

EXPLANATORY MEMORANDUM TO
THE STATEMENT OF CHANGES IN IMMIGRATION RULES
PRESENTED TO PARLIAMENT ON 1 JULY 2025 (HC 997)

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.
- 1.2 This Explanatory Memorandum contains information for the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee.

2. Declaration

- 2.1 Seema Malhotra MP, Minister for Migration and Citizenship at the Home Office, confirms that this Explanatory Memorandum meets the required standard.
- 2.2 Dr Sam Worby, Head of Simplification and Systems Unit at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

- 3.1. Specific written queries relating to this Statement of Changes should be directed to Robert Hayes-Walters at StateofChanges@homeoffice.gov.uk. Please note that this mailbox is only for parliamentary use in relation to 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.
- 3.2. More general queries should be directed to the Home Office as per the ‘Contact UKVI’ section on the visas and immigration pages of GOV.UK website.¹
- 3.3. A copy of this Statement of Changes can be found on the visa and immigration pages of the GOV.UK website.²

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

- 4.1 This instrument amends the Immigration Rules, made under the provisions of section 1(4) and section 3(2) of the Immigration Act 1971, that are used to regulate people’s entry to, and stay in, the United Kingdom.
- 4.2 The changes being made concern changes relating to:

¹ Available at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

² Available at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

- Changes to the Skilled Worker and other work routes as set out in the Immigration White Paper, “Restoring control over the immigration system”, published on 12 March 2025³
- The closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

4.3 This instrument also makes minor changes to other policy areas, detailed in paragraphs 5.25 and 5.27 of section 5 of this Explanatory Memorandum.

Where does the legislation extend to, and apply?

- 4.4 The extent of this Statement of Changes in Immigration Rules (that is, the jurisdiction(s) which the statement forms part of the law of) is all of the United Kingdom.
- 4.5 The territorial application of this Statement of Changes in Immigration Rules (that is, where the statement produces a practical effect) is all of the United Kingdom.

5. Policy Context

What is being done and why?

Changes to the Skilled Worker and other work routes as set out in the Immigration White Paper

Skills and salary thresholds

- 5.1 Skilled Worker applicants must be sponsored for a job in an occupation skilled to Regulated Qualifications Framework (RQF) level 3 or above. The threshold relates to the skill level of the occupation, rather than any qualifications held by an applicant. The threshold was lowered from RQF level 6 in Immigration Rules changes made in 2020 (HC 813⁴), in part to help businesses adapt to the ending of free movement between the UK and EU. Since then, as set out in the Immigration White Paper, growth in visa numbers, and concerns about exploitation of overseas recruits, have been particularly seen in occupations below RQF level 6. These changes therefore lift the threshold for Skilled Workers back to RQF level 6.
- 5.2 This change means a reduction of around 180 eligible occupations. Skilled Worker applicants will continue to be able to be sponsored in these occupations only if they are already in the route (or have been sponsored for an application which is later successful) when the changes come into effect, or where an occupation is on the Immigration Salary List or on the new interim Temporary Shortage list.
- 5.3 Routine updates to salary requirements across the Skilled Worker, Global Business Mobility and Scale-up routes are being made, in line with the latest (2024) Annual Survey of Hours and Earnings (ASHE) data, published by the Office for National Statistics. This is standard practice to ensure salary requirements continue to reflect

³ Available at <https://www.gov.uk/government/publications/restoring-control-over-the-immigration-system-white-paper>

⁴ Available at <https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-813-22-october-2020>

the latest pay situation for UK workers, however only a minimal update was made in Immigration Rules changes in April 2025 (HC 733⁵), due to the forthcoming Immigration White Paper. These changes make the remainder of the standard update to general salary thresholds and going rates for individual occupations.

- 5.4 To reflect these changes, Appendix Skilled Occupations has been restructured, so that it now presents the eligible occupations and updated going rates in separate tables for occupations at RQF level 6+ (Tables 1, 2 and 3) and occupations at RQF levels 3-5 (Tables 1a, 2aa and 3a). Corrections are also being made to Agenda for Change salary rates in Scotland (Table 4).
- 5.5 For now, transitional arrangements in this Statement of Changes exempt workers who are already in the Skilled Worker route (or have been sponsored for an application which is later successful) when the changes come into effect from the increase to the skill threshold. As set out in the Immigration White Paper, this enables existing Skilled Worker visa holders to continue to renew their visas, change employment and take supplementary employment, in occupations below RQF level 6. These transitional arrangements will not be in place indefinitely and will be reviewed in due course.
- 5.6 There are no transitional arrangements relating to the updates to salary requirements. This is also standard practice, as the pay of sponsored workers is expected to generally progress at the same rate as the pay of other workers in the UK, on which the ASHE data are based. As set out in the Immigration White Paper, the Government will commission the Migration Advisory Committee (MAC) to undertake a thorough review of salary requirements (including discounts). Any decision about transitional arrangements relating to that review will be made after the MAC have made their recommendations and should not be inferred from this Statement of Changes.

Immigration Salary List and Temporary Shortage List

- 5.7 The Immigration Salary List contains occupations eligible for Skilled Worker visas which the MAC have identified as having labour shortages and where it is sensible to offer a discounted salary. The Immigration White Paper set out that this list will be replaced by a Temporary Shortage List. Occupations below RQF level 6 must be listed on the Temporary Shortage List in order to gain access to the immigration system.
- 5.8 These changes introduce interim measures, under which occupations below RQF level 6 continue to be eligible for the Skilled Worker route where they appear on either:
- an expanded Immigration Salary List, containing the existing entries plus occupations at RQF levels 3-5 which the MAC identified as being in shortage in its 2023 review⁶ and 2024 rapid review⁷

⁵

Available at <https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-733-12-march-2025>

⁶

Available at <https://www.gov.uk/government/publications/review-of-the-shortage-occupation-list-2023>

⁷

Available at <https://www.gov.uk/government/publications/rapid-review-of-the-immigration-salary-list>

- an interim Temporary Shortage List, containing occupations at RQF levels 3-5 which the Department for Business and Trade and His Majesty's Treasury have identified as being important for the UK's Modern Industrial Strategy⁸

- 5.9 The Immigration Salary List will be phased out in future changes to Immigration Rules. As the name suggests, entries on the Temporary Shortage List are time-limited and conditional. These changes therefore include removal dates for occupations on both lists, set at the end of 2026 (with the exception of adult social care where there are specific separate arrangements). The Government reserves the right to bring that date forward if compliance issues present on these lists. The future contents (and visa terms and conditions) of the Temporary Shortage List will be subject to review by the MAC. Occupations will only be included or retained on the list where the MAC has advised it is justified, where there is a workforce strategy in place, and where employers seeking to recruit from abroad are committed to playing their part in increasing recruitment from the domestic workforce.
- 5.10 Workers sponsored in occupations on either list at RQF levels 3-5 will not be able to bring dependants. This does not apply to occupations at RQF 6 or above, or workers sponsored in occupations at RQF levels 3-5 who are already in the Skilled Worker route and able to bring dependants before these changes come into effect. In line with the existing restrictions on dependants of care workers and senior care workers, these changes also exempt dependent children who were born in the UK or where the Skilled Worker has sole parental responsibility for them.

Adult social care

- 5.11 Concerns over workers sponsored as care workers and senior care workers (occupation codes 6135 and 6136) are well known. These include visa holders who have found themselves out of work due to employers over-estimating demand for their services or losing their ability to sponsor workers due to non-compliance, as well as significant concerns over abuse and exploitation of workers. As set out in the Immigration White Paper, these changes close entry clearance applications for Skilled Workers sponsored in these occupation codes.
- 5.12 The changes also provide for in-country applications, for those switching from other visa routes, to continue for a transition period until 22 July 2028, at which point these occupations will be removed from the Immigration Salary List or Temporary Shortage List. Workers must have been legally working for the provider that is sponsoring them for at least 3 months before the date their certificate of sponsorship was issued to them by their sponsor. This requirement supports continuity of employment, and provides assurance that workers are suitable to be sponsored to work in the sector, and that sponsors and workers have been in an employer-employee relationship for a reasonable period of time, allowing both parties to demonstrate compliance with basic employment law (including National Minimum Wage regulations) and mitigate risks relating to potential exploitation.
- 5.13 The requirement for sponsors to first try to recruit from the pool of Skilled Workers seeking new sponsorship is being removed. As a result of the above changes, all applications to which the requirement applied are being closed.

⁸

Available at <https://www.gov.uk/government/publications/industrial-strategy>

- 5.14 The transitional provision for workers switching from other visa routes will be kept under review, to respond flexibly to any further emerging compliance issues in the sector. These include deliberate non-compliance and exploitation and broader failure to guarantee long term sustainable employment. The Government will monitor sponsor licence revocations, expansion/contraction of the number of displaced workers and Regional Partnership feedback, including success in matching workers to new employment.
- 5.15 To prevent the occupation code “6131 Nursing auxiliaries and assistants” being misused to circumvent these changes, a clarification is being added to confirm this occupation code only applies to roles in environments where registered nurse roles also exist.
- 5.16 As with the increase to the skills threshold, this Statement of Changes applies transitional arrangements to exempt workers who are already in the Skilled Worker route (or have been sponsored for an application which is later successful) or who switch to the route before the closing date of 22 July 2028.

Closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

- 5.17 This instrument amends Appendix ARAP of the Immigration Rules in order to close the relocation route to the UK under the ARAP to future principal applications. It does so by amending the eligibility requirement in Appendix ARAP 3.3 to require that new principal applications by an Afghan citizen must have been submitted to the Ministry of Defence (MOD) on or after 1 April 2021 and before 15:00 BST on 1 July 2025 to be considered eligible under Appendix ARAP. Eligible applicants who submitted their application before 15:00 BST on 1 July 2025 will still be able to make eligibility applications for their immediate family members and additional family members after this date.
- 5.18 The ARAP is for Afghan citizens who worked for or with the UK Government in Afghanistan in exposed or meaningful roles and may include an offer for relocation to the UK for those deemed eligible by the MOD and who are deemed suitable for relocation by the Home Office under Appendix ARAP.
- 5.19 It has now been over four years since the ARAP was launched, and as of 31 March 2025, has seen 21,316 principals and their family members already relocated to the UK. The Secretary of State for Defence told the House in December 2024 that the Government intends to reach a position where the UK’s Afghan resettlement schemes can be closed. He now considers the ARAP to have fulfilled its original purpose and can be closed to new principal applications, not least so that Defence efforts and resources can be focussed where they are most needed - on our nation's security, to combat the acute threats and destabilising behaviour of our adversaries. ARAP closure to new applications is the first step to completing Afghan resettlement and is therefore being closed as soon as is practicable following December’s announcement. By the end of this parliament, the Government aims to have successfully honoured its obligation to complete relocations of eligible persons.
- 5.20 In addition, many of the similar schemes operated by other countries have already closed and the MOD considers that the majority of those who would be eligible have

now applied. The MOD currently have a backlog of c.22,000 ARAP decisions and while the scheme remains open the MOD will continue to receive new applications. With 95% of all applications received by the MOD to date having been found ineligible, the MOD continuing to accept new applications will add to their backlog and risks ultimately delaying the safe relocation of eligible applicants awaiting decisions.

- 5.21 Amendments are also made to the introduction of Appendix ARAP to clarify the two stages of the ARAP application process. An application must first be made by the applicant to the MOD who will decide if the applicant is an eligible Afghan citizen. An applicant is deemed an eligible Afghan citizen if they receive from the MOD a decision that the eligibility requirements under ARAP 3.2 to 3.6 are met and that ARAP 3.7 does not apply. If the applicant is an eligible Afghan citizen, the second stage is that the MOD will, on behalf of the applicant, make an application for entry clearance (if they are outside the UK) or settlement (if they are in the UK) to the Home Office pursuant to Appendix ARAP.
- 5.22 All applications made under the ARAP received before the closure of the scheme will continue to be considered.
- 5.23 Alongside the closure of ARAP, we will also be closing the Afghan Citizens Resettlement Scheme (ACRS). This means that HMG will not launch any further pathways nor accept any further referrals. Over 12,800 people have been successfully resettled under the ACRS since 2021 and over half of these arrivals have been children and a quarter women.
- 5.24 The Home Office will continue to consider those referrals made under the ACRS Separated Families pathway but have not yet received a decision. This Government will honour our commitments to anyone found eligible, and to those who have already been found eligible for the ACRS but are not yet in the UK.

Changes to align drafting across the Immigration Rules

- 5.25 Neonatal care leave is being added to the list of permissible reasons for absences from sponsored work, to reflect the introduction of this form of statutory leave entitlement in April 2025.
- 5.26 Minor changes are being made to align the drafting across the Immigration Rules. These are not policy changes and are minor presentational changes that are intended to provide greater transparency, clarity, and consistency.

Other drafting changes

- 5.27 The Statement of Changes also introduces minor drafting changes to correct incorrect paragraph references and minor drafting errors.

6. Legislative and Legal Context

How has the law changed?

- 6.1 The Immigration Rules, as laid before Parliament by the Secretary of State, constitute a statement of practice to be followed in the administration of the Immigration Act 1971 for regulating the entry into, and stay of, persons in the United Kingdom.
- 6.2 This Statement of Changes in Immigration Rules will be incorporated into a consolidated version of the Immigration Rules. This can be found on the GOV.UK website, where all the Statements of Changes in Immigration Rules issued since May 1994 are published.⁹

Changes to the Skilled Worker and other work routes as set out in the Immigration White Paper

- 6.3 These changes will be implemented on 22 July 2025 as detailed in the implementation section of the accompanying Statement of Changes.

Closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

- 6.4 Due to the reasons set out above in section 5, and in section 11, these changes will come into effect at 15:00 BST on 1 July 2025 as also detailed in the implementation section of the accompanying Statement of Changes.

Why was this approach taken to change the law?

- 6.5 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

Changes to the Skilled Worker and other work routes as set out in the Immigration White Paper

- 7.1 The Immigration White Paper, Restoring Control over the Immigration System, which sets out these changes, was collectively agreed across Government.¹⁰
- 7.2 Prior to the publication of the White Paper, Devolved Governments were invited to submit their own proposals for inclusion to Home Office and had the opportunity to discuss the paper. The Home Office continues to lead UK Government engagement with the Devolved Governments on the impacts of the reforms at ministerial and official level.
- 7.3 The Home Secretary is in regular dialogue with colleagues about all aspects of her responsibilities within the Government's Plan for Change.

Closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

⁹ <https://www.gov.uk/guidance/immigration-rules>

¹⁰ <https://assets.publishing.service.gov.uk/media/6821f334ced319d02c906103/restoring-control-over-the-immigration-system-web-optimised.pdf>

- 7.4 These changes have not been the subject of a formal public consultation, as this would be disproportionate given the nature of the changes. This is because the closure of the scheme requires a small change to the Immigration Rules and has minimal impact on the UK public.
- 7.5 More broadly however we have worked closely with the MOD and the Foreign Commonwealth and Development Office to ensure that the closure of the ARAP is handled to manage risks and protect His Majesties Government (HMG) equities.
- 7.6 The other changes in this Statement have not been the subject of a formal public consultation, as this would be disproportionate given the nature of the changes.

8. Applicable Guidance

- 8.1 Guidance relating to these Rules changes will be updated and placed on the GOV.UK website when these changes take effect.
- 8.2 It is our practice to only publish guidance updates when Rules changes take effect to mitigate the high risk of users referring to the wrong version.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

Changes to the Skilled Worker and other work routes as set out in the Immigration White Paper

- 9.1 The changes to skills threshold are likely to have an indirect impact on businesses, charities and voluntary organisations who wish to sponsor overseas workers in occupations below RQF level 6. To a lesser extent, the updates to salary requirements may impact organisations who wish to sponsor overseas workers in occupations at or above RQF level 6. These impacts may include adjustment costs for businesses to respond to these changes.
- 9.2 The changes to close entry clearance applications for adult social care in occupation codes 6135 and 6136 are also likely to have an impact on businesses, charities and voluntary organisations who provide care in the UK.
- 9.3 These changes are also likely to have a significant impact on the public sector, as fewer applications will result in lower Home Office fee and Immigration Health Surcharge revenue as well as changes to the net fiscal contribution of these cohorts.
- 9.4 As a result of the magnitude of these changes an Impact Assessment is being prepared which will give more detail on these impacts and will be published as soon as possible.

Closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

- 9.5 Closing the ARAP to new principal applications to the MOD after 15:00 BST on 01 July 2025 will impact eligible individuals who would have otherwise applied after this point. Those who have not yet made applications will be unable to do so following

immediate closure on announcement. An economic impact assessment has not been completed for this Rules change as there have been no significant economic impacts on UK entities within the scope of the Better Regulation Framework identified as a result of these changes, beyond those set out in this Explanatory Memorandum.

- 9.6 The MOD has seen 13,000 new principal applications since October, with new applications still being received. The impact of the closure of the scheme with no notice period will prevent a spike in last minute applications and mitigate against an increase to the backlog of outstanding applications that need to be considered for eligibility by the MOD. Data on the expected volume of future applicants are not available, meaning it is not possible to quantify the expected impact of closing ARAP.
- 9.7 Closing the ARAP scheme will result in an overall reduction in the number of applications made to the scheme, which would lead to a reduction of case working costs to the MOD in assessing eligibility, and to the Home Office in considering fewer entry clearance applications made on behalf of eligible individuals. Additionally, there would be broader staff support cost savings across both departments, where resource is currently dedicated to the scheme, as well as lower resettlement costs to the Home Office and Local Authorities if fewer individuals were relocated overall. It is not possible to quantify these cost savings due to uncertainty over the number of future applications that would otherwise be made, and how many of these would have related to eligible individuals.
- 9.8 There is a risk that closure of ARAP will displace applications from the MOD to the Home Office, either in the form of asylum claims, considerations for leave outside the rules, or other applications on family and human rights grounds. Similarly, there is a risk that eligible individuals will remain at risk, or will seek to use irregular routes, including small boats, following the closure of ARAP. The latter would result in wider costs to Government. However, it is not currently possible to estimate these potential impacts.

Impact on businesses, charities and voluntary bodies

- 9.9 There is no, or no significant, impact on business, charities or voluntary bodies beyond those outlined above.
- 9.10 The legislation does not impact small or micro businesses beyond those outlined above.
- 9.11 There is no, or no significant impact on the public sector beyond those outlined above.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

- 10.1 The approach to the monitoring of these changes is to review the operation and effect of all the relevant Immigration Rules, including any Rules amended or added to by the changes in this Statement, and lay a report before Parliament within five years of 6 April 2017, and within every five years after that. Following each review, the Secretary of State will decide whether the relevant Immigration Rules should remain

unchanged or be revoked or amended. A further Statement of Changes would be needed to revoke or amend the relevant Rules.

- 10.2 A statutory review clause is included in the instrument.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

Closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications

- 11.1 These changes will come into effect at 15:00 BST on 1 July 2025 and therefore depart from the usual convention that changes to the Immigration Rules come into force no earlier than 21 days after their being laid in Parliament.
- 11.2 The ARAP scheme remaining open will lead to a growing backlog of cases for the MOD to consider. The rationale for breaching the 21-day convention is that the MOD anticipates that the closure of the route with 21-days' notice, or less, would lead to a spike in applications, with the expectation that these would likely feature a high proportion of applications from individuals who are not likely to be found ARAP eligible, with over 95% of all applications submitted to date being duplicates or ultimately found ineligible. This would further increase the backlog of ARAP applications and, in turn, risk increasing the time it will take to process existing applications.
- 11.3 The MOD also considers that the majority of those who would be eligible for ARAP have now applied and considers the ARAP to have fulfilled its original purpose such that it can be closed to new principal applications. By bringing the scheme to a close with immediate effect, the MOD can focus on growing priority issues elsewhere and re-allocate critical defence resource currently assigned to servicing and case working the ARAP to where they are most needed - on our nation's security, to combat the acute threats and destabilising behaviour of our adversaries.
- 11.4 An immediate closure will also allow the MOD to process outstanding ARAP applications more efficiently, mitigating delay for existing applicants who may be found eligible for ARAP and move Afghan friends and allies to safety in the UK at a reasonable pace.
- 11.5 For all other changes there are no matters of interest.

12. European Convention on Human Rights

- 12.1 As this Statement of Changes in Immigration Rules is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

13. The relevant European Union Acts

- 13.1 This instrument does not relate to withdrawal from the European Union or trigger the statement requirements under the European Union (Withdrawal) Act 2018.

14. Consolidation

- 14.1 The Government has committed to the consolidation of the Rules as part of its response to the Law Commission recommendations on simplifying the Immigration Rules.

