary at required level	SNR 7.1. to SNR 9.3.	20

Points for Sponsorship for a Senior or Specialist Worker

SNR 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Senior or Specialist Worker, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and
- (b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) unless the applicant is applying as a high earner, confirm that the applicant has worked outside the UK for the sponsor group for the period required at SNR 5.7.(b); and
- (f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

SNR 5.2. The sponsor must be authorised by the Home Office to sponsor a Senior or Specialist Worker.

SNR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Senior or Specialist Worker and is applying to continue working for the same sponsor as in their last permission.

SNR 5.4. The sponsor must have paid in full any required Immigration Skills Charge.

SNR 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SNR 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SNR 5.7. An applicant as a Senior or Specialist Worker must:

- (a) be currently working for the sponsor group; and
- (b) unless they are applying as a high earner must have worked outside the UK for the sponsor group for a cumulative period of at least 12 months.

SNR 5.8. In SNR 5.7.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:

- (a) the applicant was continuously working for the sponsor group, whether in or out of the UK, from the start of the 12 months to the date of application; and
- (b) any breaks in the continuous work in SNR 5.8.(a) were only for the following reasons:
 - (i) statutory maternity, paternity, parental, or shared parental leave; or
 - (ii) statutory adoption leave; or
 - (iii) sick leave; or
 - (iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or
 - (v) taking part in legally organised industrial action.

SNR 5.9. If the requirements in SNR 5.1. to SNR 5.8. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Senior or Specialist Worker

SNR 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes, unless the conditions at SNR 6.7. are met.

SNR 6.2. The sponsor must have chosen an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code for any of the following reasons:

- (a) the most appropriate occupation code is not eligible under the Global Business Mobility routes; or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary.

SNR 6.3. To support the assessment in SNR 6.2., the decision maker may, in particular, consider:

- (a) whether the sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

SNR 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SNR 6.5. If the requirements in SNR 6.1. to SNR 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SNR 6.6.

SNR 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SNR 5.9.

Transitional arrangements for job at appropriate skill level for a Senior or Specialist Worker

SNR 6.7. If the applicant is applying for permission to stay and has, or last had, permission as a Senior or Specialist Worker for a job in any of the occupation codes listed in SNR 6.8, they can be sponsored to continue working in the same job for the same employer in that occupation code.

SNR 6.8. The occupation codes referred to in SNR 6.7. are the following:

- (a) 3411 Artists; or
- (b) 3412 Authors, writers and translators; or
- (c) 3413 Actors, entertainers and presenters; or
- (d) 3414 Dancers and choreographers; or
- (e) 3422 Product, clothing and related designers.

Points for salary for a Senior or Specialist Worker

SNR 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:

- (a) the general salary requirement in SNR 8.1. and SNR 8.2. unless the conditions at SNR 8.3. are met; and
- (b) the going rate requirement in SNR 9.1. to SNR 9.3.

SNR 7.2. Salary under these requirements includes only:

- (a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and
- (b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

SNR 7.3. Where allowances under SNR 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 30% of the total salary package

SNR 7.4. Salary does not include other pay and benefits, such as any of the following:

- (a) flexible working where the nature of the job means that hours fluctuate and pay cannot be guaranteed; or
- (b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or
- (c) employer pension and national insurance contributions; or
- (d) any allowances, other than those specified in SNR 7.2.(b); or
- (e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or
- (f) one-off payments, such as 'golden hellos'; or
- (g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
- (h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

SNR 7.5. If the requirements in SNR 7.1. to SNR 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to SNR 9.5.

SNR 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under SNR 5.9.

General salary requirement for a Senior or Specialist Worker

SNR 8.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the general salary requirement is £42,400 per year, unless the conditions at SNR 8.3. are met.

SNR 8.2. If the applicant is being sponsored to work more than 48 hours a week, only

the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £15 per hour will be considered to have a salary of £37,440 (£15 x 48 x 52) per year and not £46,800 (£15 x 60 x 52).

Transitional general salary requirement for a Senior or Specialist Worker

SNR 8.3. The applicant does not need to meet the general salary requirement if the applicant is applying for permission to stay and was previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E of these rules).

Going rate requirement for a Senior or Specialist Worker

SNR 9.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate, which will be calculated as follows:

$1 \times (\text{the going rate for the occupation code stated in Table 1 of Appendix Skilled Occupations}) \times (\text{the number of weekly working hours stated by the sponsor} \div 39).$

SNR 9.2. If the applicant is being sponsored for a job in one of the health or education occupation codes listed in Table 2 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

SNR 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in an occupation code with a going rate of £39,000 must be paid £60,000 ($1 \times £39,000 \times 60 \div 39$) per year, not £48,000 ($1 \times £39,000 \times 48 \div 39$).

Financial requirement for a Senior or Specialist Worker

SNR 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SNR 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the sponsor must certify on the certificate of sponsorship that they will, if

it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment up to a maximum amount of £1,270.

SNR 10.3. If SNR 10.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Senior or Specialist Worker

SNR 11.1. If the applicant is applying as a high earner, the grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 9 years in any 10-year period.

SNR 11.2. If the applicant is not applying as a high earner, the grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

SNR 11.3. When calculating the cumulative periods of permission referred to in SNR 11.1., SNR 11.2, and SNR 13.2. the following are included:

- (a) all previous periods of permission granted on the Global Business Mobility routes; and
- (b) all previous periods of permission granted on the Intra-Company routes; and
- (c) if the applicant does not currently hold permission in the Global Business Mobility routes, any permission they could be granted under the current application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
- (d) if the applicant is applying for permission to stay and has, or last had, permission on the Global Business Mobility routes, any permission they could be granted under the current application, beginning on the date of decision; and
- (e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Transitional arrangements for maximum length of assignments as a Senior or Specialist Worker

SNR 11.4. SNR 11.1. to SNR 11.3. do not apply and there is no maximum period of permission if the applicant is applying for permission to stay and was previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E).

Decision for a Senior or Specialist Worker

SNR 12.1. If the decision maker is satisfied that all the suitability and eligibility

requirements for a Senior or Specialist Worker are met the application will be granted, otherwise the application will be refused.

SNR 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Senior or Specialist Worker

SNR 13.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) only the following work is permitted:
 - (i) the job for which the applicant is being sponsored; and
 - (ii) if the applicant is applying for permission to stay and was previously granted permission on the Intra-Company routes under the rules in force before 11 April 2022 and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E), supplementary employment is permitted; and
 - (iii) voluntary work is permitted; and
 - (iv) working out a contractual notice period is permitted, where the applicant was lawfully working in that job in the UK on the date of application; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 of these rules applies, the applicant will be required to register with the police.

SNR 13.2. Subject to SNR 13.4., permission will be granted for a period which is the shortest of the following:

- (a) 5 years after the start date of the job detailed in the Certificate of Sponsorship; or
- (b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (c) if the applicant is applying as a high earner, the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 9 years in any 10-year period; or
- (d) if the applicant is not applying as a high earner, the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

SNR 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SNR 13.2. (but not from the cumulative period in SNR 11.3.).

Transitional arrangements for period of grant as a Senior or Specialist Worker

SNR 13.4. If the conditions in SNR 13.5. are met, SNR 13.2. does not apply, and permission will be granted for a period which is the shortest of the following:

- (a) 5 years after the start date of the job detailed in the Certificate of Sponsorship; or
- (b) 14 days after the end date of the job detailed in the Certificate of Sponsorship.

SNR 13.5. The conditions referred to in SNR 13.4. are the applicant is applying for permission to stay and was previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder and since then has continuously had permission as a Senior or Specialist Worker (including any period of overstaying disregarded under paragraph 39E).

Dependent Partner (“partner”) and dependent child (“child”) of a Senior or Specialist Worker

Validity requirements for a partner or child of a Senior or Specialist Worker

SNR 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Senior or Specialist Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SNR 14.2. An application for entry clearance or permission to stay as a partner or child of a Senior or Specialist Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay in the UK on the Global Business Mobility – Senior or Specialist Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Business Mobility – Senior or Specialist Worker route.

SNR 14.3. A person applying as a partner must be aged 18 or over on the date of application.

SNR 14.4. A person applying for permission to stay as a partner or child of a Senior or Specialist Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SNR 14.5. An application which does not meet all the validity requirements for a partner or child of a Senior or Specialist Worker is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a Senior or Specialist Worker

SNR 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SNR 15.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner or child of a Senior or Specialist Worker

Entry requirement for a partner or child of a Senior or Specialist Worker

SNR 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Senior or Specialist Worker before they arrive in the UK.

SNR 16.2. A person applying for entry clearance as the partner or child of a Senior or Specialist Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Senior or Specialist Worker

SNR 17.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission as a Senior or Specialist Worker; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission as a Senior or Specialist Worker.

SNR 17.2. If the applicant and their Senior or Specialist Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or

civil partnership for at least the two years before the date of application; and
(b) any previous relationship of the applicant or their Senior or Specialist Worker partner with another person must have permanently broken down; and
(c) the applicant and their Senior or Specialist Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SNR 17.3. The relationship between the applicant and their Senior or Specialist Worker partner must be genuine and subsisting.

SNR 17.4. The applicant and their Senior or Specialist Worker partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a Senior or Specialist Worker

SNR 18.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) on the Global Business Mobility – Senior or Specialist Worker route; or
- (b) as a partner on the Global Business Mobility – Senior or Specialist Worker route.

SNR 18.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for, or with, entry clearance or permission to stay as a Senior or Specialist Worker or as the partner of a Senior or Specialist Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Senior or Specialist Worker or as the partner of a Senior or Specialist Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Senior or Specialist Worker:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Business Mobility - Senior or Specialist Worker route.

SNR 18.3. If the applicant is a child born in the UK to a Senior or Specialist Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a child of a Senior or Specialist Worker

SNR 19.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Age requirement for a child of a Senior or Specialist Worker

SNR 20.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

SNR 20.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

Financial requirement for a partner or child of a Senior or Specialist Worker

SNR 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SNR 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

- (a) funds of at least the amount required in SNR 21.3. must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the Senior or Specialist Worker (P); and
 - (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child, as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SNR 21.3.

SNR 21.3. The required funds are:

- (a) £285 for a partner in the UK or applying for entry clearance; and
- (b) £315 for the first child in the UK or applying for entry clearance; and
- (c) £200 for any other child in the UK or applying for entry clearance.

SNR 21.4. If SNR 21.2.(a) applies, the funds held must be held in addition to any funds required for the Senior or Specialist Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SNR 21.5. If SNR 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Senior or Specialist Worker

SNR 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Senior or Specialist Worker the application will be granted, otherwise the application will be refused.

SNR 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period of grant and conditions for a partner or child of a Senior or Specialist Worker

SNR 23.1. A partner will be granted permission which ends on the same date as the person who is their partner and has permission as a Senior or Specialist Worker.

SNR 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SNR 23.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except for employment as a professional sports person (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 of these rules applies the applicant will be required to register with the police.

Appendix Global Business Mobility – Graduate Trainee

The Global Business Mobility- Graduate Trainee route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is on a graduate training course leading to a senior management or specialist position and is required to do a work placement in the UK. This type of assignment is often called an intra-company transfer- graduate trainee or ICT.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Graduate Trainee route is not a route to settlement.

Validity requirements for a Global Business Mobility – Graduate Trainee (“Graduate Trainee”)

GTR 1.1. A person applying for entry clearance or permission to stay as a Graduate Trainee must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Global Business Mobility visa”; or
- (b) for applicants inside the UK, form “Global Business Mobility”.

GTR 1.2. An application for entry clearance or permission to stay as a Graduate Trainee must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than three months before the date of application.

GTR 1.3. The applicant must be aged 18 or over on the date of application.

GTR 1.4. An applicant applying for entry clearance or permission to stay as a Graduate Trainee who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

GTR 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

GTR 1.6. An application which does not meet all the validity requirements for a Graduate Trainee is invalid and may be rejected and not considered.

Suitability requirements for a Graduate Trainee

GTR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GTR 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a Graduate Trainee

Entry requirements for a Graduate Trainee

GTR 3.1. A person seeking to come to the UK as a Graduate Trainee must apply for and obtain entry clearance as a Graduate Trainee before their arrival in the UK.

GTR 3.2. A person applying for entry clearance as a Graduate Trainee must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Graduate Trainee

GTR 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	GTR 5.1. to GTR 5.7.	20
Job at an appropriate skill level	GTR 6.1. to GTR 6.7.	20
Salary at required level	GTR 7.1. to GTR 9.3.	20

Points for Sponsorship for a Graduate Trainee

GTR 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Graduate Trainee, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and
- (b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the applicant has worked for the sponsor group for the period required at GTR 5.6.(b); and
- (f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

GTR 5.2. The sponsor must be authorised by the Home Office to sponsor a Graduate Trainee.

GTR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Graduate Trainee and is applying to continue working for the same sponsor as in their last permission.

GTR 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

GTR 5.5. The decision maker must not have reasonable grounds to believe the job the

applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

GTR 5.6. An applicant as a Graduate Trainee must:

- (a) be currently working for the sponsor group; and
- (b) have worked outside the UK for the sponsor group for a continuous period of at least 3 months immediately before the date of application.

GTR 5.7. If the requirements in GTR 5.1. to GTR 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Graduate Trainee

GTR 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

GTR 6.2. The sponsor must have chosen an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code for any of the following reasons:

- (a) the most appropriate occupation code is not eligible under the Global Business Mobility routes; or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary.

GTR 6.3. To support the assessment in GTR 6.2. the decision maker may, in particular, consider:

- (a) whether the sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

GTR 6.4. The job must be part of a structured graduate training programme, with clearly defined progression towards a managerial or specialist role within the sponsor organisation.

GTR 6.5. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

GTR 6.6. If the requirements in GTR 6.1. to GTR 6.5. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to GTR 6.7.

GTR 6.7. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under GTR 5.7.

Points for salary for a Graduate Trainee

GTR 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:

- (a) the general salary requirement in GTR 8.1. and GTR 8.2.; and
- (b) the going rate requirement in GTR 9.1. to GTR 9.3.

GTR 7.2. Salary under these requirements includes only:

- (a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and
- (b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

GTR 7.3. Where allowances under GTR 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 40% of the total salary package.

GTR 7.4. Salary does not include other pay and benefits, such as any of the following:

- (a) flexible working where the nature of the job means that hours fluctuate and pay cannot be guaranteed; or
- (b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or
- (c) employer pension and national insurance contributions; or
- (d) any allowances, other than those specified in GTR 7.2.(b); or
- (e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or
- (f) one-off payments, such as 'golden hellos'; or
- (g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
- (h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

GTR 7.5. If the requirements in GTR 7.1. to GTR 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to GTR 7.6.

GTR 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under GTR 5.7.

General salary requirement for a Graduate Trainee

GTR 8.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the general salary requirement is £23,100 per year.

GTR 8.2. If the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £8 per hour will be considered to have a salary of £19,968 ($£8 \times 48 \times 52$) per year and not £24,960 ($£8 \times 60 \times 52$).

Going rate requirement for a Graduate Trainee

GTR 9.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the going rate requirement is 70% of the pro-rated going rate, which will be calculated as follows:

$0.7 \times (\text{the going rate for the occupation code stated in Table 1 of Appendix Skilled Occupations}) \times (\text{the number of weekly working hours stated by the sponsor} \div 39)$.

GTR 9.2. If the applicant is being sponsored for a job in one of the health or education occupation codes listed in Table 2 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

GTR 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in an occupation code with a going rate of £39,000 must be paid £42,000 ($0.7 \times £39,000 \times 60 \div 39$) per year, not £33,600 ($0.7 \times £39,000 \times 48 \div 39$).

Financial requirement for a Graduate Trainee

GTR 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GTR 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the sponsor must certify on the certificate of sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment up to a maximum amount of £1,270.

GTR 10.3. If GTR 10.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Graduate Trainee

GTR 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

GTR 11.2. When calculating the cumulative periods of permission referred to in GTR 11.1. and GTR 13.2.(c), the decision maker will include the following:

- (a) all previous permission on the Global Business Mobility routes; and
- (b) all previous permission on the Intra-Company routes; and
- (b) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under the current application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
- (c) if the applicant is applying for permission to stay and has or last had permission on a Global Business Mobility route, any permission they could be granted under the current application, beginning on the date of decision; and
- (d) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Graduate Trainee

GTR 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Graduate Trainee are met the application will be granted, otherwise the application will be refused.

GTR 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Graduate Trainee

GTR 13.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) the only work permitted is:
 - (i) in the job for which the applicant is being sponsored; and
 - (ii) voluntary work; and
 - (iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

GTR 13.2. Permission will be granted for a period which is the shortest of the following:

- (a) 1 year after the start date of the job detailed in the Certificate of

- Sponsorship; or
- (b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (c) the date at which the applicant will have had cumulative permission in the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

GTR 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under GTR 13.2. (but not from the cumulative period in GTR 11.2.).

Dependent Partner (“partner”) or dependent child (“child”) of a Global Business Mobility - Graduate Trainee

Validity requirements for a partner or child of a Graduate Trainee

GTR 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Graduate Trainee must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

GTR 14.2. An application for entry clearance or permission to stay as a partner or child of a Graduate Trainee must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay in the UK on the Global Business Mobility – Graduate Trainee route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Business Mobility – Graduate Trainee route.

GTR 14.3. A person applying as a partner must be aged 18 or over on the date of

application.

GTR 14.4. A person applying for permission to stay as a partner or child of a Graduate Trainee must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

GTR 14.5. An application which does not meet all the validity requirements for a partner or child of a Graduate Trainee is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a Graduate Trainee

GTR 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GTR 15.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner or child of a Graduate Trainee

Entry requirement for a partner or child of a Graduate Trainee

GTR 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Graduate Trainee before they arrive in the UK.

GTR 16.2. A person applying for entry clearance as the partner or child of a Graduate Trainee must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Graduate Trainee

GTR 17.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission as a Graduate Trainee; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission as a Graduate Trainee.

GTR 17.2. If the applicant and their Graduate Trainee partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their Graduate Trainee partner with another person must have permanently broken down; and
- (c) the applicant and their Graduate Trainee partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

GTR 17.3. The relationship between the applicant and their Graduate Trainee partner must be genuine and subsisting.

GTR 17.4. The applicant and their Graduate Trainee partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a Graduate Trainee

GTR 18.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) on the Global Business Mobility – Graduate Trainee route; or
- (b) as a partner on the Global Business Mobility – Graduate Trainee route.

GTR 18.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Graduate Trainee or as the partner of a Graduate Trainee is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Graduate Trainee or as the partner of a Graduate Trainee has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Graduate Trainee:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Business Mobility - Graduate Trainee route.

GTR 18.3. If the applicant is a child born in the UK to a Graduate Trainee or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a child of a Graduate Trainee

GTR 19.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Age requirement for a child of a Graduate Trainee

GTR 20.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the child of their parent or parents.

GTR 20.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

Financial requirement for a partner or child of a Graduate Trainee

GTR 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

GTR 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

- (a) funds of at least the amount required in GTR 23.3 must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the Graduate Trainee (P); and
 - (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay at the same time as the applicant; or
- (b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in GTR 21.3.

GTR 21.3. The required funds are:

- (a) £285 for a partner in the UK or applying for entry clearance; and
- (b) £315 for the first child in the UK or applying for entry clearance; and
- (c) £200 for any other child in the UK or applying for entry clearance.

GTR 21.4. If GTR 21.2.(a) applies, the funds held must be held in addition to any funds required for the Graduate Trainee to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

GTR 21.5. If GTR 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Graduate Trainee

GTR 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Graduate Trainee the application will be granted, otherwise the application will be refused.

GTR 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Graduate Trainee

GTR 23.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission of a Graduate Trainee.

GTR 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

GTR 23.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except for employment as a professional sports person (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

Appendix Global Business Mobility – UK Expansion Worker

The Global Business Mobility – UK Expansion Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is a senior manager or specialist employee and is being assigned to the UK to undertake work related to a business's expansion to the UK.

This route can only be used when the business has not yet begun trading in the UK. If the business is already trading in the UK, workers should apply under Appendix Global Business Mobility – Senior or Specialist Worker instead.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – UK Expansion Worker route is not a route to settlement.

Validity requirements for a Global Business Mobility - UK Expansion Worker (“UK Expansion Worker”)

UKX 1.1. A person applying for entry clearance or permission to stay as a UK Expansion Worker must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Global Business Mobility visa”; or
- (b) for applicants inside the UK, form “Global Business Mobility”.

UKX 1.2. An application for entry clearance or permission to stay as a UK Expansion Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and

- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

UKX 1.3. The applicant must be aged 18 or over on the date of application.

UKX 1.4. An applicant applying for entry clearance or permission to stay as a UK Expansion Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

UKX 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

UKX 1.6. An application which does not meet all the validity requirements for a UK Expansion Worker is invalid and may be rejected and not considered.

Suitability requirements for a UK Expansion Worker

UKX 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKX 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a UK Expansion Worker

Entry requirements for a UK Expansion Worker

UKX 3.1. A person seeking to come to the UK as a UK Expansion Worker must apply for and obtain entry clearance as a UK Expansion Worker before their arrival in the UK.

UKX 3.2. A person applying for entry clearance as a UK Expansion Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a UK Expansion Worker

UKX 4.1. The applicant must be awarded 60 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	UKX 5.1. to UKX 5.8.	20
Job at an appropriate skill level	UKX 6.1. to UKX 6.6.	20
Salary at required level	UKX 7.1. to UKX 9.3.	20

Points for Sponsorship for a UK Expansion Worker

UKX 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a UK Expansion Worker, details of the job, salary and any allowances the sponsor is offering them (if applicable) and PAYE details if HM Revenue and Customs (HMRC) requires income tax and national insurance for the sponsored job to be paid via PAYE; and
- (b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the applicant has worked for the sponsor group for the period required at UKX 5.6.(b); and
- (f) confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

UKX 5.2. The sponsor must be authorised by the Home Office to sponsor a UK Expansion Worker.

UKX 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless one of the following applies:

- (a) the applicant was last granted permission as a UK Expansion Worker and is applying to continue working for the same sponsor as in their last permission; or
- (b) the applicant holds the role of authorising officer on the sponsor's licence and the sponsor has a provisional rating on the Home Office's register of licenced sponsors.

UKX 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

UKX 5.5. The sponsor must choose an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

UKX 5.6. An applicant as a UK Expansion Worker must:

- (a) be currently working for the sponsor group; and
- (b) have worked outside the UK for the sponsor group for a cumulative period of at least 12 months, unless the applicant is either:
 - (i) applying as a high earner; or
 - (ii) a Japanese national seeking to establish a UK branch or subsidiary of the sponsor group under the UK-Japan Comprehensive Economic Partnership Agreement.

UKX 5.7. In UKX 5.6.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:

- (a) the applicant was continuously working for the business at UKX 5.6.(a), whether in or out of the UK, from the start of the 12 months to the date of application; and
- (b) any breaks in the continuous work in UKX 5.7.(a) were only for the following reasons:
 - (i) statutory maternity, paternity, parental, or shared parental leave; or
 - (ii) statutory adoption leave; or
 - (iii) sick leave; or
 - (iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or
 - (v) taking part in legally organised industrial action.

UKX 5.8. If the requirements in UKX 5.1. to UKX 5.7. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a UK Expansion Worker

UKX 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Global Business

Mobility routes.

UKX 6.2. The decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code for any of the following reasons:

- (a) the most appropriate occupation code is not eligible under the Global Business Mobility routes; or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary.

UKX 6.3. To support the assessment in UKX 6.2, the decision maker may, in particular, consider:

- (a) whether the sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

UKX 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

UKX 6.5. If the requirements in UKX 6.1. to UKX 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to UKX 6.6.

UKX 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under UKX 5.8.

Points for salary for a UK Expansion Worker

UKX 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed both:

- (a) the general salary requirement in UKX 8.1 and UKX 8.2; and
- (b) the going rate requirement in UKX 9.1. to UKX 9.3.

UKX 7.2. Salary under these requirements includes only:

- (a) guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions); and
- (b) allowances which are guaranteed to be paid for the duration of the applicant's employment in the UK (such as London weighting) or are paid as a mobility premium or to cover the additional cost of living in the UK.

UKX 7.3. Where allowances under UKX 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of 30% of the total salary package.

UKX 7.4. Salary does not include other pay and benefits, such as any of the following:

- (a) flexible working where the nature of the job means that hours fluctuate and pay cannot be guaranteed; or
- (b) additional pay such as shift, overtime or bonus pay, whether or not it is guaranteed; or
- (c) employer pension and national insurance contributions; or
- (d) any allowances, other than those specified in UKX 7.2.(b); or
- (e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or
- (f) one-off payments, such as 'golden hellos'; or
- (g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
- (h) payments to cover business expenses, including (but not limited to) travel to and from the applicant's country of residence, equipment, clothing, travel or subsistence.

UKX 7.5. If the requirements in UKX 7.1. to UKX 7.4. are met, the applicant will be awarded 20 points for salary at the required level, subject to UKX 7.6.

UKX 7.6. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under UKX 5.8.

General salary requirement for a UK Expansion Worker

UKX 8.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the general salary requirement is £42,400 per year.

UKX 8.2. If the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week will be considered towards the general salary requirement.

For example, an applicant who works 60 hours a week for £15 per hour will be considered to have a salary of £37,440 (£15 x 48 x 52) per year and not £46,800 (£15 x 60 x 52).

Going rate requirement for a UK Expansion Worker

UKX 9.1. If the applicant is being sponsored for a job in one of the occupation codes listed in Table 1 of Appendix Skilled Occupations, the going rate requirement is 100% of the pro-rated going rate, which will be calculated as follows:

$1 \times (\text{the going rate for the occupation code stated in Table 1 of Appendix Skilled Occupations}) \times (\text{the number of weekly working hours stated by the sponsor} \div 39).$

UKX 9.2. If the applicant is being sponsored for a job in one of the health or education occupation codes listed in Table 2 of Appendix Skilled Occupations, the

going rate requirement is 100% of the pro-rated going rate (and the going rate will be pro-rated according to the number of weekly working hours stated by the sponsor, and the pro-rating set out in Appendix Skilled Occupations).

UKX 9.3. The applicant's full weekly hours will be included when checking their salary against the going rate, even if they work more than 48 hours a week.

For example, an applicant who works 60 hours a week in an occupation code with a going rate of £39,000 must be paid £60,000 ($1 \times £39,000 \times 60 \div 39$) per year, not £48,000 ($1 \times £39,000 \times 48 \div 39$).

Financial requirement for a UK Expansion Worker

UKX 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

UKX 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months, the applicant must have funds of at least £1,270.

UKX 10.3. The applicant must show that they have held the level of funds required by UKX 10.2. for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a UK Expansion Worker

UKX 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission in the Global Business Mobility routes and Intra-Company routes totalling more than 5 years in any 6-year period.

UKX 11.2. When calculating the cumulative periods of permission referred to in UKX 11.1. and UKX 13.2.(d), the decision maker will include the following:

- (a) all previous periods of permission on the Global Business Mobility routes; and
- (b) all previous periods of permission on the Intra-Company routes; and
- (b) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
- (c) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and
- (d) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a UK Expansion Worker

UKX 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a UK Expansion Worker are met the application will be granted,

otherwise the application will be refused.

UKX 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a UK Expansion Worker

UKX 13.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) the only work permitted is:
 - (i) the job for which the applicant is being sponsored; and
 - (ii) voluntary work; and
 - (iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

UKX 13.2. Permission will be granted for a period which is the shortest of the following:

- (a) 1 year after the start date of the job detailed in the Certificate of Sponsorship; or
- (b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (c) the date at which the applicant will have had continuous permission as a UK Expansion Worker totalling 2 years; or
- (d) the date at which the applicant will have had cumulative permission in the Global Business Mobility routes totalling 5 years in any 6-year period.

UKX 13.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under UKX 13.2. (but not from the cumulative period in UKX 11.2.).

Dependent Partner (partner”) and dependent child (“child”) of a UK Expansion Worker

Validity requirements for a partner or child of a UK Expansion Worker

UKX 14.1. A person applying for entry clearance or permission to stay as a partner or child of a UK Expansion Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa

Applicant	Specified form
Applicants inside the UK	Dependant partner Dependant child

UKX 14.2. An application for entry clearance or permission to stay as a partner or child of a UK Expansion Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – UK Expansion Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Business Mobility – UK Expansion Worker route.

UKX 14.3. A person applying as a partner must be aged 18 or over on the date of application.

UKX 14.4. A person applying for permission to stay as a partner or child of a UK Expansion Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

UKX 14.5. An application which does not meet all the validity requirements for a partner or child of a UK Expansion Worker is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a UK Expansion Worker

UKX 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKX 15.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner or child of a UK Expansion Worker

Entry requirement for a partner or child of a UK Expansion Worker

UKX 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a UK Expansion Worker before they arrive in the UK.

UKX 16.2. A person applying for entry clearance as the partner or child of a UK Expansion Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a UK Expansion Worker

UKX 17.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Global Business Mobility – UK Expansion Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – UK Expansion Worker route.

UKX 17.2. If the applicant and their UK Expansion Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their UK Expansion Worker partner with another person must have permanently broken down; and
- (c) the applicant and their UK Expansion Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

UKX 17.3. The relationship between the applicant and their UK Expansion Worker partner must be genuine and subsisting.

UKX 17.4. The applicant and their UK Expansion Worker partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a UK Expansion Worker

UKX 18.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) on the Global Business Mobility – UK Expansion Worker route; or
- (b) as a partner on the Global Business Mobility – UK Expansion Worker route.

UKX 18.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a UK Expansion Worker or as the partner of a UK Expansion Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a UK Expansion Worker or as the partner of a UK Expansion Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a UK Expansion Worker:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Business Mobility - UK Expansion Worker route.

UKX 18.3. If the applicant is a child born in the UK to a UK Expansion Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a child of a UK Expansion Worker

UKX 19.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Age requirement for a child of a UK Expansion Worker

UKX 20.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the child of their parent or parents.

UKX 20.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

Financial requirement for a partner or child of a UK Expansion Worker

UKX 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

UKX 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, funds of at least the amount required in UKX 21.3. must be held collectively by one or more of the following:

- (a) the applicant; and
- (b) the UK Expansion Worker (P); and
- (c) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time.

UKX 21.3. The required funds are:

- (a) £285 for a partner in the UK or applying for entry clearance; and
- (b) £315 for the first child in the UK or applying for entry clearance; and
- (c) £200 for any other child in the UK or applying for entry clearance.

UKX 21.4. If UKX 23.2.(a) applies, the funds held must be held in addition to any funds required for the UK Expansion Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

UKX 21.5. If UKX 23.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a UK Expansion Worker

UKX 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a UK Expansion Worker the application will be granted, otherwise the application will be refused.

UKX 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a UK Expansion Worker

UKX 23.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a UK Expansion Worker.

UKX 23.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

UKX 23.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

Appendix Global Business Mobility – Service Supplier

The Global Business Mobility – Service Supplier route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is either a contractual service supplier employed by an overseas service provider or a self-employed independent professional based overseas, and they need to undertake an assignment in the UK to provide services covered by one of the UK's international trade agreements.

A dependent partner and dependent children can apply to come to the UK on this

route.

The Global Business Mobility – Service Supplier route is not a route to settlement.

Validity requirements for a Global Business Mobility - Service Supplier (“Service Supplier”)

SSU 1.1. A person applying for entry clearance or permission to stay as a Service Supplier must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Global Business Mobility visa”; or
- (b) for applicants inside the UK, form “Global Business Mobility”.

SSU 1.2. An application for entry clearance or permission to stay as a Service Supplier must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SSU 1.3. The applicant must be aged 18 or over on the date of application.

SSU 1.4. An applicant applying for entry clearance or permission to stay as a Service Supplier who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SSU 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SSU 1.6. An application which does not meet all the validity requirements for a Service Supplier on the Global Business Mobility route is invalid and may be rejected and not considered.

Suitability requirements for a Service Supplier

SSU 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SSU 2.2. If applying for permission to stay the applicant must not be:
 (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
 (b) on immigration bail.

Eligibility requirements for a Service Supplier

Entry requirements for a Service Supplier

SSU 3.1. A person seeking to come to the UK as a Service Supplier must apply for and obtain entry clearance as a Service Supplier before their arrival in the UK.

SSU 3.2. A person applying for entry clearance as a Service Supplier must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Service Supplier

SSU 4.1. The applicant must be awarded 40 points from the table below:

Points requirements	Relevant rules	Points
Sponsorship	SSU 5.1. to SSU 5.7.	20
Job at an appropriate skill level (option A) or Job at an appropriate skill level (option B)	SSU 6.1. to SSU 6.6. SSU 7.1. to SSU 7.5.	20

SSU 4.2. An applicant as a Service Supplier can be awarded 20 points by meeting the requirements of either SSU 6.1. to SSU 6.6. or SSU 7.1. to SSU 7.5.

Points for Sponsorship for a Service Supplier

SSU 5.1. The applicant must have a valid certificate of sponsorship for the job they are planning to do, which must:

- (a) confirm the applicant's name, that they are being sponsored as a Service Supplier, details of the job and salary the sponsor is offering them, and that their pay complies with the National Minimum Wage; and
- (b) include a start date for the job, stated by the sponsor, which is no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the applicant has worked as or for an overseas service provider for the period required at SSU 9.1.(b); and
- (f) confirm whether the Academic Technology Approval Scheme (ATAS)

requirement in Appendix ATAS applies; and
(g) confirm which of the sponsor's contracts registered with the Home Office the applicant will work on.

SSU 5.2. The sponsor must be authorised by the Home Office to sponsor a Service Supplier.

SSU 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Service Supplier and is applying to continue working for the same sponsor as in their last permission.

SSU 5.4. The sponsor must have a contract with an overseas service provider, where that contract:

- (a) has been registered with the Home Office; and
- (b) is for a service covered by one of the UK's international trade agreements; and
- (c) is the contract on which the applicant will work as a Service Supplier.

SSU 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SSU 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SSU 5.7. If the requirements in SSU 5.1. to SSU 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Service Supplier – Option A

SSU 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

SSU 6.2. The sponsor must choose an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code due to the most appropriate occupation code not being

eligible under the Global Business Mobility routes.

SSU 6.3. To support the assessment in SSU 6.2., the decision maker may, in particular, consider:

- (a) whether the sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

SSU 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SSU 6.5. If the requirements in SSU 6.1. to SSU 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SSU 6.6.

SSU 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SSU 5.7.

Points for job at appropriate skill level for a Service Supplier – Option B

SSU 7.1. The applicant must have a university degree or equivalent level technical qualification unless they are employed by an overseas service provider supplying one of the following services, in which case the qualification requirements in the following table apply:

Services	Qualification
Fashion and modelling	None required
Chef de cuisine	An advanced technical qualification
Entertainment services (excluding audio-visual services under the CARIFORUM-UK Economic Partnership Agreement)	None required
Management consulting services and services related to management consulting (managers and senior consultants)	University degree (equivalent level technical qualification not permitted)
Advertising or translation	Relevant qualifications
Technical testing and analysis	University degree or a relevant technical qualification

SSU 7.2. The applicant must hold any professional qualifications or registrations required to provide the services under UK law or sectoral requirements.

SSU 7.3. The applicant must have professional experience in the sector in which they will supply services as follows:

- (a) 3 years' experience; or
- (b) if they are supplying chef de cuisine services under the CARIFORUM-UK Economic Partnership Agreement, 6 years' experience; or
- (b) if they are a self-employed overseas service provider, 6 years' experience.

SSU 7.4. If the requirements in SSU 7.1. to SSU 7.3. are met, the applicant will be awarded 20 points for job at the appropriate skill level, subject to SSU 7.5.

SSU 7.5. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SSU 5.7.

Nationality requirement for a Service Supplier

SSU 8.1. The applicant must be:

- (a) a national of the country or territory in which the overseas service provider is based; or
- (b) where the service that the applicant will provide is covered by a commitment in the General Agreement on Trade in Services and the applicant's employer is established in a country or territory that has made a notification under Article XXVIII(k)(ii)(2) of that agreement, a permanent resident of that country or territory; or
- (c) where the service that the applicant will provide is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland; or
- (d) where the service that the applicant will provide is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or any other person included in the definition of "natural person of a Party" for the European Union in Article 512(k) of that agreement; or
- (e) where the service that the applicant will provide is covered by a contractual service supplier commitment in the CARIFORUM-United Kingdom Economic Partnership Agreement, a national of any CARIFORUM State that has provisionally applied or brought into force that agreement.

Overseas work requirement for a Service Supplier

SSU 9.1. The applicant must:

- (a) be currently working as or for an overseas service provider that will provide services to the sponsor; and
- (b) have worked as or for the overseas service provider outside the UK for a cumulative period of 12 months.

SSU 9.2. In SSU 9.1. the 12 months' work outside the UK can have been accumulated over any period provided that:

- (a) the applicant was either:
 - (i) continuously working for the overseas service provider at SSU 9.1., whether in or out of the UK, from the start of the 12 months to the date of application; or
 - (ii) if the applicant is a self-employed overseas service provider, continuously working in the same sector as the service they will provide to the sponsor, whether in or out of the UK, from the start of the 12 months to the date of application; and
- (b) any breaks in the continuous work in SSU 9.2.(a) were only for the following reasons:
 - (i) statutory maternity, paternity, parental, or shared parental leave; or
 - (ii) statutory adoption leave; or
 - (iii) sick leave; or
 - (iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or
 - (v) taking part in legally organised industrial action.

Financial requirement for a Service Supplier

SSU 10.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SSU 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment up to a maximum amount of £1,270.

SSU 10.3. If SSU 10.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Service Supplier on the Global Business Mobility route

SSU 11.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility route and Intra-Company routes totalling more than 5 years in any 6-year period.

SSU 11.2. When calculating the cumulative periods of permission referred to in SSU 11.1., the decision maker will include the following:

- (a) all previous periods of permission on the Global Business Mobility routes; and

- (b) all previous periods of permission on the Intra-Company routes; and
- (c) if the applicant does not currently hold permission in the Global Business Mobility routes, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
- (d) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and
- (e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Service Supplier

SSU 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Service Supplier are met the application will be granted, otherwise the application will be refused.

SSU 12.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Service Supplier

SSU 13.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) the only work permitted is:
 - (i) the job for which the applicant is being sponsored; and
 - (ii) voluntary work; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

SSU 13.2. If the application is for entry clearance, permission will be granted for a period which is the shortest of the following:

- (a) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (b) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period; or
- (c) the maximum single assignment period which is:
 - (i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement, 12 months; or
 - (ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, 12 months; or

(iii) in all other cases, 6 months.

SSU 13.3. If the application is for permission to stay, the permission will be granted for a period which is the shortest of the following:

- (a) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (b) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period; or
- (c) the maximum single assignment period which is:
 - (i) if the applicant is covered by a relevant commitment in the United Kingdom-European Union Trade and Cooperation Agreement and is a national of any Member State of the European Union or any other person included in the definition of “natural person of a Party” for the European Union in Article 512(k) of that agreement, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
 - (ii) if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 12 months; or
 - (iii) in all other cases, the difference between the period the applicant has already spent in the UK since their last grant of permission as a Service Supplier and 6 months.

SSU 13.4. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SSU 13.2. and SSU 13.3. (but not from the cumulative period in SSU 11.2.).

Dependent Partner (“partner”) and dependent child (“child”) of a Service Supplier

Validity requirements for a partner or child of a Service Supplier

SSU 14.1. A person applying for entry clearance or permission to stay as a partner or child of a Service Supplier must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa

Applicant	Specified form
	Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SSU 14.2. An application for entry clearance or permission to stay as a partner or child of a Service Supplier must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – Service Supplier route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Business Mobility – Service Supplier route.

SSU 14.3. A person applying as a partner must be aged 18 or over on the date of application.

SSU 14.4. A person applying for permission to stay as a partner or child of a Service Supplier must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a domestic worker in a private household; or
- (f) outside the immigration rules.

SSU 14.5. An application which does not meet all the validity requirements for a partner or child of a Service Supplier is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a Service Supplier

SSU 15.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SSU 15.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a dependent partner or dependent child of a Service Supplier

Entry requirement for a partner or child of a Service Supplier

SSU 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Service Supplier before they arrive in the UK.

SSU 16.2. A person applying for entry clearance as the partner or child of a Service Supplier must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Service Supplier

SSU 17.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Global Business Mobility – Service Supplier route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – Service Supplier route.

SSU 17.2. If the applicant and their Service Supplier partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their Service Supplier partner with another person must have permanently broken down; and
- (c) the applicant and their Service Supplier partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SSU 17.3. The relationship between the applicant and their Service Supplier partner must be genuine and subsisting.

SSU 17.4. The applicant and their Service Supplier partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a Service Supplier

SSU 18.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) on the Global Business Mobility – Service Supplier route; or
- (b) as a partner on the Global Business Mobility – Service Supplier route.

SSU 18.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Service Supplier or as the partner of a Service Supplier is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Service Supplier or as the partner of a Service Supplier has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Service Supplier:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Business Mobility - Service Supplier route.

SSU 18.3. If the applicant is a child born in the UK to a Service Supplier or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a child of a Service Supplier

SSU 19.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Age requirement for a child of a Service Supplier

SSU 20.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the child of their parent or parents.

SSU 20.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

Financial requirement for a partner or child of a Service Supplier

SSU 21.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SSU 21.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

- (a) funds of at least the amount required in SSU 21.3 must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the Service Supplier (P); and
 - (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time as the applicant; or

(b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SSU 21.3.

SSU 21.3. The required funds are:

- (a) £285 for a partner in the UK or applying for entry clearance; and
- (b) £315 for the first child in the UK or applying for entry clearance; and
- (c) £200 for any other child in the UK or applying for entry clearance.

SSU 21.4. If SSU 21.2.(a) applies, the funds held must be held in addition to any funds required for the Service Supplier to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SSU 21.5. If SSU 21.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner or child of a Service Supplier

SSU 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Service Supplier the application will be granted, otherwise the application will be refused.

SSU 22.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Service Supplier

SSU 22.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a Service Supplier.

SSU 22.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SSU 22.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

Appendix Global Business Mobility – Secondment Worker

The Global Business Mobility – Secondment Worker route is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is being seconded to the UK as part of a high value contract or investment by their

employer overseas.

A dependent partner and dependent children can apply to come to the UK on this route.

The Global Business Mobility – Secondment Worker route is not a route to settlement.

Validity requirements for a Global Business Mobility - Secondment Worker (“Secondment Worker”)

SEC 1.1. A person applying for entry clearance or permission to stay as a Secondment Worker must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Global Business Mobility visa”; or
- (b) for applicants inside the UK, form “Global Business Mobility”.

SEC 1.2. An application for entry clearance or permission to stay as a Secondment Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

SEC 1.3. The applicant must be aged 18 or over on the date of application.

SEC 1.4. An applicant applying for entry clearance or permission to stay as a Secondment Worker who has received an award from a Government or international scholarship agency in the 12 months before the date of application which covers both fees and living costs for study in the UK, must have provided written consent to the application from that Government or agency.

SEC 1.5. An applicant applying for permission to stay must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SEC 1.6. An application which does not meet all the validity requirements for a Secondment Worker is invalid and may be rejected and not considered.

Suitability requirements for a Secondment Worker

SEC 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SEC 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a Secondment Worker

Entry requirements for a Secondment Worker

SEC 3.1. A person seeking to come to the UK as a Secondment Worker must apply for and obtain entry clearance as a Secondment Worker before their arrival in the UK.

SEC 3.2. A person applying for entry clearance as a Secondment Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Secondment Worker

SEC 4.1. The applicant must be awarded 40 points based on the table below:

Points requirements	Relevant rules	Points
Sponsorship	SEC 5.1. to SEC 5.7.	20
Job at an appropriate skill level	SEC 6.1. to SEC 6.6.	20

Points for Sponsorship for a Secondment Worker

SEC 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which to be valid must:

- (a) confirm the applicant's name, that they are being sponsored as a Secondment Worker, details of the job and salary the sponsor is offering them, and that their pay complies with the National Minimum Wage; and
- (b) include a start date for the job, stated by the sponsor, which must be no more than 3 months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the applicant has worked outside the UK for the overseas business for the period required at SEC 7.2.(b); and

- (f) confirm whether or not the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies; and
- (g) confirm on which of the sponsor's contracts registered with the Home Office the applicant will work.

SEC 5.2. The sponsor must be authorised by the Home Office to sponsor a Secondment Worker.

SEC 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Secondment Worker and is applying to continue working for the same sponsor as in their last permission.

SEC 5.4. The sponsor must have a contract with an overseas business, where that contract has been registered with the Home Office, and on which an applicant as a Secondment Worker will work.

SEC 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SEC 5.6. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

SEC 5.7. If the requirements in SEC 5.1. to SEC 5.6. are met, the applicant will be awarded 20 points for sponsorship.

Points for job at appropriate skill level for a Secondment Worker

SEC 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes.

SEC 6.2. The sponsor must choose an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code due to the most appropriate occupation code not being eligible under the Global Business Mobility routes.

SEC 6.3. To support the assessment in SEC 6.2, the decision maker may, in particular, consider:

- (a) whether the sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

SEC 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

SEC 6.5. If the requirements in SEC 6.1. to SEC 6.4. are met, the applicant will be awarded 20 points for a job at the appropriate skill level, subject to SEC 6.6.

SEC 6.6. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded 20 points for sponsorship under SEC 5.7.

Overseas Work requirement for a Secondment Worker

SEC 7.1 The applicant must meet the overseas work requirement at SEC 7.2. unless the applicant:

- (a) is applying for permission to stay; and
- (b) has, or last had, permission as a Secondment Worker; and
- (c) is applying to continue working for the same sponsor as in their last permission.

SEC 7.2 The overseas requirement will be met where the applicant:

- (a) is currently working for an overseas business that has a contract with the sponsor that has been registered with the Home Office by the sponsor; and
- (b) has worked outside the UK for that overseas business for a cumulative period of at least 12 months.

SEC 7.3. In SEC 7.2.(b) the 12 months' work outside the UK can have been accumulated over any period provided that:

- (a) the applicant was continuously working for the overseas businesses in SEC 7.2.(a), whether in or out of the UK, from the start of the 12 months to the date of application; and
- (b) any breaks in the continuous work in SEC 7.3.(a) were only for the following reasons:
 - (i) statutory maternity, paternity, parental, or shared parental leave; or
 - (ii) statutory adoption leave; or
 - (iii) sick leave; or
 - (iv) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or
 - (v) taking part in legally organised industrial action.

Financial requirement for a Secondment Worker

SEC 8.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SEC 8.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months on the date of application either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment up to a maximum amount of £1,270.

SEC 8.3. If SEC 8.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as set out in Appendix Finance.

Maximum length of assignments requirement for a Secondment Worker

SEC 9.1. The grant of permission must not lead to the applicant being granted cumulative periods of permission on the Global Business Mobility routes and the Intra-Company routes totalling more than 5 years in any 6-year period.

SEC 9.2. When calculating the cumulative periods of permission referred to in SEC 9.1. and SEC 11.2.(d), the decision maker will include the following:

- (a) all previous periods of permission on the Global Business Mobility routes; and
- (b) all previous periods of permission on the Intra-Company routes; and
- (c) if the applicant does not currently hold permission on a Global Business Mobility route, any permission they could be granted under this application, beginning on the start date of the job stated on the Certificate of Sponsorship; and
- (d) if the applicant is applying for permission to stay and has or last had permission on the Global Business Mobility routes, any permission they could be granted under this application, beginning on the date of decision; and
- (e) any period of permission on the Global Business Mobility routes and the Intra-Company routes extended under section 3C of the Immigration Act 1971.

Decision for a Secondment Worker

SEC 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Secondment Worker on the Global Business Mobility route are met the application will be granted, otherwise the application will be refused.

SEC 10.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a Secondment Worker

SEC 11.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) the only work permitted is:
 - (i) the job for which the applicant is being sponsored; and
 - (ii) voluntary work; and
 - (iii) working out a contractual notice period, where the applicant was lawfully working in that job in the UK on the date of application; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

SEC 11.2. Permission will be granted for a period which is the shortest of the following:

- (a) 1 year after the start date of the job detailed in the Certificate of Sponsorship; or
- (b) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (c) the date at which the applicant will have had a continuous permission as a Secondment Worker totalling 2 years.
- (d) the date at which the applicant will have had cumulative permission on the Global Business Mobility routes and Intra-Company routes totalling 5 years in any 6-year period.

SEC 11.3. If the applicant does not currently hold permission on the Global Business Mobility routes, any permission granted for the period between the date of decision and the start date of the job detailed in the Certificate of Sponsorship will be excluded from the cumulative permission for the purpose of determining the period of grant of permission under SEC 11.2. (but not from the cumulative period in SEC 9.2.).

Dependant Partner (“partner”) and dependent child (“child”) of a Secondment Worker

Validity requirements for a partner or child of a Secondment Worker

SEC 12.1. A person applying for entry clearance or permission to stay as a partner or child of a Secondment Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	Dependant partner Dependant child

SEC 12.2. An application for entry clearance or permission to stay as a partner or child of a Secondment Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Global Business Mobility – Secondment Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Business Mobility – Secondment Worker route.

SEC 12.3. A person applying as a partner must be aged 18 or over on the date of application.

SEC 12.4. A person applying for permission to stay as a partner or child of a Secondment Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the immigration rules.

SEC 12.5. An application which does not meet all the validity requirements for a partner or child of a Secondment Worker is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a Secondment Worker

SEC 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SEC 13.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner or child of a Secondment Worker

Entry requirement for a partner or child of a Secondment Worker

SEC 14.1. A person seeking to come to the UK as a partner or child must apply for and obtain entry clearance as a partner or child of a Secondment Worker before they

arrive in the UK.

SEC 14.2. A person applying for entry clearance as the partner or child of a Secondment Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a Secondment Worker

SEC 15.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Global Business Mobility – Secondment Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Global Business Mobility – Secondment Worker route.

SEC 15.2. If the applicant and their Secondment Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their Secondment Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Secondment Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SEC 15.3. The relationship between the applicant and their Secondment Worker partner must be genuine and subsisting.

SEC 15.4. The applicant and their Secondment Worker partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a Secondment Worker

SEC 16.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) on the Global Business Mobility – Secondment Worker route; or
- (b) as a partner on the Global Business Mobility – Secondment Worker route.

SEC 16.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a Secondment Worker or as the partner of a Secondment Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a Secondment Worker or as the partner of a Secondment Worker has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Secondment Worker:

- (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission on the Global Business Mobility - Secondment Worker route.

SEC 16.3. If the applicant is a child born in the UK to a Secondment Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Care requirement for a child of a Secondment Worker

SEC 17.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Age requirement for a child of a Secondment Worker

SEC 18.1. The child must be under the age of 18 on the date of application, unless they were last granted permission as the child of their parent or parents.

SEC 18.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

Financial requirement for a partner or child of a Secondment Worker

SEC 19.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SEC 19.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has not been in the UK for 12 months on the date of application, either:

- (a) funds of at least the amount required in SEC 19.3 must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the Secondment Worker (P); and
 - (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the partner and/or any child as well as P, up to the end of the first month of each of their permission, up to at least the amounts in SEC 19.3.

SEC 19.3. The required funds are:

- (a) £285 for a partner in the UK or applying for entry clearance; and

- (b) £315 for the first child in the UK or applying for entry clearance; and
- (c) £200 for any other child in the UK or applying for entry clearance.

SEC 19.4. If SEC 19.2.(a) applies, the funds held must be held in addition to any funds required for the Secondment Worker to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

SEC 19.5. If SEC 19.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision for a partner and child of a Secondment Worker

SEC 20.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Secondment Worker the application will be granted, otherwise the application will be refused.

SEC 20.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a Secondment Worker

SEC 21.1. A partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission as a Secondment Worker.

SEC 21.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

SEC 21.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except for employment as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 of these rules applies the applicant will be required to register with the police.”.

Changes to Appendix T2 Minister of Religion

APP MOR1. For “Appendix T2 Minister of Religion”, substitute:

“Appendix T2 Minister of Religion

This route is for a person who has a key leading role within their faith-based organisation or a religious order in the UK.

A dependent partner and dependent children of a T2 Minister of Religion can apply on this route.

T2 Minister of Religion is a route to settlement.

Validity requirements for a T2 Minister of Religion

MOR 1.1. A person applying for entry clearance or permission to stay as a T2 Minister of Religion must apply online on the gov.uk website on the specified form as follows:

- a) for applicants outside the UK, form “Tier 2 (Minister of Religion) visa”; or
- b) for applicants inside the UK, form “Tier 2 (Minister of Religion) leave to remain”.

MOR 1.2. An application for entry clearance or permission to stay as a T2 Minister of Religion must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

MOR 1.3. The applicant must be aged 18 or over on the date of application.

MOR 1.4. If the applicant has, in the last 12 months before the date of application, received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

MOR 1.5. A person applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

MOR 1.6. An application which does not meet all the validity requirements for a T2 Minister of Religion is invalid and may be rejected and not considered.

Suitability requirements for a T2 Minister of Religion

MOR 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or

(b) on immigration bail.

Eligibility requirements for a T2 Minister of Religion

Entry requirements for a T2 Minister of Religion

MOR 3.1. A person seeking to come to the UK as a T2 Minister of Religion must apply for and obtain entry clearance as a T2 Minister of Religion before their arrival in the UK.

MOR 3.2. A person applying for entry clearance as a T2 Minister of Religion must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirements for a T2 Minister of Religion

MOR 4.1. An applicant must be awarded 70 points from the table below.

Points requirements (all mandatory)	Points
Certificate of Sponsorship	50
Financial requirement	10
English language skills at level B2 (intermediate)	10

Sponsorship requirements for a T2 Minister of Religion

MOR 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which to be valid, must:

- (a) confirm the applicant's name, that they are being sponsored as a T2 Minister of Religion and details of the job and salary the sponsor is offering them, as well as any other remuneration; and
- (b) include a start date, stated by the sponsor, which must be no more than three months after the date of application; and
- (c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (d) not have been withdrawn by the sponsor or cancelled by the Home Office; and
- (e) confirm that the applicant is qualified to do the job of a T2 Minister of Religion; and
- (f) confirm that the applicant is a member of the sponsor's religious order (if the sponsor's organisation is a religious order); and

- (g) confirm that the applicant will perform religious duties within the sponsor's organisation or directed by the sponsor's organisation in the UK (which may include preaching, pastoral and non-pastoral work); and
- (h) confirm that the applicant's role will not involve mainly non-pastoral duties, such as school teaching, media production, domestic work or administrative and clerical work, unless the role is a senior position within the sponsor's organisation; and
- (i) confirm that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role and compliant with, or exempt from, the national minimum wage.

MOR 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the T2 Minister of Religion route.

MOR 5.3. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a T2 Minister of Religion and is applying to continue working for the same sponsor as in their last permission.

Genuineness requirement for a T2 Minister of Religion

MOR 6.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted at MOR 10.3.

Financial requirement for a T2 Minister of Religion

MOR 7.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

MOR 7.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been living in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270.

MOR 7.3. If MOR 7.2.(a) applies, the applicant must have held the required level of funds for a 28-day period and must show funds as specified in Appendix Finance.

English language requirement for a T2 Minister of Religion

MOR 8.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B2.

MOR 8.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Decision on an application as a T2 Minister of Religion

MOR 9.1. If the decision maker is satisfied all the suitability and eligibility requirements for a T2 Minister of Religion are met the application will be granted, otherwise the application will be refused.

MOR 9.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant as a T2 Minister of Religion

MOR 10.1. If the applicant is applying for entry clearance, permission will be granted for whichever is the shorter of:

- (a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
- (b) 3 years and 1 month.

MOR 10.2. If the applicant is applying for permission to stay, it will be granted for whichever is the shorter of:

- (a) up to 14 days after the period of employment stated on their Certificate of Sponsorship; or
- (b) 3 years; or
- (c) the difference between 6 years and the period they have already been granted permission as a T2 Minister of Religion, International Sportsperson, or Skilled Worker (or any combination of these routes).

MOR 10.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) the only work permitted is:
 - (i) work in the job the applicant is being sponsored for; and
 - (ii) supplementary employment, provided the applicant is still doing the job they were sponsored for; and
 - (iii) voluntary work; and
 - (iv) working out a contractual notice for a job the person was lawfully working in on the date of application; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

Settlement as a T2 Minister of Religion

Validity requirements for settlement as a T2 Minister of Religion

MOR 11.1. A person who is applying for settlement as a T2 Minister of Religion must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

MOR 11.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

MOR 11.3. The applicant must have, or have last been granted, permission as a T2 Minister of Religion.

MOR 11.4. An application which does not meet all the validity requirements for settlement for a T2 Minister of Religion is invalid and may be rejected and not considered.

Suitability requirements for settlement as a T2 Minister of Religion

MOR 12.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 12.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a T2 Minister of Religion

Sponsorship requirement for settlement as a T2 Minister of Religion

MOR 13.1. The sponsor in the applicant’s most recent permission must still be approved by the Home Office to sponsor a T2 Minister of Religion.

MOR 13.2. The sponsor must confirm that they still require the applicant to work for them for the foreseeable future, and that the applicant is paid, and will be paid for the foreseeable future, the appropriate salary under MOR 5.1.(i).

Qualifying period requirement for settlement as a T2 Minister of Religion

MOR 14.1. The applicant must have spent a continuous period of 5 years in the UK, and that period must consist of time with permission on any (or a combination) of the following routes:

- (a) T2 Minister of Religion; or
- (b) International Sports person; or
- (c) Skilled Worker; or
- (d) Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur); or

- (e) Representative of an Overseas Business; or
- (f) Innovator; or
- (g) Global Talent.

Continuous residence requirement for settlement as a T2 Minister of Religion

MOR 15.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous residence for the period in MOR 14.1.

Knowledge of Life in the UK requirement for settlement as a T2 Minister of Religion

MOR 16.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement as a T2 Minister of Religion

MOR 17.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a T2 Minister of Religion are met the applicant will be granted settlement, otherwise the application will be refused.

MOR 17.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependants of a T2 Minister of Religion

Validity requirements for a dependent partner (“partner”) or dependent child (“child”) of a T2 Minister of Religion

MOR 18.1. A person applying for entry clearance or permission to stay as a partner or child of a T2 Minister of Religion must apply online on the gov.uk website on the specified form as follows:

Location of partner or child	Specified form
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the T2 Minister of Religion, they can be included in the Tier 2 (Minister of Religion) leave to remain form. If applying separately from the T2 Minister of Religion: <ul style="list-style-type: none"> • Dependant partner • Dependant child

MOR 18.2. An application for entry clearance or permission to stay as a partner or child of a T2 Minister of Religion must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality: and
- (d) the applicant must be applying as partner or child of a person (P) who:
 - (i) has made a valid application for entry clearance or permission to stay on the T2 Minister of Religion route that has not been decided; or
 - (ii) has permission on the T2 Minister of Religion route; or
 - (iii) is settled or has become a British citizen, providing that P had permission on the T2 Minister of Religion route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

MOR 18.3. An applicant applying as a partner must be aged 18 or over on the date of application.

MOR 18.4. An applicant who is applying for permission to stay as a partner or child of a T2 Minister of Religion must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household: or
- (f) outside the Immigration Rules.

MOR 18.5. An application which does not meet all the validity requirements for a partner or child of a T2 Minister of Religion is invalid and may be rejected and not considered.

Suitability requirements for a partner or child of a T2 Minister of Religion

MOR 19.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 19.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for partner or child of a T2 Minister of Religion

Entry requirement for a partner or child of a T2 Minister of Religion

MOR 20.1. A person seeking to come to the UK as a partner or child of a T2 Minister of Religion must apply for and obtain an entry clearance as a partner or child of a T2 Minister of Religion before they arrive in the UK.

MOR 20.2. A person applying for entry clearance as a partner or child of a T2 Minister of Religion must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirement for a partner of a T2 Minister of Religion

MOR 21.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission as a T2 Minister of Religion; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission as a T2 Minister of Religion; or
- (c) P is settled or has become a British citizen, providing P had permission as a T2 Minister of Religion when they settled, and the applicant had permission as P's partner at that time.

MOR 21.2. If the applicant and their T2 Minister of Religion partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least two years before the date of application; and
- (b) any previous relationship of the applicant or their T2 Minister of Religion partner with another person must have permanently broken down; and
- (c) the applicant and their T2 Minister of Religion partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

MOR 21.3. The relationship between the applicant and their T2 Minister of Religion partner must be genuine and subsisting.

MOR 21.4. The applicant and their T2 Minister of Religion partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child of a T2 Minister of Religion

MOR 22.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the T2 Minister of Religion route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the T2 Minister of Religion route;
- (c) P is settled or has become a British citizen, providing P had permission on the T2 Minister of Religion route when they settled, and the applicant had permission as P's child at that time.

MOR 22.2. The applicant's parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay as a T2 Minister of Religion is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay as a T2 Minister of Religion has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission as a Minister of Religion –
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission to stay on the T2 Minister of Religion route.

MOR 22.3. If the applicant is a child born in the UK to a T2 Minister of Religion or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Age requirement for a child of a T2 Minister of Religion

MOR 23.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

MOR 23.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for a child of a T2 Minister of Religion

MOR 24.1. If the applicant is aged under 18 on the date of application, there must be suitable arrangements for the applicant's care and accommodation in the UK, which must comply with relevant UK laws.

Financial requirement for a partner or child of a T2 Minister of Religion

MOR 25.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

MOR 25.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in MOR 25.3. must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the T2 Minister of Religion; and

- (iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the T2 Minister of Religion's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the partner and/or any dependent child as well as the T2 Minister of Religion, up to the end of the first month of each of their grants of permission, to at least the amounts required in MOR 25.3.

MOR 25.3. The funds required are:

- (a) £285 for a partner in the UK, or applying for entry clearance; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance.

MOR 25.4. If MOR 25.2(a) applies, the funds held for the applicant must be held in addition to any funds required for the T2 Minister of Religion to meet the financial requirement and any other dependents in the UK or applying at the same time.

MOR 25.5. If MOR 25.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application as a partner or child of a T2 Minister of Religion

MOR 26.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a partner or child of a T2 Minister of Religion are met, the application will be granted, otherwise the application will be refused.

MOR 26.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner or child of a T2 Minister of Religion

MOR 27.1. A partner will be granted:

- (a) permission which ends on the same date as their partner's permission as a T2 Minister of Religion; or
- (b) 3 years' permission if the T2 Minister of Religion was (or is being) granted settlement as a T2 Minister of Religion.

MOR 27.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British citizenship, in which case the child will be granted permission for 3 years.

MOR 27.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted; except as a professional sports person (including as a sports coach); and

- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18; and
- (d) if Part 10 of these rules applies the applicant will be required to register with the police.

Settlement as a partner or child of a T2 Minister of Religion

Validity requirements for settlement as a partner or child of a T2 Minister of Religion

MOR 28.1. A person applying for settlement as a partner or child of a T2 Minister of Religion must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

MOR 28.2. An application for settlement as a partner or child of a T2 Minister of Religion must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK on the T2 Minister of Religion route and that application has not been decided; or
 - (ii) is settled or has become a British citizen, provided that P had permission on the T2 Minister of Religion route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

MOR 28.3. An application which does not meet all the validity requirements for a partner or child of a T2 Minister of Religion is invalid and may be rejected and not considered.

Suitability requirements for settlement as a partner or child of a T2 Minister of Religion

MOR 29.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 29.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a partner or child of a T2 Minister of Religion

Relationship requirement for settlement as a partner or child of a T2 Minister of Religion

MOR 30.1. The applicant must be the partner or child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement as a T2 Minister of Religion; or
- (b) P is settled or has become a British citizen, providing P had permission as a T2 Minister of Religion when they settled and the applicant either:
 - (i) had permission as P's partner or child at that time; or
 - (ii) is applying as a child of P and was born in the UK before P settled.

MOR 30.2. If applying as a partner, the applicant and the person (P) in MOR 30.1. must meet the relationship requirement in MOR 21.2. to MOR 21.4. and must have met those requirements throughout the 5 years ending on the date of application.

MOR 30.3. If applying as a child, the applicant's other parent (who is not the person (P) in MOR 30.1.) must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) P in MOR 30.1. is the applicant's sole surviving parent; or
- (b) P in MOR 30.1. has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a child of a T2 Minister of Religion

MOR 31.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

MOR 31.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a child of a T2 Minister of Religion

MOR 32.1. If the applicant is under the age of 18 on the date of application there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK laws.

Qualifying period requirement for settlement as a partner of a T2 Minister of Religion

MOR 33.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a dependent partner of the person (P) in MOR 30.1.

Continuous residence requirement for settlement as a partner of a T2 Minister of Religion

MOR 34.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in MOR 33.1.

English language requirement for settlement as a partner or child of a T2 Minister of Religion

MOR 35.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

MOR 35.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or child of a T2 Minister of Religion

MOR 36.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a partner or child of a T2 Minister of Religion

MOR 37.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a partner or child of a T2 Minister of Religion, the application will be granted, otherwise the application will be refused.

MOR 37.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.”.

APP MOR2. For paragraph MOR 14.1 (g), substitute:

“(g) Global Talent; or
(h) Scale-up.”.

Changes to Appendix Representative of an Overseas Business

APP ROB1. In the introduction, substitute:

“A person applying as a Representative of an Overseas Business must either be a Media Representative or applying for an extension or settlement as a Sole Representative.

A Media Representative is an employee of an overseas media organisation posted to the United Kingdom on a long-term assignment.

A Sole Representative is a senior employee of an overseas business who is assigned to the United Kingdom for the purpose of establishing a branch or subsidiary.

A dependent partner and dependent children can apply under this route.

Representative of an Overseas Business is a route to settlement.

Sole Representatives can no longer apply for an initial period of permission in the Representative of an Overseas Business route. Overseas businesses wishing to establish a UK branch or subsidiary may be able to send workers on the Global Business Mobility - UK Expansion Worker route.”.

APP ROB2. For ROB 4.4.(a), substitute:

“ROB 4.4.(a) a Sole Representative who already has, or was last granted, permission as a Sole Representative and is a senior employee of an overseas business, who is assigned to the UK to establish and supervise a branch or subsidiary of an overseas business, where that branch or subsidiary will actively trade in the same type of business as the overseas business; or”.

APP ROB3. Delete ROB 8.4.

APP ROB4. Delete ROB 8.5.

APP ROB5. For ROB 8.6, substitute:

“ROB 8.6. The applicant must meet all the following requirements:

- (a) the applicant must have established the registered branch or wholly-owned subsidiary of the overseas business for which they were last granted permission under this route; and
- (b) the applicant must be engaged in full time employment and must supervise the registered branch or wholly-owned subsidiary which they have established, and must be required by their employer to continue in that role; and
- (c) the applicant must provide all of the following:
 - (i) evidence of business that has been generated, principally with firms in the UK, on behalf of their employer since their last grant of permission, in the form of accounts, copies of invoices or letters from businesses with whom the applicant has done business, including the value of transactions; and
 - (ii) a Companies House certificate of registration as a UK establishment (for a branch), or a certificate of incorporation (for a subsidiary), together with either a copy of the share register or a letter from the overseas business’s accountant confirming that the UK business is wholly owned by the overseas business; and
 - (iii) a letter from the applicant’s employer confirming that

the applicant supervises the UK branch or subsidiary and is required to continue in that employment; and
(iv) evidence of salary paid by the employer in the 12 months immediately before the date of application and details of the remuneration package the employee receives.”.

APP ROB6. For ROB 11.1, substitute:

“ROB 11.1. If the applicant is applying for entry clearance as a Media Representative under the Representative of an Overseas Business route or is applying for permission to stay as a Media Representative and does not have, or did not last have, permission on the Representative of an Overseas Business route they will be granted permission for a period not exceeding 3 years.”.

APP ROB7. For ROB 20.2, substitute:

“ROB 20.2. An application for entry clearance or permission to stay as a partner or child of a Representative of an Overseas Business must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Representative of an Overseas Business route that has not been decided; or
 - (ii) has entry clearance or permission on the Representative of an Overseas Business route; or
 - (iii) is settled or has become a British citizen, providing that person (P) had permission on the Representative of an Overseas Business route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP ROB8. For ROB 31.2, substitute:

“ROB 31.2. An application for settlement as a partner or child of a Representative of an Overseas Business must meet all the following

requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK as a Representative of an Overseas Business and that application has not been decided; or
 - (ii) is settled or has become a British citizen, providing P had permission as a Representative of an Overseas Business when they settled and the applicant either had permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix UK Ancestry

APP UKA1. After UKA 3.2, for the heading “Grandparent born in the UK and Islands requirement” substitute “Grandparent born in the UK or Islands requirement”.

APP UKA2. For UKA 18.2, substitute:

“UKA 18.2. An application for entry clearance or permission to stay as a partner or child of a person on the UK Ancestry route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the UK Ancestry route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the UK Ancestry route; or
 - (iii) is settled or has become a British citizen, providing

that person (P) had permission on the UK Ancestry route when they settled.”.

APP UKA3. For UKA 28.2, substitute:

“UKA 28.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement on the UK Ancestry route and that application has not been decided; or
 - (ii) is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.”.

Changes to Appendix Global Talent

APP GT1. In GTE 7.2.(b), after “digital technology field”, insert:

“supporting the Global Talent application, which include all of the following:

- (i) how the author knows the applicant; and
- (ii) the applicant’s achievements in the relevant field; and
- (iii) how the author considers the applicant shows exceptional talent or promise; and
- (iv) the contribution the applicant would make to the UK digital economy”.

APP GT2. In GTE 7.3.(a), after “digital technology sector”, insert “in the last 5 years”.

APP GT3. In GTE 7.4.(a), after “digital technology field”, insert “in the last 5 years”.

APP GT4. After GTE 7.4.(b)(iv), insert:
“and
(c) be at an early stage in their career.”.

- APP GT5. In GTE 8.2.(b). for “have been appointed to an academic or research position”, substitute “have been appointed to an eligible academic or research position”.
- APP GT6. For GTE 8.6.(b), substitute:
- “(b) a statement of guarantee from the Director of Human Resources, or equivalent, which confirms:
- (i) the job was advertised, and an open competition was held, or where it was not, an explanation as to why not; and
 - (ii) the applicant has accepted the job offer; and
 - (iii) the job title and department in which the applicant will be based; and
 - (iv) the applicant:
 - (1) has responsibility for academic, research or innovation leadership and development; or
 - (2) will direct or lead an individual or team research project or programme of work; or
 - (3) will direct or lead an individual or team innovation project or programme of work; and
 - (v) at least two references were received; and
 - (vi) at least three academic, research or innovation representatives were on the interview panel(s); and
 - (vii) at least one expert in the applicant’s field was on the interview panel(s), or at least one relevant expert, independent of the employing institution, was consulted before the job offer was made.”.

APP GT7. In GTE 8.8, before (a) insert:

“(za) show that they have been recognised as a leading talent in the field of science, engineering, humanities or medicine; and”.

APP GT8. In GTE 8.9. before (a) insert

“(za) show that they have been recognised as having potential to be a leading talent in the field of science, engineering, humanities or medicine; and”.

APP GT9. In GT 4.1A.(b), after “withdrawn”, insert “or suspended”.

APP GT10. For GT 11.3 (f), substitute:

“(f) Tier 1 Migrant, other than Tier 1 (Graduate Entrepreneur); or
(g) Scale-up.”.

APP GT11. For GT 16.2, substitute:

“GT 16.2. An application for entry clearance or permission to stay as a partner or child of a person on the Global Talent route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person (P) who:
 - (i) has made a valid application for entry clearance or permission to stay on the Global Talent route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Global Talent route; or
 - (iii) is settled or has become a British citizen, providing that P had permission on the Global Talent route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP GT12. For GT 25.2, substitute:

“GT 25.2. An application for settlement as a dependent partner or dependent child on the Global Talent route must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK.
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement on the Global Talent route and that application has not been decided; or
 - (ii) is settled or has become a British citizen, providing P had permission on the Global Talent route when they settled and the applicant either had

permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix Global Talent: Prestigious Prizes

APP GTPP1. In Table 1, before the row for “Brit Awards – International Female”, insert:

“

Brit Awards – International Artist	British Phonographic Industry
------------------------------------	-------------------------------

”.

APP GTPP2. In Table 4, in each instance it occurs for “British Academy of Film and Television Arts”, substitute “British Academy of Film and Television Arts”.

APP GTPP3. In Table 4, after the row for “BAFTA – Supporting Actress (Film)”, insert:

“

BAFTA – Leading Actor (Television)	British Academy of Film and Television Arts
BAFTA – Leading Actress (Television)	British Academy of Film and Television Arts
BAFTA – Supporting Actor (Television)	British Academy of Film and Television Arts
BAFTA – Supporting Actress (Television)	British Academy of Film and Television Arts

”.

APP GTPP4. In Table 6, before the row for “Albert Lasker Basic Medical Research Award”, insert:

“

Abel Prize	Norwegian Academy of Science and Letters
AF Harvey Engineering Research Prize	Institution of Engineering and Technology

”.

APP GTPP5. In Table 6, after the row for “Albert Lasker Basic Medical Research Award”, insert:

“

Annual Review Prize Lecture	Physiological Society
Bakerian Medal and Lecture	Royal Society

”.

APP GTPP6. In Table 6, after the row for ‘Robert Koch Medal and Award’, delete:

“

Royal Gold Medal	Royal Institute of British Architects
------------------	---------------------------------------

”.

APP GTPP7. In Table 6, in the row for the “W H Pierce Prize”, for “Society of Applied Microbiology”, substitute “Society for Applied Microbiology”.

Insert new Appendix High Potential Individual (HPI)

APP HPI1. After “Appendix Global Talent: Prestigious prizes”, insert:

“Appendix High Potential Individual

This route is for recent graduates of top global universities, who want to work, or look for work in the UK, following the successful completion of an eligible course of study equivalent to UK bachelor’s degree-level or above. The study must have been with an institution listed on the Global Universities List.

The High Potential Individual route is an unsponsored route.

A dependent partner and dependent children can apply on this route.

The High Potential Individual route is not a route to settlement.

Validity requirements for a High Potential Individual

HPI 1.1. A person applying for entry clearance or permission to stay as a High Potential Individual must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “High Potential Individual visa”; or
- (b) for applicants inside the UK, form “High Potential Individual”.

HPI 1.2. An application for entry clearance or permission to stay as a High Potential Individual must meet all the following validity requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

HPI 1.3. The applicant must be aged 18 or over on the date of application.

HPI 1.4. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to

the application from that Government or agency.

HPI 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

HPI 1.6. The applicant must not have been previously granted permission under the Student Doctorate Extension Scheme, as a Graduate or as a High Potential Individual.

HPI 1.7 An application which does not meet all the validity requirements for a High Potential Individual is invalid and may be rejected and not considered.

Suitability requirements for a High Potential Individual

HPI 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HPI 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a High Potential Individual

Entry requirements for a High Potential Individual

HPI 3.1. A person seeking to come to the UK as a High Potential Individual must apply for and obtain entry clearance as a High Potential Individual before they arrive in the UK.

HPI 3.2. A person applying for entry clearance as a High Potential Individual must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a High Potential Individual

HPI 4.1. The applicant must be awarded a total of 70 points based on the table below.

Requirement	Relevant rules	Points available
--------------------	-----------------------	-------------------------

Global Universities List degree requirement	HPI 5.1 to 5.4	50
English Language requirement at level B1	HPI 6.1 to 6.3	10
Financial requirement	HPI 7.1 to 7.4	10

Global Universities List degree requirement

HPI 5.1. The applicant must, in the 5 years immediately before the date of the application, have been awarded an overseas degree level academic qualification which Ecctis confirms meets, or exceeds, the recognised standard of a UK bachelor's or UK postgraduate degree.

HPI 5.2. The institution at which the applicant was awarded the degree in HPI 5.1 must appear on the Global Universities List in respect of the date the applicant was awarded the degree.

HPI 5.3 The date the applicant was awarded the degree will be the date as confirmed by Ecctis.

HPI 5.4. If the requirements in HPI 5.1. to HPI 5.3. are met, the applicant will be awarded 50 points.

English language requirement for High Potential Individual

HPI 6.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B1.

HPI 6.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

HPI 6.3. If the requirements in HPI 6.1. and HPI 6.2. are met, the applicant will be awarded 10 points for meeting the English language requirement.

Financial requirement for High Potential Individual

HPI 7.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

HPI 7.2. An applicant who is applying for entry clearance, or who is applying for permission to stay and has been in the UK for less than 12 months at the date of application, must have funds of at least £1,270.

HPI 7.3. The applicant must show that they have held the required level of funds for a 28-day period and must show funds as specified in Appendix Finance.

HPI 7.4. If the requirements in HPI 7.1. to HPI 7.3. are met, the applicant will be awarded 10 points for meeting the Financial requirement.

Decision on an application as a High Potential Individual

HPI 8.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for a High Potential Individual are met, the application will be granted, otherwise the application will be refused.

HPI 8.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a High Potential Individual

HPI 9.1. The applicant will be granted entry clearance or permission to stay for the period as set out in the table below based on the qualification relied on to meet the Global Universities List degree requirement.

Type of Degree Qualification	Period granted from date of decision
PhD or other doctoral level qualification	3 years
All other degree qualifications	2 years

HPI 9.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, apart from work as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, except study with an education provider which is a Student sponsor, and which would meet the approved qualification and level of study requirements of the Student route which are set out in Appendix Student; and
- (d) study is subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 of these rules applies the person will be required to register with the police.

Dependent partner (“partner”) and dependent child (“child”) of a High Potential Individual

Validity requirements for a partner or child of a High Potential Individual

HPI 10.1. A person applying for entry clearance or permission to stay as a partner or child of a High Potential Individual must apply online on the gov.uk website on the specified form as follows:

Location of Partner or Child	Specified form
Applicant outside the UK	<ul style="list-style-type: none"> • Dependant partner visa • Dependant child visa
Applicant inside the UK	<ul style="list-style-type: none"> • Dependant partner • Dependant child

HPI 10.2. An application for entry clearance or permission to stay as a partner or child of a High Potential Individual must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the High Potential Individual route that has not been decided; or
 - (ii) has entry clearance or permission on the High Potential Individual route.

HPI 10.3. A person applying as a partner must be aged 18 or over on the date of application.

HPI 10.4. A person applying for permission to stay as a partner or child of a person on the High Potential Individual route must be in the UK and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

HPI 10.5. An application which does not meet all the validity requirements is invalid and may be rejected and not considered.

Suitability requirements for a partner and child of a High Potential Individual

HPI 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HPI 11.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner and child of a High Potential Individual

Entry requirement for a partner and child of a High Potential Individual

HPI 12.1. A person seeking to come to the UK as a partner or child of a High Potential Individual must apply for and obtain entry clearance as a partner or child of a High Potential Individual before they arrive in the UK.

HPI 12.2. A person applying for entry clearance as a partner or child of a High Potential Individual must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner of a High Potential Individual

HPI 13.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission as a High Potential Individual; or
- (b) P is, at the same time, applying for (and is granted) permission as a High Potential Individual.

HPI 13.2. If the applicant and their High Potential Individual partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their High Potential Individual partner with another person must have permanently broken down; and
- (c) the applicant and their High Potential Individual partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

HPI 13.3. The relationship between the applicant and their High Potential Individual partner must be genuine and subsisting.

HPI 13.4. The applicant and their High Potential Individual partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a child on the High Potential Individual route

HPI 14.1. The applicant must be the child of a person (P) and one of the following must apply:

- (a) P has permission on the High Potential Individual route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the High Potential Individual route.

HPI 14.2. The applicant's parents must each be either applying at the same time as

the applicant, or have permission to be in the UK (other than as a visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the High Potential Individual route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay on the High Potential Individual route has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission on the High Potential Individual route:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child permission to come to, or stay in, the UK with the parent who has permission on the High Potential Individual route.

HPI 14.3. If the applicant is a child born in the UK to a High Potential Individual or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Age requirement for a child on the High Potential Individual route

HPI 15.1. The child must be under the age of 18 at the date of application unless they were last granted permission as the child of their parent or parents.

HPI 15.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

Care requirement for a child on the High Potential Individual route

HPI 16.1. If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK laws.

Financial requirement for a partner or child on the High Potential Individual route

HPI 17.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

HPI 17.2. If the applicant is applying for entry clearance or has been in the UK for less than 12 months on the date of application, funds of at least the amount required in HPI 17.3 must be held collectively by one or more of the following:

- (a) the applicant; and
- (b) the High Potential Individual (P); and
- (c) if the applicant is applying as a child, their parent who is lawfully in the UK or being granted entry clearance.

HPI 17.3. The funds required are:

- (a) at least £285 for a partner in the UK or applying to come to the UK; and
- (b) at least £315 for the first child in the UK or applying to come to the UK; and
- (c) at least £200 for each additional child in the UK or applying to come to the UK.

HPI 17.4. The funds held must be in addition to any funds required by the High Potential Individual to meet the financial requirement or any dependants in the UK or applying at the same time.

HPI 17.5. The required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

Decision on an application for a partner and child on the High Potential Individual route

HPI 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child on the High Potential Individual route, the application will be granted, otherwise the application will be refused.

HPI 18.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner and child on the High Potential Individual route

HPI 19.1. A partner will be granted entry clearance or permission to stay which ends on the same date as their partner's permission as a High Potential Individual.

HPI 19.2. A child will be granted entry clearance or permission to stay which ends on the same date as their parents' permission.

HPI 19.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted; except from work as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the person is aged over 18); and
- (d) if Part 10 applies, the applicant will be required to register with the police.”.

Insert new Appendix Scale-up

APP SCU1. After “Appendix High Potential Individual (HPI)”, insert:

“Appendix: Scale-up

The Scale-up route is for talented individuals recruited by a UK Scale-up Sponsor, who have the skills needed to enable the Scale-up business to continue growing.

The person must have a high-skilled job offer from a qualifying Scale-up business at the required salary level.

A dependent partner and dependent children can apply on this route.

The Scale-up route is a route to settlement.

Validity requirements for a Scale-up Worker

SCU 1.1. A person applying for entry clearance or permission to stay as a Scale-up Worker must apply online on the gov.uk website on the specified form as follows:

- (a) for applicants outside the UK, form “Scale-up visa”; or
- (b) for applicants inside the UK, form “Scale-up”.

SCU 1.2. An application for entry clearance or permission to stay as a Scale-up Worker must meet all the following validity requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) if the applicant is making a sponsored application, they must have a Certificate of Sponsorship that was issued to them by their Sponsor no more than 3 months before the date of application.

SCU 1.3. The applicant must be aged 18 or over on the date of application.

SCU 1.4. If the applicant has in the last 12 months before the date of application received an award from a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent to the application from that Government or agency.

SCU 1.5. An applicant who is applying for permission to stay must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SCU 1.6. An application which does not meet all the validity requirements for the

Scale-up route is invalid and may be rejected and not considered.

Suitability requirements for a Scale-up Worker

SCU 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a Scale-up Worker

Entry requirements for a Scale-up Worker

SCU 3.1. A person seeking to come to the UK as a Scale-up Worker must apply for and obtain entry clearance as a Scale-up Worker before they arrive in the UK.

SCU 3.2. A person applying for entry clearance as a Scale-up Worker must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Points requirement for a Scale-up Worker

SCU 4.1. The applicant must be awarded 70 points from the table below. An applicant may only be awarded points from one of the first two rows of the table. All applicants must meet the requirements in the final two rows of the table.

SCU 4.2. An applicant may only make a Sponsored Application and score 50 points in the first row of the table if the conditions for making an Un-sponsored Application in SCU 4.3. are not met.

SCU 4.3. An applicant must make an Un-sponsored Application and score 50 points in the second row of the table if they have been employed as a Scale-up Worker by a sponsor for at least 6 months in a previous permission on the Scale-up route and -

- (a) the applicant has permission as a Scale-up Worker on the date of application; or
- (b) the applicant last had permission as a Scale-up Worker and
 - (i) if the applicant is applying for entry clearance, that permission expired less than 6 months before the date of application; or
 - (ii) if the applicant is applying for permission to stay, paragraph 39E applies.

Type of application	Relevant requirements to be met	Relevant rules	Points
Sponsored	Sponsorship	SCU 5.1	50

Application		to SCU 5.5	
	Job at an appropriate skill level	SCU 6.1 to SCU 6.4	
	Appropriate salary	SCU 7.1 to SCU 7.6	
Un-sponsored Application	UK earnings during most recent permission on the Scale-up route	SCU 8.1 to SCU 8.7	50
All applications	English language requirement at level B1	SCU 9.1 to SCU 9.3	10
All applications	Financial requirement	SCU 10.1 to SCU 10.4	10

Sponsored Application

Sponsorship requirement for Sponsored Application

SCU 5.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do, which must:

- (a) confirm the applicant's name, that they are being sponsored as a Scale-up Worker, details of the job and salary the Sponsor is offering them and PAYE details; and
- (b) include a start date for the job, stated by the Sponsor, which is no more than 3 months after the date of application; and
- (c) confirm the applicant is expected to work for the Sponsor for at least the first 6 months of their permission; and
- (d) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and
- (e) not have been withdrawn by the Sponsor or cancelled by the Home Office; and
- (f) confirm whether or not the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

SCU 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Scale-up route.

SCU 5.3. The Sponsor must be listed as A-rated on the Home Office's register of licensed sponsors.

SCU 5.4. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do:

- (a) does not exist; or
- (b) is a sham; or
- (c) has been created mainly so the applicant can apply for entry clearance or permission to stay.

SCU 5.5. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do amounts to:

- (a) the hire of the applicant to a third party who is not the Sponsor to fill a position with that party, whether temporary or permanent; or
- (b) contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

Job at an appropriate skill level requirement for Sponsored Application

SCU 6.1. The applicant must be sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Scale-up route.

SCU 6.2. The sponsor must have chosen an appropriate occupation code, and the decision maker must not have reasonable grounds to believe the sponsor has chosen a less appropriate occupation code for any of the following reasons:

- (a) the most appropriate occupation code is not eligible under the Scale-up route; or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary.

SCU 6.3. To support the assessment in SCU 6.2, the decision maker may, in particular, consider:

- (a) whether the Sponsor has shown a genuine need for the job as described; and
- (b) whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and
- (c) the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- (d) any additional information from the sponsor.

SCU 6.4. If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate.

Appropriate salary requirement for Sponsored Application

SCU 7.1. The salary for the job for which the applicant is being sponsored must equal or exceed all of the following:

- (a) £33,000 per year; and

- (b) £10.58 per hour; and
- (c) the going rate for the occupation code.

SCU 7.2. Salary only includes guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions).

SCU 7.3. Salary does not include other pay and benefits, such as any of the following:

- (a) pay which cannot be guaranteed because the nature of the job means that hours fluctuate; or
- (b) additional pay such as shift, overtime or bonus pay, (whether or not it is guaranteed); or
- (c) employer pension and employer national insurance contributions; or
- (d) any allowances, such as accommodation or cost of living allowances; or
- (e) in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food; or
- (f) one-off payments, such as ‘golden hellos’; or
- (g) any payments relating to immigration costs, such as the fee or Immigration Health Charge; or
- (h) payments to cover business expenses, including (but not limited to) travel to and from the applicant’s country of residence, equipment, clothing, travel or subsistence.

SCU 7.4. If the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week will be considered towards the salary requirements set out in SCU 7.1 (a).

For example, an applicant who works 60 hours a week for £12.50 per hour will be considered to have a salary of £31,200 (£12.50 x 48 x 52) per year and not £39,000 (£12.50 x 60 x 52).

SCU 7.5. Going rates in Table 1 of Appendix Skilled Occupations are based on a 37.5-hour week will be pro-rated, and the £10.58 per hour salary requirement will be calculated, to the applicant’s working pattern, as follows:

- (a) (the going rate for the occupation code stated in Table 1 of Appendix Skilled Occupations) x (the number of weekly working hours stated by the sponsor ÷ 37.5)
- (b) the applicant’s full weekly hours will be included when checking their salary against the going rate and the £10.58 per hour salary requirement, even if they work more than 48 hours a week.

SCU 7.6. If the requirements in SCU 5.1. to SCU 7.5. are met, the applicant will be awarded 50 points for meeting the Sponsored Application requirements.

Un-sponsored Application

UK earnings in most recent grant of permission as a Scale-up Worker requirement for Un-sponsored Application

SCU 8.1. The applicant must have had monthly PAYE earnings in the UK equivalent to at least £33,000 per year during at least 50% of their permission as a Scale-up Worker (for example, an applicant with 2 years' permission as a Scale-up Worker must have had this level of earnings during at least 12 months of that permission).

SCU 8.2. For the purpose of meeting the requirement in SCU 8.1, periods of absence from work, in a job with PAYE earnings of at least £33,000 per year, for any of the following reasons will be treated as periods during which the applicant was paid the equivalent of at least £33,000 per year:

- (a) statutory maternity, paternity, parental, or shared parental leave; or
- (b) statutory adoption leave; or
- (c) sick leave.

For example, an applicant with 2 years' permission, who spent 6 months on the above types of leave during a 2-year permission as a Scale-up Worker, must have had PAYE earnings in the UK equivalent to at least £33,000 per year during at least 6 months of the remaining 18 months of that permission.

SCU 8.3. PAYE means the guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), recorded through PAYE.

SCU 8.4. Earnings do not include other sources of income, such as any of the following:

- (a) earnings from self-employment; or
- (b) earnings from outside the UK; or
- (c) payments not recorded through PAYE; or
- (d) employer pension and employer national insurance contributions; or
- (e) income from savings, investments, property, inheritance, gambling or competitions.

SCU 8.5. The decision maker must not have reasonable grounds to believe the PAYE earnings, or any part of the PAYE earnings, the applicant is relying on have been fabricated or inflated or do not relate to genuine employment.

SCU 8.6. To support the assessment in SCU 8.5, the decision maker may in particular consider any of the following:

- (a) whether the business from which the earnings are claimed can be shown to exist and be lawfully and genuinely trading; and
- (b) any payments made by the applicant to other parties; and
- (c) any additional information.

SCU 8.7. If the requirements in SCU 8.1. to SCU 8.6. are met, the applicant will be awarded 50 points for meeting the Un-sponsored Application requirements.

All Applications by Scale-up Workers

English language requirement for Scale-up Worker

SCU 9.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) of at least level B1.

SCU 9.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

SCU 9.3. If the requirements in SCU 9.1. and SCU 9.2. are met, the applicant will be awarded 10 points for meeting the English language requirement.

Financial requirement for Scale-up Worker

SCU 10.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SCU 10.2. If the applicant is applying for entry clearance, or has been in the UK for less than 12 months on the date of application, either:

- (a). the applicant must have funds of at least £1,270; or
- (b). if the applicant is applying as a sponsored applicant, the applicant's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the applicant up to the end of the first month of their employment, to an amount of at least £1,270.

SCU 10.3. If SCU 10.2.(a) applies, the applicant must show that they have held the required funds for a 28-day period and must show funds as specified in Appendix Finance.

SCU 10.4. If the requirements in SCU 10.1 to SCU 10.3. are met, the applicant will be awarded 10 points for meeting the financial requirement.

Decision on an application as a Scale-up worker

SCU 11.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for a Scale-up Worker are met, the application will be granted, otherwise the application will be refused.

SCU 11.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a Scale-up Worker

SCU 12.1. If the applicant was awarded 50 points for meeting the Sponsored

Application requirements, they will be granted entry clearance or permission to stay for 2 years.

SCU 12.2. If the applicant was awarded 50 points for meeting the Sponsored Application requirements, the grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) for the first 6 months of their permission, the applicant must be employed in the job for which the applicant is being sponsored; and
- (c) in addition to (b), work (including self-employment and voluntary work) is permitted, except for work as a professional sportsperson (including as a sports coach); and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 of these rules applies, the applicant will be required to register with the police.

SCU 12.3. If the applicant was awarded 50 points for meeting the Un-sponsored Application requirements, they will be granted entry clearance or permission to stay for 3 years.

SCU 12.4. If the applicant was awarded 50 points for meeting the Un-sponsored Application requirements, the grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except for work as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (d) if Part 10 of these rules applies, the applicant will be required to register with the police.

Settlement as a Scale-up Worker

Validity requirements for settlement as a Scale-up Worker

SCU 13.1. A person applying for settlement as a Scale-up Worker must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

SCU 13.2. An application for settlement as a Scale-up Worker must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

SCU 13.3. The applicant must have, or have last been granted, permission as a Scale-

up Worker.

SCU 13.4. An application which does not meet the validity requirements for settlement as a Scale-up Worker is invalid and may be rejected and not considered.

Suitability requirements for settlement as a Scale-up Worker

SCU 14.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 14.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a Scale-up Worker

Qualifying period requirement for settlement as a Scale-up Worker

SCU 15.1. The applicant must have spent a continuous period of 5 years in the UK.

SCU 15.2. The 5-year continuous period must consist of time with permission on any of, or any combination of, the following routes:

- (a) Scale-up; or
- (b) Skilled Worker; or
- (c) Global Talent; or
- (d) Innovator; or
- (e) T2 Minister of Religion; or
- (f) International Sportsperson; or
- (g) Representative of an Overseas Business; or
- (h) as a Tier 1 Migrant, other than Tier 1 (Graduate Entrepreneur).

Continuous residence requirement for settlement as a Scale-up Worker

SCU 16.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SCU 15.1.

Knowledge of life in the UK requirement for settlement as a Scale-up Worker

SCU 17.1. Unless an exemption applies, the applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

UK earnings in most recent permission requirement

SCU 18.1. The applicant must be in employment in the UK with a salary paid through PAYE of at least £33,000 per year, on the date of application.

SCU 18.2. The applicant must have had monthly PAYE earnings in the UK equivalent to at least £33,000 per year during at least 24 months of the 3 years immediately before the date of application.

SCU 18.3. For the purpose of the calculation in SCU 18.2, periods of absence from work, in a job with PAYE earnings of at least £33,000 per year, for any of the following reasons will be treated as periods during which the applicant was paid the equivalent of at least £33,000 per year:

- (a) statutory maternity, paternity, parental, or shared parental leave; or
- (b) adoption leave; or
- (c) sick leave.

For example, an applicant, who spent 6 months on the above types of leave during their last 3-year's permission as a Scale-up Worker, must have had monthly PAYE earnings in the UK equivalent to at least £33,000 per year during at least 18 months of the remaining 30 months of that permission.

SCU 18.4. Earnings only include guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), recorded through PAYE.

SCU 18.5. Earnings do not include other sources of income, such as any of the following:

- (a) earnings from self-employment; or
- (b) earnings from outside the UK; or
- (c) payments not recorded through PAYE; or
- (d) employer pension and employer national insurance contributions; or
- (e) income from savings, investments, property, inheritance, gambling or competitions.

SCU 18.6. The decision maker must not have reasonable grounds to believe the PAYE earnings the applicant is relying on have been inflated or fabricated or do not relate to genuine employment.

SCU 18.7. To support the assessment in SCU 18.6, the decision maker may in particular consider any of the following:

- (a) whether the business from which the earnings are claimed can be shown to exist and be lawfully and genuinely trading; and
- (b) any payments made by the applicant to other parties; and
- (c) any other relevant information.

Decision on an application for settlement as a Scale-up Worker

SCU 19.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a Scale-up Worker are met, the applicant will be granted settlement, otherwise the application will be refused.

SCU 19.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Dependent partner (“partner”) and dependent child (“child”) of a Scale-up Worker.

Validity requirements for a partner or child on the Scale-up route

SCU 20.1. A person applying for entry clearance or permission to stay as a partner or child on the Scale-up Worker route must apply online on the gov.uk website on the specified form as follows:

Location of Partner or Child	Specified form
Applicant outside the UK	<ul style="list-style-type: none">• Dependant partner visa• Dependant child visa
Applicant inside the UK	<ul style="list-style-type: none">• Dependant partner• Dependant child

SCU 20.2. An application for entry clearance or permission to stay as a partner or child of a Scale-up Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person (P) who:
 - (i) has made a valid application for entry clearance or permission to stay on the Scale-up route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Scale-up route; or
 - (iii) is settled or has become a British citizen, providing that P had permission on the Scale-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SCU 20.3. A person applying as a partner must be aged 18 or over on the date of application.

SCU 20.4. A person who is applying for permission to stay as a partner or child of a Scale-up Worker must be in the UK on the date of application and must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

SCU 20.5. An application which does not meet all the validity requirements is invalid and may be rejected and not considered.

Suitability requirements for a partner or child on the Scale-up route

SCU 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 21.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for a partner and child on the Scale-up route

Entry requirement for a partner and child on the Scale-up route

SCU 22.1. A person seeking to come to the UK as a partner or child of a Scale-up Worker must apply for and obtain entry clearance as a partner or child of a Scale-up Worker before they arrive in the UK.

SCU 22.2. A person applying for entry clearance as a partner or child on the Scale-up route must, if paragraph A39 and Appendix T of these rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

Relationship requirements for a partner on the Scale-up route

SCU 23.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission on the Scale-up route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Scale-up route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Scale-up route when they settled, and the applicant had permission as P's partner at that time.

SCU 23.2. If the applicant and their Scale-up Worker partner are not married or in a civil partnership, all of the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application; and
- (b) any previous relationship of the applicant or their Scale-up Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Scale-up Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SCU 23.3. The relationship between the applicant and their Scale-up Worker partner must be genuine and subsisting.

SCU 23.4. The applicant and their Scale-up Worker partner must intend to live together throughout the applicant's stay in the UK.

Relationship requirement for a dependent child on the Scale-up route

SCU 24.1. The applicant must be the child of a person (P) and one of the following must apply:

- (a) P has permission on the Scale-up route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Scale-up route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Scale-up route when they settled, and the applicant had permission as P's dependent child at that time.

SCU 24.2. The applicant's parents must each be either applying at the same time as the applicant, or have permission to be in the UK (other than as a visitor) unless:

- (a) the parent applying for or with entry clearance or permission to stay on the Scale-up route is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission to stay on the Scale-up route has sole responsibility for the child's upbringing; or
- (c) the parent who does not have entry clearance or permission to stay on the Scale-up route:
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to come to, or stay in, the UK with the parent who is applying for or has entry clearance or permission to stay on the Scale-up route.

SCU 24.3. If the applicant is a child born in the UK to a Scale-up Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

Age requirement for a dependent child on the Scale-up route

SCU 25.1. The applicant must be under the age of 18 at the date of application unless they were last granted permission as the child of their parent or parents.

SCU 25.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

Care requirement for a dependent child on the Scale-up route

SCU 26.1. If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the applicant's care and accommodation in the UK, which must comply with relevant UK laws.

Financial requirement for a partner or child on the Scale-up route

SCU 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

SCU 27.2. If an applicant is applying for entry clearance, or has been living in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in SCU 27.4. must be held collectively by one or more of the following:
 - (i) the applicant; and
 - (ii) the Scale-up Worker (P); and
 - (iii) if the applicant is applying as a child, their parent who is lawfully present in the UK or being granted entry clearance, or permission to stay, at the same time; or
- (b) the Scale-up Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the partner and/or any child as well as the Scale-up Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in SCU 27.4.

SCU 27.3. An applicant may only rely on the option in SCU 27.2(b) if the date of application is at least one calendar month before the end of the first 6 months of the Scale-up Worker's first grant of permission on the Scale-up route.

SCU 27.4. The funds required are:

- (a) at least £285 for a partner in the UK or applying for entry clearance; and
- (b) at least £315 for the first child in the UK or applying for entry clearance; and
- (c) at least £200 for each additional child in the UK or applying for entry clearance.

SCU 27.5. If SCU 27.2(a) applies, the funds held by the applicant must be held in addition to any funds required for the Scale-up Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

SCU 27.6. If SCU 27.2(a) applies, the funds must have been held for a 28-day period and as set out in Appendix Finance.

Decision on application for a partner and child of a Scale-up Worker

SCU 28.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a partner or child of a Scale-up Worker, the application will be granted, otherwise the application will be refused.

SCU 28.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Period and conditions of grant for a partner and child on the Scale-up route

SCU 29.1. A partner will be granted:

- (a) entry clearance or permission to stay which ends on the same date as their partner's permission as a Scale-up Worker; or
- (b) 3 years' entry clearance or permission if the Scale-up Worker was (or is being) granted settlement as a Scale-up Worker.

SCU 29.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first, unless both parents have (or are being granted) settlement or British Citizenship, in which case the child will be granted permission for 3 years.

SCU 29.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) permitted; except work as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the person is aged over 18); and
- (d) if Part 10 of these rules applies, the applicant will be required to register with the police.

Settlement for a partner or child on the Scale-up route

Validity requirements for settlement as a partner or child on the Scale-up route

SCU 30.1. A person applying for settlement as a partner or child of a Scale-up Worker must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

SCU 30.2. An application for settlement as a partner or child of a Scale-up Worker must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK on the Scale-up route and that application has not been decided; or
 - (ii) is settled or has become a British citizen, provided that P had permission on the Scale-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.

SCU 30.3. An application which does not meet the validity requirements for a partner or child of a Scale-up Worker is invalid and may be rejected and not considered.

Suitability requirements for settlement as a dependent partner or dependent

child on the Scale-up route

SCU 31.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SCU 31.2. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a dependent partner or dependent child on the Scale-up route

Relationship requirement for settlement as a dependent partner or dependent child of a Scale-up Worker

SCU 32.1. The applicant must be the partner or child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement as a Scale-up Worker; or
- (b) P is settled in the UK or has become a British citizen, providing P had permission as a Scale-up Worker when they settled and the applicant either:
 - (i) had permission as P's partner or child at that time; or
 - (ii) is applying as a child of P and was born in the UK before P settled.

SCU 32.2. The applicant must either:

- (a) have last been granted permission as a partner or child of the person (P) in SCU 32.1; or
- (b) have been born in the UK and be applying as a child of the person (P) in SCU 32.1.

SCU 32.3. If applying as a partner, the applicant and the person (P) in SCU 32.1. must meet the relationship requirement in SCU 23.2 to SCU 23.4 and must have met them throughout the 5 years ending on the date of application.

SCU 32.4. If applying as a child, the applicant's other parent (who is not the person (P) in SCU 32.1) must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) P in SCU 32.1 is the applicant's sole surviving parent; or
- (b) P in SCU 32.1 has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a dependent child on the Scale-up route

SCU 33.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the child of their parent or parents.

SCU 33.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a dependent child of a Scale-up Worker

SCU 34.1. If the applicant is under the age of 18 on the date of application there must be suitable arrangements for the child’s care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

Qualifying period requirement for settlement as a partner on the Scale-up route

SCU 35.1. The applicant must have spent a continuous period of 5 years in the UK with permission as a partner of the person (P) in SCU 32.1.

Continuous residence requirement for settlement as a partner on the Scale-up route

SCU 36.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SCU 35.1.

English language requirement for settlement as a partner or child on the Scale-up route

SCU 37.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

SCU 37.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or child on the Scale-up route

SCU 38.1. Unless an exemption applies, the applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a partner or child on the Scale-up route

SCU 39.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a partner or child of a Scale-up Worker, the application will be granted settlement, otherwise the application will be refused.

SCU 39.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.”.

Changes to Appendix Start-up

APP SU1. For SU 13.2, substitute:

“SU 13.2. An application for entry clearance or permission to stay as a partner or child of a person on the Start-up route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and

- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as partner or child of a person (P) who:
 - (i) has made a valid application for entry clearance or permission to stay on the Start-up not been decided; or
 - (ii) has entry clearance or permission to stay on the Start-up route; or
 - (iii) is settled or has become a British citizen, providing that P had permission on the Start-up route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix Innovator

APP INN1. For INN 22.1, substitute:

“INN 22.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

INN 22.1A. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as an Innovator, the application will be varied by the Secretary of State and instead be considered as an application for permission to stay on the Innovator route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation, and if required, will request the applicant pay the Immigration Health Charge.

INN 22.1B. If the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

INN 22.1C. Where an applicant is granted permission to stay they will be granted for the period in INN 15.1. subject to the conditions at INN 15.2. to INN 15.3.

INN 22.1D. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or

permission to stay, the application for settlement will be refused.”.

APP INN2. For INN 23.2, substitute:

“INN 23.2. An application for entry clearance or permission to stay as a partner or child of an Innovator must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

- (i) has made a valid application for entry clearance or permission to stay on the Innovator route that has not been decided; or
- (ii) has entry clearance or permission to stay on the Innovator route; or
- (iii) is settled or has become a British citizen, providing that P had permission on the Innovator route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP INN3. For INN 26.1, substitute:

“INN 26.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission on the Innovator route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Innovator route; or
- (c) P is settled or has become a British citizen, providing P had permission as an Innovator when they settled, and the applicant had permission as P’s partner at that time.”.

APP INN4. For INN 27.1, substitute:

“INN 27.1. The applicant must be the child of a person (P) or of P’s partner and one of the following must apply:

- (a) P has permission on the Innovator route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Innovator route; or
- (c) P is settled or has become a British citizen, providing P had permission as an Innovator when they settled and the applicant either had permission as their child or the child of P’s partner

at that time, or is applying as a child of P or of P's partner and was born in the UK before P settled.”.

APP INN5. For INN 33.1, substitute:

“INN 33.1. A partner and child on the Innovator route who is applying for settlement must apply online on the GOV.UK website on the specified form as follows:

“Partner - Settlement as a partner or parent

Child – Settlement as a Child (including a child aged over 18 already in the UK as a dependent)”.

APP INN6. For INN 33.2, substitute:

“An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK as an Innovator and that application has not been decided; or
 - (ii) is settled or has become a British citizen, providing they had permission as an Innovator when they settled and the applicant either had permission as their partner or child at that time or is applying as a child of P and was born in the UK before P settled.”.

APP INN7. For INN 41.1, substitute:

“INN 42.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

INN 42.1A If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as a dependent partner or dependent child on the Innovator route, the

application will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

INN 42.1B If the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

INN 42.1C Where an applicant is granted permission to stay they will be granted for the period in INN 32.1 (as a partner) or INN 32.2. (as a child) subject to the conditions at INN 32.3.

INN 42.1D. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.”.

Changes to Appendix International Sportsperson

APP ISP1. In paragraph ISP 14.2, for sub paragraph “(h)”, substitute,

“

- (h) Scale-up; or
- (i) permission on any other route, during the time the applicant was waiting for a decision on their application as an International Sportsperson, providing that application:
 - (i) was for permission to stay; and
 - (ii) was made between 24 January 2020 and 30 June 2021 (inclusive); and
 - (iii) was supported on the date of application by a certificate of sponsorship assigned by a licensed sponsor; and
 - (iv) was granted.”.

APP ISP2. For ISP 20.2, substitute:

“ISP 20.2. An application for entry clearance or permission to stay as a partner or child of an International Sportsperson must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and

nationality; and

(d) the applicant must be applying as partner or child of a person (P) who:

(i) has made a valid application for entry clearance or permission to stay on the International Sportsperson route that has not been decided; or

(ii) has entry clearance or permission to stay on the International Sportsperson route; or

(iii) is settled or has become a British citizen, providing that P had permission on the International Sportsperson route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP ISP3. For ISP 30.2, substitute:

“An application for settlement as a partner or child of an International Sportsperson must meet all the following requirements:

(a) any fee must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be in the UK on the date of application; and

(e) the applicant must be applying as a partner or child of a person (P) who:

(i) has made a valid application for settlement in the UK as an International Sportsperson and that application has not been decided; or

(ii) is settled or has become a British citizen, providing they had permission as an International Sportsperson when they settled and the applicant either had permission as their partner or child at that time or is applying as a child of P and was born in the UK before P settled.”.

Changes to Appendix Sports Governing Bodies

APP SGB1. In the list of governing bodies, in the entry for “Motorsports”, for “The Royal Automobile Club Motor Sports Association Ltd”, substitute, “Motorsport UK”.

APP SGB2. In the list of governing bodies, for “Swimming, water polo, diving and synchronised swimming”, substitute, “Swimming, water polo, diving and synchronised swimming (England, Scotland, Wales)”.

APP SGB3. In the list of governing bodies, after “British Swimming”, insert new entry,

“

Swimming, water polo, diving and synchronised swimming (Northern Ireland)	Swim Ulster
---	-------------

”

APP SGB4. In the list of governing bodies, after “Volleyball England”, insert new entry,

“

Volleyball (Scotland)	Scottish Volleyball
-----------------------	---------------------

”

Changes to Appendix Domestic Workers in a Private Household

APP DW1. For DW 14.2, substitute:

“An application for entry clearance or permission to stay as a partner or child of a Domestic Worker in a Private Household must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for permission to stay in the UK as a Domestic Worker in a Private Household that has not been decided; or
 - (ii) has entry clearance or permission to stay as Domestic Worker in a Private Household; or
 - (iii) is settled or has become a British citizen, providing that P had permission as a Domestic Worker in a Private Household when they settled and the applicant

either had permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

APP DW2. For DW 23.2, substitute:

“An application for settlement as a partner or child of a Domestic Worker in a Private Household must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application; and
- (e) the applicant must be applying as a partner or child of a person (P) who:
 - (i) has made a valid application for settlement in the UK as a Domestic Worker in a Private Household that has not been decided; or
 - (ii) is settled or has become a British citizen, providing P had permission as a Domestic Worker in a Private Household when they settled and the applicant either had permission as their partner or child at that time or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix Temporary Work – Seasonal Worker

- TWSW1. In Appendix Temporary Work – Seasonal Worker delete the first description paragraph.
- TWSW2. In Appendix Temporary Work – Seasonal Worker for the second description paragraph substitute the following: “The Seasonal Worker route is for a person who wants to come to the UK to do seasonal horticulture work. A person on the Seasonal Worker route can stay for a maximum period of six months in any 12-month period.”.
- TWSW3. Delete SAW 1.3A.
- TWSW4. Delete SAW 1.3B.
- TWSW5. Delete SAW 1.3C.

- TWSW6. In SAW 4.1.(e) delete “National Minimum Wage, the”.
- TWSW7. After SAW 4.1(e,) insert:
 “and;
 (f) The Certificate of Sponsorship must state the role is in the horticulture sector, which means those growing:
 (i) Protected Vegetables – those grown in glasshouse systems;
 or
 (ii) Field Vegetables – those grown outdoors, including vegetables, herbs, leafy salads and potatoes; or
 (iii) Soft Fruit – those grown outdoors or under cover e.g. in glasshouses or polytunnels. Includes strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species; or
 (iv) Top Fruit (Orchard Fruit) - trees that bear fruit e.g. apples, plums, cherries, apricots; or
 (v) Vine and Bines – both twining or climbing flexible stems of certain plants, e.g. hops is a bine, and grapes is a vine; or
 (vi) Mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species (typically grown indoors); or
 (vii) Bulbs and cut flowers, such as daffodils, grown outdoors and indoors; or
 (viii) Pot plants, such as seasonal bedding plants like pansies, violas, germaniums and poinsettias; or
 (ix) Hardy ornamental nursery stock such as Christmas trees, shrubs, roses, ornamental trees and perennials; or
 (x) Tree and forest nurseries.”.
- TWSW8. In SAW 4.1.(g), for,
 “confirm that an applicant being sponsored for specified pork butchery work will receive a salary that equals or exceeds all of the following:
 • £25,600 per year;
 • £10.10 per hour.”
 substitute:
 “confirm the applicant will be paid at least £10.10 for each hour worked.”.
- TWSW9. Delete SAW 4.1A.
- TWSW10. For SAW 7.1., substitute:
 “SAW 7.1. The applicant will be granted permission for whichever is the shortest of either:
 (a) the period of the job on the Certificate of Sponsorship plus

14 days before and 14 days after that period; or
 (b) a maximum period of 6 months in any 12-month period.”.

TWSW11. Delete SAW 7.1A.

TWSW12. Delete SAW 7.1B.

TWSW13. Delete SAW 7.1C.

Changes to Appendix Youth Mobility Scheme

APP YMS1. In YMS 1.3 (b) for “Annex”, substitute “Appendix”.

APP YMS2. For the heading “Sponsorship requirement for the Youth Mobility Scheme”, substitute: “Country-specific eligibility requirements for the Youth Mobility Scheme”.

APP YMS3. For YMS 4.1. to YMS 4.5C. substitute:

“YMS 4.1. Where the applicant is a national of Australia, Canada, Monaco or New Zealand, they are not required to meet any country-specific eligibility requirements but must meet the financial requirements in YMS 5.1. to YMS 5.3.

Where the applicant is a national, citizen or rightful passport holder of one of the countries or territories listed in the following table of country-specific eligibility requirements, they must meet the requirement listed:

	Country or territory	Requirement:
1	<ul style="list-style-type: none"> • Hong Kong • Japan • Republic of Korea • Taiwan 	The applicant must: <ul style="list-style-type: none"> a) have been issued with an invitation to apply in accordance with the invitation to apply arrangements set out in Appendix Youth Mobility Scheme: eligible nationals; and b) have made their application within any time limit specified on that invitation to apply.
2	<ul style="list-style-type: none"> • San Marino 	The applicant must provide a letter confirming the applicant is a suitable candidate for the Youth Mobility Scheme from the Directorate of Political and Diplomatic Affairs of the Republic of San Marino Department of Foreign Affairs that has been issued no more than 6 months before the date of application.
3	<ul style="list-style-type: none"> • Iceland 	The applicant must provide a Criminal Certificate for

		Private Use that has been issued no more than 6 months before the date of application.
4	<ul style="list-style-type: none"> • India 	<p>The applicant must:</p> <ul style="list-style-type: none"> (a) have been issued with an invitation to apply in accordance with the invitation to apply arrangements set out in Appendix Youth Mobility Scheme: eligible nationals; and (b) have made their application within the period of time specified on that invitation to apply; and (c) provide the unique application number for that invitation to apply; and (d) provide a local police certificate or a police clearance certificate that has been issued no more than 6 months before the date of application; and (e) either: <ul style="list-style-type: none"> (i) have a minimum of 3 years' work experience in a professional role equivalent to an eligible occupation listed in Appendix Skilled Occupations; or (ii) hold a qualification equal to or above RQF level 6.

YMS 4.3. The number of places allocated to nationals or citizens of the same country, or rightful holders of a passport issued by the same territory, must not have exceeded the annual total allocation of places for that country or territory as set out in Appendix Youth Mobility Scheme: eligible nationals.

YMS 4.4. Where the applicant is a British Overseas citizen, British Overseas Territories citizen or British National (Overseas), YMS 4.1. to YMS 4.2. do not apply.”.

Changes to Appendix Youth Mobility Scheme: eligible nationals

APP YMSEN1. For “Appendix Youth Mobility Scheme: eligible nationals”, substitute:

“Appendix Youth Mobility Scheme: eligible nationals

Countries and territories participating in the Youth Mobility Scheme, and annual allocation of places for 2022

1. The total allocation of places available for use by nationals or citizens of countries and rightful holders of a passport issued by territories participating in the Youth Mobility Scheme in 2022, are as follows:

- Australia - 30,000 places
- Canada - 6,000 places
- Hong Kong - 1,000 places
- Iceland – 1,000 places
- India – 3,000 places
- Japan - 1,500 places
- Monaco - 1,000 places
- New Zealand - 13,000 places
- Republic of Korea - 1,000 places
- San Marino - 1,000 places
- Taiwan - 1,000 places

Invitation to apply arrangements

2. Where places are being allocated under the Youth Mobility Schemes for the countries or territories listed below, the Home Office will apply invitation to apply arrangements:

- (a) Hong Kong
- (b) India
- (c) Japan
- (d) Republic of Korea
- (e) Taiwan

3. Under these arrangements:

- (a) a prospective applicant must submit an expression of interest in accordance with the process published by the Home Office; and
- (b) no more than one expression of interest per person will be accepted by the Home Office during each period in which they may be submitted; and
- (c) the Home Office will:
 - (i) select at random those to whom an invitation to apply for entry clearance under the Youth Mobility Scheme relevant allocation is to be issued from the pool of those who have submitted an expression of interest; and
 - (ii) keep a record of those individuals to whom an invitation to apply is issued; and
- (d) the Home Office may:
 - (i) place a time limit on the period during which an expression of interest is to be submitted; and
 - (ii) determine the number of invitations to apply that may be issued in any calendar month; and
 - (iii) place a time limit on the validity of an invitation to apply.”.

Changes to Appendix Temporary Work – Creative Worker

APP CRV1. For CRV 10.2, substitute:

“An application for entry clearance or permission to stay as a partner or child of a Creative Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a partner or child of person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Creative Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Creative Worker route.”.

APP CRV2. For CRV 14.2, substitute

“CRV 14.2. The applicant’s parents must each be either applying at the same time as the applicant or have permission to be in the UK (other than as a Visitor) unless:

- (a) the parent applying for or with entry clearance or permission as a Creative Worker is the sole surviving parent; or
- (b) the parent applying for or with entry clearance or permission as a Creative Worker has sole responsibility for the child’s upbringing; or
- (c) the parent who does not have permission as a Creative Worker –
 - (i) is a British citizen or a person who has a right to enter or stay in the UK without restriction; and
 - (ii) is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission with the parent who is applying for or has entry clearance or permission on the Creative Worker route.”.

APP CRV3. For CRV 17.2, substitute

“CRV 17.2. If the applicant is applying for entry clearance or permission to enter, or has been in the UK for less than 12 months on

the date of application, either:

(a) funds of at least the amount required in CRV 17.3. must be held collectively by one or more of the following:

(i) the applicant; and

(ii) the Creative Worker (P); and

(iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission, at the same time; or

(b) the Creative Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Creative Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CRV 17.3.”.

APP CRV4. For paragraph CRV 17.3, substitute

“CRV 17.3. The funds required are:

(a) £285 for a partner in the UK, or applying for entry clearance or permission to enter; and

(b) £315 for the first dependent child in the UK, or applying for entry clearance or permission to enter; and

(c) £200 for any other dependent child in the UK, or applying for entry clearance or permission to enter.”.

Changes to Appendix Temporary Work – Religious Worker

APP RW1. For RW 9.2, substitute:

“RW 9.2. An application for entry clearance or permission to stay as a partner or child of a Religious Worker must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as a partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay on the Religious Worker route that has not been decided; or

(ii) has entry clearance or permission to stay on the

Religious Worker route.”.

Changes to Appendix Temporary Work - Charity Worker

APP CW1. For CW 9.2, substitute:

“CW 9.2. An application for entry clearance or permission to stay as a partner or child of a Charity Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay on the Charity Worker route that has not been decided; or
 - (ii) has entry clearance or permission to stay on the Charity Worker route.”.

Changes to Appendix Temporary Work – International Agreement

APP IA1. In the introduction, substitute:

“The International Agreement route is for a person who wants to come to the UK to provide a service covered under international law, such as private servants in diplomatic households or employees of overseas governments and international organisations.

A person on the International Agreement route can stay for a maximum period of 2 years.

A partner and children can apply as dependants on this route.

The International Agreement route is not a route to settlement.

A person who wants to come to the UK under intra-company transfer, contractual service supplier or independent professional commitments must apply under the Global Business Mobility routes.”.

APP IA2. In IA 6.1.(b), for “; or” substitute “.”.

APP IA3. Delete IA 6.1.(c).

APP IA4. Delete IA 9.1. to IA 10.8.

APP IA5. Delete IA 14.1.

APP IA6. Delete IA 14.2.

APP IA7. In IA 14.3., delete “as a private servant in a diplomatic household or employee of an overseas government or organisation”.

APP IA8. In IA 14.4., delete “as a private servant in a diplomatic household or employee of an overseas government or international organisation”.

APP IA9. Delete IA 14.6.

APP IA10. For IA 14.7, substitute:

“IA 14.7. The grant will be subject to all the following conditions:

(a) no access to public funds; and

(b) the only work permitted is

(i) the job the applicant is being sponsored for; and

(ii) supplementary employment only for a person being sponsored for a job as an employee of overseas governments or international organisations (but not as a private servant in a diplomatic household) and only provided the job in (i) is also being done.

(c) study is permitted, subject to the ATAS condition in Appendix ATAS; and

(d) if Part 10 of these rules applies the applicant will be required to register with the police.”.

APP IA11. For IA 22.2, substitute:

“IA 22.2. An application for entry clearance or permission to stay as a partner or child on the International Agreement route must meet all the following requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) the applicant must be applying as a partner or child of a person who:

(i) has made a valid application for entry clearance or permission to stay as a person on the International Agreement

route that has not been decided; or
(ii) has entry clearance or permission to stay as a person on the International Agreement route.”.

APP IA12. For IA 32.2, substitute:

“IA 32.2. An application for settlement as a partner or child of a Private Servant in a diplomatic household must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided either a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application; and
- (e) the applicant must be applying as a partner or child of a person (P) who:

- (i) has made a valid application for settlement in the UK on the International Agreement route and that application has not been decided; or
- (ii) is settled or has become a British citizen, provided that P had permission on the International Agreement route when they settled and the applicant either had permission as their partner or child at that time, or the applicant is applying as a child of P and the applicant was born in the UK before P settled.”.

Changes to Appendix Temporary Work – Government Authorised Exchange

APP GAE1. For GAE 12.2, substitute:

“GAE 12.2. An application for entry clearance or permission to stay as a partner or child on the Government Authorised Exchange route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a partner or child of a person who:
 - (i) has made a valid application for entry clearance or permission to stay as a person on the Government Authorised Exchange route that has not been decided;

or
(ii) has entry clearance or permission to stay as a person on the Government Authorised Exchange route.”.

Changes to Appendix Government Authorised Exchange Schemes

APP GAES1. In the list of schemes, after the entry for “De La Rue Internship”, add:

“

Diplomatic Missions Interns Scheme	The scheme provides opportunities for nationals of countries that have an agreement with the Foreign, Commonwealth and Development Office to complete a short-term work experience placement in a UK-based diplomatic mission or consular post.		Work experience programme, Maximum 12 months	All UK
------------------------------------	---	--	--	--------

”.

APP GAES2. In the list of schemes for UK Research and Innovation – Science, Research and Academia, substitute:

“

UK Research and Innovation – Science, Research and Academia	A scheme to enable UK Research and Innovation (UKRI) to engage with sponsored researchers within its own organisation as	UK Research and Innovation (UKRI) and the organisations that meet UKRI’s eligibility criteria	Research & Training Programmes Maximum 24 months	All UK
---	--	---	--	--------

	well as endorsing Independent Research Organisations and Public Sector Research Establishments who meet UKRI's eligibility criteria			
--	---	--	--	--

”.

Changes to Appendix Creative Worker Codes of Practice

APP CWCOP1. In the Workers in film and television section, under point 4, for “UKBA” substitute “the Home Office”.

APP CWCOP2. In the Workers in film and television section, under Required advertising media for other posts, after “the Home Office will promptly notify the Production Guild of the issuing of a certificate of sponsorship and the Production Guild may request sight of the”, insert: “evidence in support for such roles.”.

APP CWCOP3. In the Workers in film and television section, under Additional evidence required for Personal Assistants to Directors and Producers of international status, after “• the Director or Producer has international status e.g. press cuttings, awards, accolades, publicity material, television/radio interviews, film and TV credits; or, documentary proof that they have demonstrable worldwide box-office appeal through box”, insert: “office figures for films they have led.”.

Changes to Appendix Hong Kong British National (Overseas)

APP HK1. For the introductory paragraphs substitute:

“The Hong Kong British National (Overseas) route has two routes – the BN(O) Status Holder route and the BN(O) Household Member route.

The BN(O) Status Holder route is for a British National (Overseas) status holder who is ordinarily resident in Hong Kong or the UK. A dependent partner and a dependent child of a British National

(Overseas) status holder can apply under this route. In exceptional circumstances, other family members with a high degree of dependency may also apply.

The BN(O) Household Member route is for the adult child, born on or after 1 July 1997, of a BN(O) status holder. The BN(O) Household Member, and any dependent partner or child applying under this route must form part of the same household as the British National (Overseas) status holder.

The Hong Kong British National (Overseas) routes allow work and study in the UK and are routes to settlement.”.

APP HK2. For HK 10.2, substitute:

“HK 10.2. An application for entry clearance or permission to stay as a partner or BN(O) Household Child on the BN(O) Status Holder route must meet all the following validity requirements:

(a) any fee and Immigration Health Charge must have been paid; and

(b) the applicant must have provided any required biometrics; and

(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

(d) when applying as a partner on the BN(O) Status Holder route, where the applicant does not currently hold, or did not last hold, permission as a partner on the BN(O) Status Holder route the applicant must be applying as a partner of a BN(O) Status Holder who:

(i) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Status Holder that has not been decided; or

(ii) has entry clearance or permission as a BN(O) status holder;

(e) when applying as a BN(O) Household Child on the BN(O) Status Holder route, the applicant must be applying as a child or grandchild of a BN(O) Status Holder or of the partner of a BN(O) Status Holder who:

(i) has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Status Holder or as the partner of a BN(O) Status Holder that has not been decided; or

(ii) has entry clearance or permission as a BN(O) status holder or as the partner of a BN(O) Status Holder.”.

APP HK3. For HK 23.2(c), substitute:

“(c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality, and
(d) when applying for the first time as a BN(O) Household member, the applicant must be applying as a child of a BN(O) Status Holder who has made a valid application for entry clearance or permission to stay in the UK as a BN(O) Status Holder that has not been decided.”.

APP HK4. For HK 32.3, substitute:

“HK 32.3. An applicant who is applying as a dependent child must be the child of a person who is making a valid application for entry clearance or permission to stay on the BN(O) Household Member route at the same time as the applicant.”.

APP HK5. For HK 45.4, substitute:

“HK 45.4. The applicant must be the parent, grandparent, brother, sister, son or daughter of a person who is making a valid application for entry clearance or permission to stay as a BN(O) Status Holder or the partner of a BN(O) Status Holder at the same time as the applicant.”.

APP HK6. For HK 64.1, substitute:

“HK 64.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

HK 64.1A. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix Hong Kong BN(O) (based on the route under which they have or last had permission), the application will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

HK 64.1B If the applicant does not pay the requested Immigration Health Charge, the application for permission to stay will be rejected as invalid.

HK 64.1C Where an applicant is granted permission to stay it will be granted for 30 months and subject to the following conditions:

- a) no access to public funds; and
- b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and
- c) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- d) if Part 10 applies the applicant will be required to register with the police.

HK 64.1D. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.”.

Insertion of new Appendix Private Life

APP PL1. After “Appendix Hong Kong British National (Overseas)”, insert:

“Appendix Private Life

The Private Life route is for a person seeking permission to stay in the UK on the basis they have developed a Private Life in the UK.

A child born in the UK to a person who has permission on the Private Life route can apply for permission for the same duration as their parent.

The Private Life route is a route to settlement.

A child born in the UK who has been continuously resident for 7 years may qualify for immediate settlement on this route.

Alternative routes may be available to those considering the Private Life route. For example, a person may be able to qualify for immediate settlement on the basis of 10 years Long Residence in the UK, under paragraphs 276A to 276D of these rules.

Validity requirements for the Private Life route

PL 1.1. A person applying for permission to stay on the Private Life route must apply online on the gov.uk website on the specified form: “Application to remain in the UK on the basis of family life or private life”.

PL 1.2. An application for permission to stay on the Private Life route must meet all the following validity requirements:

- (a) any fee and Immigration Health Charge must have been paid (unless the applicant has been granted a fee waiver in whole or in part); and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

PL 1.3. If a private life claim is made under Article 8 of the Human Rights Convention and it is made:

- (a) at the same time as a protection claim or further submission in person after a protection claim has been refused; or
- (b) when the applicant is in detention (and the claim is submitted to a prison officer, custody officer or a member of Home Office staff at the place of detention); or
- (c) during an appeal (subject to the consent of the Secretary of State where applicable),

the requirements at PL 1.1. and at PL 1.2. (a) and (c) will be waived.

PL 1.4. An application which does not meet all the validity requirements for the Private Life route is invalid and may be rejected and not considered.

Suitability requirements on the Private Life route

PL 2.1. The application must not fall for refusal under the suitability grounds for refusal for leave to remain as set out in S-LTR.1.2. to S-LTR.2.2. and S-LTR.3.1. to S-LTR.4.5. of Appendix FM of these rules.

PL 2.2. The application must not fall for refusal under paragraph 9.6.1. (sham marriage or civil partnership) of Part 9: grounds for refusal.

Eligibility requirements on the Private Life route

Residence requirements for a child on the Private Life route

PL 3.1. Where the applicant is aged under 18 at the date of application the following requirements must be met:

- (a) the applicant must have been continuously resident in the UK for at least 7 years; and
- (b) the decision maker must be satisfied that it would not be reasonable to expect the applicant to leave the UK.

Residence requirements for a young adult on the Private Life route (where the applicant arrived in the UK as a child)

PL 4.1. Where the applicant is aged 18 or over and aged under 25 at the date of application and arrived in the UK before the age of 18, the applicant must have spent at least half their life continuously resident in the UK.

Residence requirements for an adult on the Private Life route (including a young adult who does not qualify under PL 4.1.)

PL 5.1. Where the applicant is aged 18 or over on the date of application:

- (a) the applicant must have been continuously resident in the UK for more than 20 years; or
- (b) where the applicant has not been continuously resident in the UK for more than 20 years, the decision maker must be satisfied there would be very significant obstacles to the applicant's integration into the country where they would have to live if required to leave the UK.

Exclusion of certain asylum seekers

PL 6.1. An applicant who has made a protection or asylum claim which has been declared inadmissible under Part 11 of these rules cannot meet the requirement at PL 5.1(b).

Continuous Residence requirements on the Private Life route

PL 7.1. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1. may include time spent in the UK with or without permission.

PL 7.2. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1. does not include any period during which the applicant was serving a sentence of imprisonment.

PL 7.3. The period of continuous residence at PL 3.1, PL 4.1. or PL 5.1 is broken (i.e. is no longer continuous) if any of the following apply:

- (a) the applicant has been absent from the UK for more than 6 months at any one time; or
- (b) the applicant has spent a total of 550 days or more absent from the UK during the period of continuous residence at PL 3.1, PL 4.1 or PL 5.1; or
- (c) the applicant has been removed, deported or has left the UK having had an application for permission to enter or stay in the UK refused; or
- (d) the applicant left the UK with no reasonable expectation at the time of leaving that they would lawfully be able to return.

Eligibility requirement for Private Life route relying on Article 8 of the Human Rights Convention

PL 8.1. If the applicant does not meet the suitability requirements (subject to PL 8.2) or does not meet any of the eligibility requirements in PL 3.1., PL 4.1. or PL 5.1. the decision maker must be satisfied that refusal of permission to stay would breach Article 8 of the Human Rights Convention on the basis of private life.

PL 8.2. Where PL 8.1. applies and the applicant falls for refusal under suitability

paragraphs S-LTR.1.2., S-LTR.1.3., S-LTR.1.4., S-LTR.1.5., S-LTR.1.6 or S-LTR 1.8. of Appendix FM of these rules the application on the Private Life route will be refused.

Decision on an application on the Private Life route

PL 9.1. If the decision maker is satisfied that all the suitability requirements are met and the eligibility requirements at PL 3.1, PL 4.1, PL 5.1 or PL.8.1. are met then, unless paragraph PL 8.2. applies, the applicant will be granted permission to stay on the Private Life route, otherwise the application will be refused.

Period and conditions of grant of permission to stay on the Private Life route

PL 10.1. If the applicant is under 18 at the date of application (or was under 18 when first granted permission on the private life route), they will be granted permission to stay for either:

- (a) 30 months, where the applicant has applied for a period of 30 months; or
- (b) 60 months, where the applicant has applied for a period of 60 months.

PL 10.2. If the applicant is a young adult who has spent half their life in the UK at the date of application (or was previously granted as a young adult on the private life route), they will be granted permission to stay for either:

- (a) 30 months, where the applicant has applied for a period of 30 months; or
- (b) 60 months, where the applicant has applied for a period of 60 months.

PL 10.3. In all other cases the applicant will be granted 30 months permission to stay.

PL 10.4. Where a person is seeking to extend their permission to stay, any remaining period of permission at the date of application will be added to their next grant of permission, up to a maximum of 28 days.

PL 10.5. The grant of permission will be subject to the following conditions:

- (a) work (including self-employment and voluntary work) permitted; and
- (b) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (c) if the decision maker is satisfied that:
 - (i) the applicant is destitute, as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution; or
 - (ii) there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of the relevant child as a primary consideration), the applicant will not be subject to a condition of no access to public funds. If the decision maker is not so satisfied, the applicant will be subject to a condition of no access to public funds; and
- (d) if Part 10 of these rules applies, the applicant will be required to register with the police.

PL 10.6. For the purposes of PL 10.5.(c)(ii) 'relevant child' means a person who:

- (a) is under the age of 18 years at the date of application; and
- (b) it is clear from the information provided by the applicant, is a child who

would be affected by a decision to impose or maintain the no access to public funds condition.

Settlement on the Private Life route

Validity requirements for settlement on the Private Life route

PL 11.1. A person on the Private Life route who is applying for settlement must apply online on the gov.uk website on the specified form as follows:

Adult (aged 18 or over)	Settlement on the private life route
Child (aged under 18)	Settlement as a child (including a child aged over 18 already in the UK as a dependent)

PL 11.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

PL 11.3. An applicant must have, or have last been granted, permission on the Private Life route, unless they are a child who was born in the UK.

PL 11.4. An application which does not meet all the validity requirements for settlement on the Private Life route is invalid and may be rejected and not considered.

Suitability requirements for settlement on the Private Life route

PL 12.1. The applicant must not fall for refusal under:

- (a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:
 - (i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or
 - (ii) S-ILR.2.2, S-ILR.4.2 to S-ILR.4.5 (subject to PL 12.4); or
- (b) paragraph 9.6.1. of Part 9 of these rules (subject to PL 12.4).

PL 12.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

PL 12.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years continuous residence with permission as set out in PL 12.6. and has completed 5 years continuous residence with such permission since the end of their sentence.

PL 12.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in PL 12.6. and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

- (a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or
- (b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or
- (c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or
- (d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or
- (e) the applicant has breached the conditions of their permission.

PL 12.5. Unless the applicant is a child or young adult who was granted permission to stay on the basis of private life under paragraphs PL 3.1. or PL 4.1, if the applicant entered the UK illegally settlement must be refused unless the applicant has completed a qualifying period of 10 years with permission under PL 12.6.

PL 12.6. Where an applicant must complete a qualifying period of 10 years continuous residence (under PL 12.3. to PL 12.5.), they must have had permission as (or as a combination of) the following for that 10 year qualifying period:

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 12.7. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement on the Private Life route

Child born in the UK requirements for settlement on the Private life route

PL 13.1. The applicant must have been born in the UK and must provide a full UK birth certificate.

PL 13.2. The applicant must have lived continuously in the UK since their birth and for at least 7 years at the date of application.

PL 13.3. The decision maker must be satisfied that it is not reasonable to expect the applicant to leave the UK.

Qualifying period requirement for settlement on the Private Life route (where the applicant was not born in the UK)

PL 14.1. An applicant who has, or last had, permission to stay on the private life route as a child, or young adult who met the half-life test under PL 4.1, must have lived in the UK for a continuous qualifying period of 5 years with permission as set out in PL 14.3 or 14.4.

PL 14.2. An applicant who is aged 18 or over at the date of application and does not meet the requirement in PL 14.1 must have lived in the UK for a continuous qualifying period of 10 years with permission set out in PL 14.3. or 14.4.

PL 14.3. Permission on the following routes (or any combination of those routes) counts towards the qualifying period in PL 14.1. or PL 14.2:

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 14.4. Permission on any other route that includes rules allowing an applicant to qualify for settlement also counts towards the qualifying period in PL 14.1. or PL 14.2, if the applicant:

- (a) did not enter the UK illegally (unless they have permission to stay on the private life route as a child or young adult); and
- (b) has had permission either under paragraph 276ADE or 276 BE(2) before 20 June 2022 or Appendix Private Life for at least one year at the date of application.

Continuous Residence requirement for settlement on the Private Life route

PL 15.1. The applicant must meet the continuous residence requirements as set out in Appendix Continuous Residence for the qualifying period for settlement

English language requirement for settlement on the Private Life route

PL 16.1. Unless an exemption applies (for example where the applicant is a child), the applicant must show English language ability on the Common European

Framework of Reference for Languages in speaking and listening to at least level B1.

PL 16.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement on the Private Life route

PL 17.1. Unless an exemption applies (for example where the applicant is a child), the applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

Decision on an application for settlement on the Private Life route

PL 18.1. If the decision maker is satisfied the suitability and eligibility requirements for settlement on the Private Life route are met the applicant will be granted settlement.

PL 18.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay on the private life route the application will be varied by the Secretary of State to an application for permission to stay on the private life route.

Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

PL 18.3. If the applicant does not pay the requested Immigration Health Charge or does not request a fee waiver for the Immigration Health Charge which is then granted, the application for permission to stay will be rejected as invalid and the applicant will not be refunded the fee paid for the settlement application.

PL 18.4. Where an applicant is granted permission to stay they will be granted for a period as set out in PL 10.1. to 10.4. (as relevant), subject to the conditions in PL 10.5.

PL 18.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay the application for settlement on the Private Life route will be refused.

Dependent child born in the UK to a person on the Private Life Route

Validity requirements for a child born in the UK to a person on the Private Life route

PL 19.1. A person applying for permission to stay as a child born in the UK to a person on the Private Life route must apply online on the gov.uk website on the

specified form: “Application to remain in the UK on the basis of family life or private life”.

PL 19.2. An application for permission to stay as a child born in the UK to a person on the Private Life route must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid (unless a fee waiver has been granted in whole or in part); and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have been born in the UK; and
- (e) the applicant must be applying as a child of a person (P) on the Private Life route who:
 - (i) has made a valid application for permission to stay in the UK on the Private Life route that has not been decided; or
 - (ii) has permission to stay on the Private Life route; or
 - (iii) is settled or has become a British citizen, providing P had permission to stay on the Private Life route when they settled, and the applicant was born before P settled; and
- (f) the applicant must be in the UK on the date of application.

PL 19.3. An applicant must be aged under 18 at the date of application.

PL 19.4. If a claim is made under Article 8 of the Human Rights Convention:

- (a) at the same time as a protection claim or further submission in person after a protection claim is refused; or
- (b) in an appeal (subject to the consent of the Secretary of State where applicable);
the requirements at PL 19.1. and at PL 19.2. (a) and (c) will be waived.

PL 19.5. An application which does not meet all the validity requirements for a child born in the UK of a person on the Private Life route is invalid and may be rejected and not considered.

Suitability requirements for a child born in the UK to a person on the Private Life route

PL 20.1. The applicant must not fall for refusal under suitability grounds for refusal in S-LTR.1.2. to S-LTR.2.2. and S-LTR.3.1. to S-LTR.4.5. of Appendix FM of these rules.

PL 20.2. The application for permission to stay must not fall for refusal under paragraph 9.6.1. (sham marriage or civil partnership) of Part 9: grounds for refusal.

Eligibility requirements for a child born in the UK to a person on the Private

Life route

Relationship requirements for a child born in the UK to a person on the Private Life route

PL 21.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Private Life route; or
- (b) P is at the same time, applying for (and is granted) permission on the Private Life route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Private Life route when they settled, and the applicant was born before P settled.

PL 21.2. The applicant's other parent must have permission to be in the UK (other than a visitor) unless:

- (a) P in PL 21.1 is the sole surviving parent; or
- (b) P in PL 21.1 has sole responsibility for the child's upbringing; or
- (c) the parent who does not have permission on the Private Life route is a British citizen or a person who has a right to enter or stay in the UK without restriction and is or will be ordinarily resident in the UK; or
- (d) the decision maker is satisfied there are serious and compelling reasons to grant the child permission to stay with the parent (P) in PL 21.1.

Care requirement for a child born in the UK to a person on the Private Life route

PL 22.1. There must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

Decision on an application as a child born in the UK to a person on the Private Life route

PL 23.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met the applicant will be granted permission to stay, otherwise the application will be refused.

Period of grant as a child born in the UK to a person on the Private Life route

PL 24.1. The applicant will be granted permission to stay which ends on the same date as whichever of their parents' permission ends first unless the other parent is a British citizen or a person who has a right to enter or stay in the UK without restriction and is or will be ordinarily resident in the UK. In such cases, the applicant will be granted permission to stay which ends on the same date as the parent on the Private Life route.

Conditions of grant as a child born in the UK to a person on the Private Life route

PL 25.1. The grant of permission will be subject to the following conditions:

- (a) work is permitted; and

- (b) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (c) if the decision maker is satisfied that there are reasons relating to the welfare of a child which outweigh the considerations for imposing or maintaining the condition of no access to public funds (treating the best interests of a relevant child as a primary consideration) the applicant will not be subject to a condition of no access to public funds, if not so satisfied the applicant will be subject to a condition of no access to public funds.

PL 25.2. For the purposes of PL 25.1(c) ‘relevant child’ means a person who:

- (a) is under the age of 18 years at the date of application; and
- (b) it is clear from the information provided by the applicant, is a child who would be affected by a decision to impose or maintain the no access to public funds condition.

Settlement as a child born in the UK of a person on the Private Life route

Validity requirements for settlement as a child born in the UK of a person on the Private Life route

PL 26.1. A child applying for settlement as a child born in the UK of a person on the Private Life route must apply online on the gov.uk website on the specified form: “Settlement as a Child (including a child aged over 18 already in the UK as a dependent).”.

PL 26.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a child born in the UK of a person (P) on the Private Life route who:
 - (i) has made a valid application for settlement on the Private Life route that has not been decided; or
 - (ii) is settled or has become a British Citizen, providing they had permission on the Private Life route when they settled, and the applicant was born before P settled; and
- (e) the applicant must be in the UK.

PL 26.3. An application which does not meet all the validity requirements for settlement is invalid and may be rejected and not considered.

Suitability requirements for settlement as a child born in the UK of a person on the Private Life route

PL 27.1. The applicant must not fall for refusal under:

- (a) the suitability grounds for refusal for indefinite leave to remain applications

under Appendix FM paragraphs:

- (i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or
 - (ii) S-ILR.2.2, S-ILR.4.2, to S-ILR.4.5 (subject to PL 27.4); or
- (b) paragraph 9.6.1. of Part 9 of these rules (subject to PL 27.4).

PL 27.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

PL 27.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission as set out in PL 27.5 and has spent at least 5 years with such permission since the end of their sentence.

PL 27.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission under PL 27.5 and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

- (a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or
- (b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or
- (c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or
- (d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or
- (e) the applicant has breached the conditions of their permission.

PL 27.5. Where an applicant must complete a qualifying period of 10 years (under PL 27.3. to PL 27.4.), they must have had permission as one or a combination of the following for that 10 year qualifying period:

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

PL 27.6. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a child born in the UK of a person on the Private Life route

Relationship requirement for settlement as a child born in the UK of a person on the Private Life route

PL 28.1. The applicant must be the child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement on the Private Life route; or
- (b) P is settled in the UK or has become a British citizen, providing P had permission on the Private Life route when they settled and the applicant either:
 - (i) had permission as P's child at that time; or
 - (ii) was born before P settled.

PL 28.2. The applicant's other parent (not P) must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) the person (P) in PL 28.1. is the applicant's sole surviving parent; or
- (b) the person (P) in PL 28.1. has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a child born in the UK of a person on the Private Life route

PL 29.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

PL 29.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a child born in the UK of a person on the Private Life route

PL 30.1. Where the applicant is aged under 18, there must be suitable arrangements for their care and accommodation in the UK, which must comply with relevant UK law.

English language requirement for settlement as a child born in the UK of a person on the Private Life route

PL 31.1. Where the applicant is aged 18 or over at the date of application, unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

PL 31.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a child born in the UK of a person on the Private Life route

PL 32.1. Where the applicant is aged 18 or over at the date of application, unless an exemption applies, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a dependent child born in the UK of a person on the Private Life route.

PL 33.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a dependent child born in the UK of a person on the Private Life route are met the applicant will be granted settlement.

PL 33.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay as a dependent child born in the UK of a person on the Private Life route, the application will not be refused, but will be varied by the Secretary of State to an application for permission to stay as a dependent child born in the UK of a person on the Private Life route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and if required will request the applicant pay any Immigration Health Charge.

PL 33.3. If the applicant does not pay the requested Immigration Health Charge, or does not request and is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

PL 33.4. Where an applicant is granted permission to stay, they will be granted for the period as set out in PL 24.1, subject to the conditions in PL 25.1.

PL 33.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay as a dependent child born in the UK of a person on the Private Life route, the application for settlement will be refused.

Insertion of new Appendix Settlement Family Life

APP SF1. After “Appendix Private Life”, insert:

“Appendix Settlement Family Life

This route is for a person who has permission to stay as a partner or parent (or has had a combination of the two) under Appendix FM, and who is eligible to settle in the UK after a qualifying period of 10 years.

The person may also be able to count time with permission on other routes towards the 10 year qualifying period, if certain conditions are met.

Alternatively, partners, parents and their dependent children may qualify for settlement on the basis of 10 years Long Residence in the UK, under paragraphs 276A to 276D or 298 of the rules.

Where a person has permission as a partner and the relationship has broken down due to domestic abuse, the applicant may be able to qualify for settlement as a victim of domestic abuse under Appendix FM.

Where a person has permission as a partner and their partner has died, the applicant may be able to qualify for settlement as a bereaved partner under Appendix FM.

Dependent children of a partner or parent who is applying to settle on this route may also qualify for settlement under these Rules.

Children born in the UK where a parent is settled in the UK will be British citizens by birth. There are registration routes for British Citizenship for children born in the UK before their parent is settled: either once a parent is granted settlement or if the child lives in the UK for the first 10 years of their life. Other children may also apply for registration as a British citizen at the Home Secretary's discretion: Registration as a British citizen: children - GOV.UK (www.gov.uk).

Settlement as a partner or parent based on a qualifying period of 10 years

Validity requirements for settlement as a partner or parent based on a qualifying period of 10 years

SETF 1.1. A person who is applying for settlement must apply online on the gov.uk website on the specified form "Settlement as a partner or parent."

SETF 1.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK on the date of application.

SETF 1.3. The applicant must have, or have last been granted, permission as a partner or parent under Appendix FM.

SETF 1.4. An application which does not meet all the validity requirements for settlement is invalid and may be rejected and not considered.

Suitability Requirements for settlement as a partner or parent based on a qualifying period of 10 years

SETF 2.1. The applicant must not fall for refusal under:

- (a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:
 - (i) S-ILR.1.2, S-ILR.1.6 to S-ILR.1.10, S-ILR.3.1; or
 - (ii) S-ILR.2.2, S-ILR.4.2 to S-ILR.4.5 (subject to SETF 2.4); or
- (b) paragraph 9.6.1. of Part 9 of these rules (subject to SETF 2.4).

SETF 2.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

SETF 2.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission as set out in SETF 2.6 and the applicant has spent at least 5 years with such permission since the end of their sentence.

SETF 2.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in SETF 2.6 and has completed 5 years continuous residence with such permission after the date of the first permission after the suitability ground came to the attention of the decision maker:

- (a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or
- (b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or
- (c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or
- (d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or
- (e) the applicant has breached the conditions of their permission.

SETF 2.5. Unless the applicant is a child or young adult who was granted on the basis of private life under PL 3.1. or PL 4.1 of Appendix Private Life, if the applicant has entered the UK illegally they must be refused settlement unless the applicant has completed a qualifying period of 10 years with permission under SETF 2.6.

SETF 2.6. Where an applicant must complete a qualifying period of 10 years (under SETF 2.3. to SETF 2.5.), they must have had permission as one of, or a combination

of the following for that 10 year qualifying period:

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 2.7. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a partner or parent based on a qualifying period of 10 years

Qualifying period requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 3.1. The applicant must have spent a continuous qualifying period in the UK of 10 years with permission under the following (or any combination of the following):

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 3.2. If the applicant does not meet SETF 3.1, the 10-year qualifying period can be met by also counting time on any other route that includes rules allowing an applicant to qualify for settlement, if the applicant:

- (a) did not enter the UK illegally; and
- (b) has had permission as a partner (if applying as a partner) or parent (if applying as a parent) under Appendix FM for at least one year.

Continuous residence requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 4.1. The applicant must have met the continuous residence requirement as set out in Appendix Continuous Residence for the qualifying period.

English language requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 5.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

SETF 5.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a partner or parent based on a qualifying period of 10 years

SETF 6.1. Unless an exemption applies, the applicant must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Relationship requirement for settlement as a partner based on a qualifying period of 10 years

SETF 7.1. The applicant must be the partner of a person who is one of the following:

- (a) a British citizen who is living in the UK; or
- (b) present and settled in the UK; or
- (c) applying for settlement at the same time as the applicant.

SETF 7.2. The applicant must show that the relationship meets the relationship requirements as specified in Appendix Relationship with Partner.

SETF 7.3. The applicant must have had permission based on their relationship with their current partner for at least one year.

Relationship requirement for settlement as a parent based on a qualifying period of 10 years

SETF 8.1. The applicant must have, or have last had, permission as a parent of a child (C) under Appendix FM (whether or not the child is aged under 18 at the date of the parent's application for settlement).

SETF 8.2. The applicant must be the parent of a child who:

- (a) is a British citizen and living in the UK; or
- (b) is present and settled in the UK; or
- (c) is applying for settlement at the same time as the applicant.

SETF 8.3. If the child (C) at SETF 8.1. is under 18 at the date of application, the applicant must have:

- (a) sole parental responsibility; or
- (b) C must normally live with the applicant; or
- (c) the applicant must have direct access (in person) to C, as agreed with the parent or carer with whom C normally lives or as ordered by a court in the UK.

SET 8.4. The applicant must show that they are taking, and intend to continue to take, an active role in the child's upbringing.

Decision on an application for settlement as a partner or parent based on a qualifying period of 10 years

SETF 9.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a partner or parent based on a qualifying period of 10 years are met the applicant will be granted settlement.

SETF 9.2. If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix FM as either a partner (D-LTRP.1.2.) or parent (D-LTRPT.1.2.), the application will not be refused, but will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and, if required, will request the applicant pay any Immigration Health Charge.

SETF 9.3. If the applicant does not pay the requested Immigration Health Charge, or does not request or is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

SETF 9.4. Where an applicant is granted permission to stay it will be granted for the period as set out in D-LTRP.1.2 or D-LTRPT.1.2 of Appendix FM (as relevant), subject to the conditions in the relevant paragraph.

SETF 9.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay as a partner or parent, the application for settlement will be refused.

Settlement as the child of a partner or parent based on a qualifying period of 10 years

Validity requirements for settlement as a dependent child of a partner or parent based on a qualifying period of 10 years

SETF 10.1. A child who is applying for settlement on this route must apply online on the gov.uk website on the specified form as follows: "Settlement as a Child (including a child aged over 18 already in the UK as a dependent)".

SETF 10.2. An application for settlement must meet all the following requirements:

- (a) any fee must have been paid; and

- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK, and
- (e) the applicant must be applying as the child of a person (P) who:
 - (i) has made a valid application for settlement in the UK as a partner or parent based on a 10 year qualifying period, and that application has not been decided; or
 - (ii) is settled or has become a British citizen, providing P had permission as a partner or parent based on a 10 year qualifying period when P settled.

SETF 10.3. The applicant must have, or have last had, permission to stay in the UK as a dependent child, unless they were born in the UK.

SETF 10.4. An application which does not meet all the validity requirements for settlement is invalid and may be rejected and not considered.

Suitability requirements for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 11.1. The applicant must not fall for refusal under:

- (a) the suitability grounds for refusal for indefinite leave to remain applications under Appendix FM paragraphs:
 - (i) S-ILR.1.2, S-ILR.1.6 to S-ILR.10.1, S-ILR.3.1.; or
 - (ii) S-ILR.2.2, S-ILR.4.2, to S-ILR.4.5 (subject to SETF 11.4); or
- (b) paragraph 9.6.1. of Part 9 of these rules (subject to SETF 11.4).

SETF 11.2. The applicant must not have been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more.

SETF 11.3. The applicant must not have been convicted of an offence in the UK or overseas for which they have been sentenced to imprisonment for less than 12 months, unless the applicant has completed a qualifying period of 10 years with permission as set out in SETF 11.6 and the applicant has spent at least 5 years continuous residence with such permission since the end of their sentence.

SETF 11.4. Where any of the following occur during the applicant's qualifying period for settlement, the applicant must be refused settlement unless the applicant has completed a continuous qualifying period of 10 years with permission as set out in SETF 11.6 and has completed 5 years continuous residence with such permission after the date of the first grant of permission after the suitability ground came to the attention of the decision maker:

- (a) involvement in a sham marriage or civil partnership (grounds for refusal under 9.6.1 of Part 9); or

- (b) use of false documents or information or deception (S-ILR.2.2 and S-ILR.4.2 and S-ILR.4.3. of Appendix FM); or
- (c) litigation debt owed to the Home Office, unless the debt has been paid (S-ILR.4.4 of Appendix FM); or
- (d) debt to the NHS, unless the debt has been paid, or the total value of outstanding charges is under £500 (S-ILR.4.5. of Appendix FM); or
- (e) the applicant has breached the conditions of their permission

SETF 11.5. Unless the applicant is a child or young adult who was granted on the basis of private life under PL 3.1. or PL 4.1. of Appendix Private Life, if the applicant has entered the UK illegally they must be refused settlement unless the applicant has completed a qualifying period of 10 years with permission under SETF 11.6.

SETF 11.6. Where an applicant must complete a qualifying period of 10 years (under SETF 11.3. to SETF 11.5.), they must have had permission as one or a combination of the following for that 10 year qualifying period:

- (a) entry clearance or permission granted as a partner or parent under Appendix FM (except for permission as a fiancé(e) or proposed civil partner); or
- (b) permission described in the Home Office grant letter as "family permission as a parent" or "family permission as a partner"; or
- (c) permission on the private life route under paragraph 276ADE or 276BE(2) before 20 June 2022 or Appendix Private Life; or
- (d) entry clearance or permission as a child of a person with limited leave as a partner or parent under Appendix FM; or
- (e) permission granted outside the rules as a partner, a parent or child or because of private life on the basis of Article 8 of the Human Rights Convention.

SETF 11.7. The applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

Eligibility requirements for settlement as a child of a partner or parent based on a qualifying period of 10 years

Relationship requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 12.1. The applicant must be the child of a person (P) where one of the following applies:

- (a) P is, at the same time, being granted settlement as a partner or parent based on a qualifying period of 10 years; or
- (b) P is settled or has become a British citizen, providing P had permission as a partner or parent based on a qualifying period of 10 years when they settled.

SETF 12.2. If applying as a child, the applicant's other parent must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) the person (P) in SETF 12.1. is the applicant's sole surviving parent; or
- (b) the person (P) in SETF 12.1. has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

Age requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 13.1. The applicant must be under the age of 18 on the date of application, unless they were last granted permission as the dependent child of their parent or parents.

SETF 13.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

Care requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 14.1. If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK law.

English language requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 15.1. Unless an exemption applies (for example where the applicant is aged under 18), the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

SETF 15.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

Knowledge of life in the UK requirement for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 16.1. Unless an exemption applies (for example where the applicant is aged under 18), they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

Decision on an application for settlement as a child of a partner or parent based on a qualifying period of 10 years

SETF 17.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement are met the applicant will be granted settlement.

SETF 17.2 If the requirements for settlement are not met, but the decision maker believes the applicant is likely to meet all the suitability and eligibility requirements for permission to stay under Appendix FM as a child of a person with limited leave as a partner or parent (D-LTRC.1.1.), or qualifies under paragraph GEN 3.2 of

Appendix FM, the application will be varied by the Secretary of State to an application for permission to stay on that route. Where this happens:

- (a) no additional application fee for permission to stay will be required and the settlement application fee will not be refunded; and
- (b) the Secretary of State will write to the applicant informing them of this variation and, if required, will request the applicant pay any Immigration Health Charge.

SETF 17.3 If the applicant does not pay the requested Immigration Health Charge, or does not request and is granted a fee waiver for the Immigration Health Charge, the application for permission to stay will be rejected as invalid.

SETF 17.4. Where an applicant is granted permission to stay they will be granted for the period as set out in paragraph D-LTRC.1.1 of Appendix FM, subject to the conditions in paragraph D-LTRP.1.2 (where their parent has permission as a partner) or D-LTRPT.1.2 (where their parent has permission as a parent).

SETF 17.5. If the decision maker is not satisfied that the applicant meets all the suitability and eligibility requirements for settlement or permission to stay, the application for settlement will be refused.”.

Changes to Appendix ATAS: Academic Technology Approval Scheme (ATAS)

APP ATAS1. In the introductory text at the start of the Appendix, after “ICT,” insert “Global Business Mobility,”.

APP ATAS2. In the introductory text at the start of the Appendix, after “Global Business Mobility,” insert “Scale-up,”.

APP ATAS3. In ATAS 4.1. (a) delete ‘‘CAH02-05-03 – Others in subjects allied to Medicine’’.

Changes to Appendix English Language

APP EL1. In the introduction, after “Appendix Domestic Worker in a Private Household,” insert “Appendix High Potential Individual,”

APP EL2. In the introduction, after “Appendix High Potential Individual,” insert “Appendix Settlement Family Life, Appendix Private Life, Appendix Scale Up”.

APP EL3. For EL 1.1, substitute:

“EL 1.1. An applicant for settlement is exempt from the English language requirement if at the date of application any of the following apply:

- (a) they are aged 65 or over; or

- (b) they are aged under 18; or
- (c) they have a disability (physical or mental condition) which prevents them from meeting the requirement; or
- (d) they are applying for settlement as a partner, parent or dependent child aged over 18 where they:
 - (i) have spent a continuous period of 15 years in the UK with permission; and
 - (ii) can show an English language speaking and listening qualification at A2 CEFR or ESOL entry level 2 or Scottish Credit and Qualification Framework level 3; and
 - (iii) provide confirmation from a qualified English teacher that the applicant has attended an English language class for at least 75 guided learning hours (not unsupervised study or preparation time) in the 12 months before the date of application and the teacher's view is the applicant is unlikely to attain B1 level through further study.”.

APP EL4. For EL 2.4, substitute:

“EL 2.4. The English language requirement is also met by a person applying for:

- (a) entry clearance or permission to stay on the Start-up route, or
 - (b) entry clearance, permission to stay or settlement on the Innovator route, or
 - (c) entry clearance, permission to stay or settlement on the Scale-up route, or
 - (d) entry clearance or permission to stay on the High Potential Individual route, or
 - (e) settlement under Appendix Settlement Family Life, or
 - (f) settlement under Appendix Private life,
- if the requirements in EL 7.1 and EL 7.2. are met.”.

APP EL5. Delete EL 2.5.

APP EL6. For EL 7.1. substitute:

“EL 7.1. An applicant applying for entry clearance, permission to stay, or settlement as listed in EL 2.2 to EL 2.4 will meet the English language requirement if they have a GCSE, A level, Scottish National Qualification at level 4 or 5 or, Scottish Higher or Advanced Higher, in English (language or literature), that was awarded:

- (a) by an Ofqual (or SQA, Qualifications Wales or CCEA) regulated awarding body; and
- (b) following education undertaken in a UK based school which began while they were aged under 18.”.

Changes to Appendix KOL UK

- APP KOLUK1. In the preamble, for “Appendix T2 Sportsperson” substitute “Appendix International Sportsperson”.
- APP KOLUK2. In the introduction, after “Appendix Domestic Worker in a Private Household,” insert “Appendix Private Life, Appendix Settlement Family Life”.
- APP KOLUK3. For KOL 1.1., substitute:

“KOL 1.1. An applicant is exempt from the Knowledge of Life in the UK requirement if at the date of application, they:
(a) are aged 65 or over; or
(b) are aged under 18; or
(c) have a disability (physical or mental condition) which prevents them from meeting the requirement; or
(d) are applying for settlement as a partner, parent or dependent child aged over 18 and are exempt from meeting the English language requirements following 15 years under Appendix EL 1.1(d).”.
- APP KOLUK4. In the introduction, after “Appendix Domestic Worker in a Private Household,” insert “Appendix Scale-up,”.

Changes to Appendix Finance

- APP FIN1. In the introduction, for “Appendix Intra-Company routes”, substitute:

“Appendix Global Business Mobility – Senior or Specialist, Appendix Global Business Mobility – Graduate Trainee, Appendix Global Business Mobility – UK Expansion Worker, Appendix Global Business Mobility – Service Supplier, Appendix Global Business Mobility – Secondment Worker, Appendix Scale-up, Appendix High Potential Individual,”.

Changes to Appendix Continuous Residence

- APP CR1. In the introduction, for “Appendix T5 (Temporary Worker) International Agreement Worker” substitute “Appendix Temporary Work – International Agreement”.
- APP CR2. For Appendix Continuous Residence, substitute:

“Appendix Continuous Residence

This Appendix applies only to applications under Appendix Skilled Worker, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, Appendix International Sportsperson, Appendix UK Ancestry, Appendix Domestic Worker in a Private Household, Appendix Temporary Work - International Agreement, Appendix Scale-up, Appendix Settlement Family Life, Appendix Private Life (settlement only) and Appendix Hong Kong British National (Overseas).

How the continuous residence requirement is met

CR 1.1. The continuous residence requirement is met if the applicant has spent the qualifying unbroken continuous residence period required by their route lawfully in the UK.

Absences from the UK

CR 2.1. To meet the continuous residence requirement the applicant must not have been outside the UK for more than 180 days in any 12-month period (unless CR 2.2. or CR 2.3 applies).

CR 2.2. For any absences from the UK with permission granted under the rules in place before 11 January 2018, the applicant must not have been outside the UK for more than 180 days during any consecutive 12-month period, ending on the same date of the year as the date of the application for settlement.

CR 2.3. When calculating the 180 days in CR 2.1. or CR 2.2. any period spent outside the UK for reasons (a) to (h) below will not count towards the 180-day limit, if the absence was for any of the following reasons:

- (a) the applicant was assisting with a national or international humanitarian or environmental crisis overseas, providing if on a sponsored route their sponsor agreed to the absence for that purpose; or
- (b) travel disruption due to natural disaster, military conflict or pandemic; or
- (c) compelling and compassionate personal circumstances, such as the life-threatening illness of the applicant, or life-threatening illness or death of a close family member; or
- (d) research activity undertaken by a Skilled Worker which was approved by their sponsor and where the applicant was sponsored for a job in one of the following occupation codes:
 - 2111 Chemical scientists
 - 2112 Biological scientists and biochemists
 - 2113 Physical scientists
 - 2114 Social and humanities scientists
 - 2119 Natural and social science professionals not elsewhere classified
 - 2150 Research and development managers
 - 2311 Higher education teaching professionals; or
- (e) research activity undertaken by a person on the Global Talent route who was

endorsed by:

- (i) The Royal Society; or
 - (ii) The British Academy; or
 - (iii) The Royal Academy of Engineering; or
 - (iv) UKRI; or
- (f) research activity undertaken by a person on the Global Talent route who qualified on the basis of a prize listed in table 6 of Appendix Global Talent: Prestigious Prizes; or
- (g) for an applicant under Appendix Settlement Family Life, absences for work, study or supporting family overseas, so long as the family have throughout the period of absence maintained a family life in the UK and the UK remained their place of permanent residence; or
- (h) where the applicant's partner is absent from the UK on Crown service as:
- (i) a member of HM Forces (as defined in the Armed Forces Act 2006); or
 - (ii) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government; or
 - (iii) a permanent member of the British Council,
- and the applicant accompanies them overseas.

CR 2.4. Any time the applicant spent lawfully in the Channel Islands or Isle of Man is treated for the purpose of this Appendix as time spent in the UK provided the applicant's most recent grant of permission was in the UK.

CR 2.5 Absences before 20 June 2022 will not be counted when calculating the continuous residence period for settlement applications under Appendix Settlement Family Life if the applicant was subsequently granted permission as a partner or parent under Appendix FM or under paragraph 276ADE or 276BE(2), following those absences.

Continuous residence for dependants

CR 3.1. Where the applicant's partner or parent, on whom they are dependant, was absent for a reason in CR 2.3. that period of absence will not count towards the 180-day limit when calculating the dependent's continuous residence period.

CR 3.2. Where a dependent partner was absent during a period of permission granted before 11 January 2018, that period of absence will not be counted towards the 180-day limit when calculating the dependent applicant's continuous residence period if the person on whom they were dependant (the main applicant) was on one of the following routes:

- (a) Tier 1; or
- (b) Tier 2; or
- (c) Tier 5 (Temporary Worker); or
- (d) Global Talent; or

- (e) Start Up; or
- (f) Innovator.

Breaking continuous residence

CR 4.1. An applicant's continuous residence period will be broken if any of the following apply:

- (a) the applicant is convicted of an offence and sentenced to a period of imprisonment (unless it is a suspended sentence) or directed to be detained in an institution other than a prison; or
- (b) the applicant is subject to a deportation order, exclusion order or exclusion direction; or
- (c) the applicant is subject to removal directions under section 10 of the Immigration and Asylum Act 1999; or
- (d) the applicant does not, or did not have permission, unless:
 - (i) the applicant made a successful application for permission to stay where paragraph 39E of Part 1 of these rules applied; or
 - (ii) the applicant had permission when they left the UK, applied for entry clearance before that permission expired, or within 14 days of that permission expiring, and that application for entry clearance was successful; or
 - (iii) CR 4.2. applies; or
- (e) the applicant is absent from the UK for longer than the periods permitted under CR 2.1. and CR 2.2., and none of the exceptions in CR 2.3. to CR 2.4. or CR 3.1. and CR 3.2. apply.

CR 4.2. Any period without permission under CR 4.1.(d) before 24 November 2016 will break the continuous residence period unless:

- (a) the applicant made a successful application for permission (either in or outside the UK) within 28 days of the date their previous permission expired: or
- (b) the applicant had permission when they left the UK, applied for entry clearance before that permission expired and that application for entry clearance was successful.

CR 4.3. Where CR 4.1(d) applies, any period of time where the applicant did not have permission will be disregarded when calculating the continuous residence period in CR 6.1.

Lawful presence

CR 5.1. The applicant will not be regarded as lawfully present in the UK under CR 1.1:

- (a) during any period of imprisonment or detention under CR 4.1.(a); or
- (b) during any period where they required permission and did not have it, unless paragraph 39E applies or, before 24 November 2016 the applicant made a successful application for permission (either in or outside the UK) within 28 days of the date their previous permission expired.

CR 5.2. Where CR 4.1. applies the applicant will not be regarded as lawfully resident for any period during which those circumstances apply (and the exceptions in CR 2.3. and CR 2.5. will not apply).

Calculating the continuous residence period

CR 6.1. The continuous residence periods in CR 2.1 and CR 2.2. will be calculated by counting back from whichever of the following dates is the most beneficial to the applicant:

- (a) the date of application; or
- (b) any date up to 28 days after the date of application; or
- (c) the date of decision; or
- (d) for a person applying for settlement on the UK Ancestry route, the date of their last grant of permission.”.

Insertion of new Appendix Relationship with Partner

APP RWP1. After “Appendix Continuous Residence”, insert:

“Appendix Relationship with Partner

This Appendix sets out the requirements for an application based on a relationship with a partner: spouse, civil partner, or unmarried partner in a durable relationship of at least 2 years.

It applies to applications under Appendix Settlement Family Life.

Age requirement for a person applying as a partner

RWP 1.1. The applicant and their partner must be aged 18 or over on the date of application.

Requirement that the partners must not be closely related

RWP 2.1. The applicant and their partner must not be so closely related that they would be prohibited from marrying, or entering into a civil partnership with, each other in England as defined in the Marriage Acts 1949 to 1986, the Marriage (Scotland) Act 1977 and 1986, the Marriage (Northern Ireland) Order 2003, the Civil Partnership Act 2004 and the Marriage and Civil Partnership (Scotland) Act 2014.

Requirement for previous relationships to have broken down

RWP 3.1. Any previous marriage or civil partnership or durable relationship of the applicant or their partner with another person must have permanently broken down unless RWP 7.1. applies.

Requirement that any marriage or civil partnership is valid

RWP 4.1. Where the applicant and their partner are married or in a civil partnership, that marriage or civil partnership must be recognised by law in the country in which it took place.

Requirement for a durable relationship where a person is not married or in a civil partnership

RWP 5.1. Where the applicant and their partner are not married or in a civil partnership, they must have been in a relationship similar to marriage or a civil partnership for at least 2 years before the date of application.

Genuine and subsisting relationship requirement

RWP 6.1. The applicant and their partner must have met in person.

RWP 6.2. The relationship between the applicant and their partner must be genuine and subsisting.

Polygamous or polyandrous marriages and civil partnerships

RWP 7.1. If the applicant or their partner is currently in a polygamous or polyandrous marriage or civil partnership, they may only rely on that marriage or civil partnership for the purposes of an application for entry clearance, permission to enter, stay or settlement as a partner where no other partner to the marriage or civil partnership is seeking, or has been granted:

- (a) permission to enter or stay (except as a visitor or person in transit); or
- (b) settlement; or
- (c) a certificate of entitlement to Right of Abode in the UK.”.

E02724891

978-1-5286-3221-8