

# STATEMENT OF CHANGES IN IMMIGRATION RULES

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

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*Ordered by the House of Commons to be printed  
22 October 2020*

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*(This document is accompanied by an Explanatory Memorandum)*



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ISBN 978-1-5286-2186-1

CCS1020373376 10/20

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

## **<sup>1</sup>STATEMENT 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 30A 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 (HC329), 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 (HC523), 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

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

(HC 56), 12 March 2020 (HC 120), 14 May 2020 (CP 232) and 10 September 2020 (HC 707).

## **Implementation**

The following changes shall take effect at 9am on 1 December 2020:

Introduction (except Provision for Irish Citizens)

Part 1

Part 2

Part 3

Part 4

Part 5

Part 6

Part 6A

Part 7

Part 8

Part 9

Part 11

Part 14

Appendix EL (deletion)

Appendix FIN (deletion)

Appendix A

Appendix AR

Appendix ATAS (deletion)

Appendix B

Appendix C

Appendix D (deletion)

Appendix E

Appendix G (deletion)

Appendix J (deletion)

Appendix K (deletion)

Appendix KOLL

Appendix P (deletion)

Appendix ST (deletion)

Appendix CS (deletion)

Appendix U (deletion)

Appendix V (deletion)

Appendix W (deletion)

The insertion of:

Appendix V: Visitor

Appendix Visitor: Permitted Activities

Appendix Visitor: Visa National list

Appendix Visitor: Permit Free Festivals

Appendix Visitor: Transit Without Visa Scheme

Appendix S2 Healthcare Visitor

Appendix Student

Appendix Short-term Student

Appendix Child Student

Appendix Parent of a Child Student

Appendix Skilled Worker

Appendix Intra-Company routes  
Appendix Skilled Occupations  
Appendix Shortage Occupation List  
Appendix T2 Minister of Religion  
Appendix T2 Sportsperson  
Appendix Representative of an Overseas Business  
Appendix UK Ancestry  
Appendix Global Talent  
Appendix Start-up  
Appendix Innovator  
Appendix T5 (Temporary Worker) Seasonal Worker  
Appendix T5 (Temporary Worker) Youth Mobility Scheme  
Appendix Youth Mobility Scheme: eligible nationals  
Appendix T5 (Temporary Worker) Creative or Sporting Worker  
Appendix T5 (Temporary Worker) Religious Worker  
Appendix T5 (Temporary Worker) Charity Worker  
Appendix T5 (Temporary Worker) International Agreement Worker  
Appendix T5 (Temporary Worker) Government Authorised Exchange Worker  
Appendix T5 Creative Workers: Codes of Practice  
Appendix Service Providers from Switzerland  
Appendix ATAS  
Appendix English Language  
Appendix KOL UK  
Appendix Finance  
Appendix Continuous Residence.

In relation to the changes above which take effect at 9am on 1 December 2020, if an application for entry clearance, leave to enter or leave to remain has been made before 9am on 1 December 2020, the application will be decided in accordance with the Immigration Rules in force on 30 November 2020.

The changes at Annex 3 of Appendix EU and the changes at Annex 3 of Appendix EU (Family Permit) shall take effect at 9am on 1 December 2020.

The following changes shall take effect at 11pm on 31 December 2020:

Introduction (Provision for Irish citizens)  
Appendix FM  
Appendix FM-SE  
[Appendix AR \(EU\)](#)  
Appendix ECAA Extension of Stay  
Appendix ECAA Settlement.

In relation to the changes above which take effect at 11pm on 31 December 2020, if an application for entry clearance, leave to enter or leave to remain has been made before 11pm on 31 December 2020, the application will be decided in accordance with the Immigration Rules in force on 30 December 2020.

The remaining changes to Appendix EU and to Appendix EU (Family Permit) shall take effect at 11pm on 31 December 2020.

The following changes shall take effect on 31 January 2021:  
Appendix Hong Kong British National (Overseas).

An application for leave to remain made by an EEA national before 11pm on 31 December 2020, other than under Appendix EU, Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland, is invalid and must be rejected and not considered.

Where an EEA national makes an application for entry clearance, other than under Appendix EU (Family Permit), Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland, before 11pm on 31 December 2020, any entry clearance granted will take effect from 1 January 2021.

## **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 the period of five years beginning on 6 April 2017; and subject to the paragraph below, each successive period of five years.

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

“Relevant Rule” means an Immigration Rule which:

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

## **Changes to the Introduction**

Intro.1. Change heading above paragraph 5 to “Provision for Irish citizens” and delete paragraph 5.

Intro.2. Delete paragraph 5A.

Intro.3. Delete paragraph 5B.

Intro.4. After deleted paragraph 5B insert:

“5C. Save where expressly indicated throughout these rules, these rules do not apply to an Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain, but an Irish citizen who does require leave to enter or remain is covered by these rules.

5D. Paragraph 5C does not apply to paragraph 11, Appendix EU, Appendix S2 Healthcare Visitor, Appendix Service Providers from Switzerland, Appendix EU (Family Permit), Appendix AR (EU), Part 11 (asylum) or Part 13 (deportation).

5E. An Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain is considered settled for the purposes of these rules.”.

Intro.5. Replace paragraph 6 with:

“6.1. In these rules, unless the contrary intention appears, references to paragraphs are to paragraphs of the Immigration Rules (HC 395 as amended) made under section 3(2) of the Immigration Act 1971, and references to Appendices are to Appendices to those rules.

6.2. In these rules:

- (a) references to primary and secondary legislation refers to that legislation as amended from time to time; and
- (b) unless the contrary intention appears, the following definitions apply:

“**Accompanying Person**” in Appendix S2 Healthcare Visitor is a person with a healthcare right of entry and who is accompanying a patient (P) to the UK at the same time as P’s entry into the UK, or who is joining P in the UK on a date after P’s entry into the UK, for the purpose of providing P with care or support during their course of planned healthcare treatment.

“**Accredited Institution**” means an institution which is:

- (a) the holder of a student sponsor licence; or
- (b) the holder of valid accreditation from Accreditation UK, the Accreditation Body for Language Services (ABLS), the British Accreditation Council (BAC), or the Accreditation Service for International Colleges (ASIC); or
- (c) the holder of a valid and satisfactory full institutional inspection, review or audit by Estyn, Education Scotland, the Independent Schools Inspectorate, Office for Standards in Education, the Office for Students, the Quality Assurance Agency for Higher Education or the Education and Training Inspectorate Northern Ireland; or
- (d) an overseas higher education institution offering only part of its programmes in the UK.

“**Adequate**” and “**adequately**” in relation to a maintenance and accommodation requirement means that, after income tax, national insurance contributions and housing costs have been deducted, there must be available to the person or family the level of income or funds that would be available to them if the person or family was in receipt of income support.

“**Administrative review**” means a review conducted in accordance with Appendix AR, or where applicable Appendix AR (EU).

**“Adoption”** includes a de facto adoption in accordance with the requirements of paragraph 309A, and “adopted” and “adoptive parent” shall be construed accordingly.

**“Agreement on the Free Movement of Persons”** in Appendix Service Providers from Switzerland means the agreement between the Swiss Confederation and the European Union and its member states, which was signed in 1999 and came into force in 2002.

**“Amateur”** means a person who engages in a sport or creative activity solely for personal enjoyment and who is not seeking to derive a living from the activity.

**“Applicant”** means a person who is making an application for entry clearance, permission to enter or permission to stay (and a person seeking entry at the UK Border is to be regarded as making an application for permission to enter).

**“Application for asylum”** has the meaning given in paragraph 327 of these rules.

**“Application for leave to remain”** and **“application for permission to stay”** includes an application for variation of leave to enter or remain of a person in the UK.

**“Application Centre”** in the context of an application for entry clearance, means a commercial partner, a British Diplomatic Mission or Consular Post overseas, or designated government office overseas, authorised by the Secretary of State to take biometrics and receive documents from applicants for entry clearance.

**“Approved Destination Status Agreement with China”** means the Memorandum of Understanding on visa and related issues concerning tourist groups from the People’s Republic of China to the United Kingdom as an approved destination, signed on 21 January 2005.

**“Approved qualification”** means a qualification which meets the Approved qualification requirements in Appendix Student.

**“Approved sponsor”** means a sponsor which is listed in the register of licensed sponsors: workers or register of licensed sponsors: students on the gov.uk website as being licensed for the relevant route of these rules and found at:

<https://www.gov.uk/government/publications/register-of-licensed-sponsors-workers>  
<https://www.gov.uk/government/publications/register-of-licensed-sponsors-students>.

**“Biometrics”** has the same meaning as “biometric information” in section 15 of the UK Borders Act 2007 and means, in particular, a record of a person’s fingerprints and a photograph of a person’s face.

**“Biometric immigration document”** means a document recording biometric information issued in accordance with regulations made under section 5 of the UK Borders Act 2007.

**“Bona fide private education institution”** is a private education institution which:

- (a) maintains satisfactory records of enrolment and attendance of students, and supplies these to the Home Office when requested; and
- (b) provides courses which involve a minimum of 15 hours’ organised daytime study per



- week; and
- (c) ensures a suitably qualified tutor is present during the hours of study to offer teaching and instruction to the students; and
  - (d) offers courses leading to qualifications recognised by the appropriate accreditation bodies; and
  - (e) employs suitably qualified staff to provide teaching, guidance and support to the students; and
  - (f) provides adequate accommodation, facilities, staffing levels and equipment to support the numbers of students enrolled at the institution; and
  - (g) if it offers tuition support to external students at degree level, ensures that such students are registered with the UK degree awarding body.

**“Born in the UK or Islands”** in Appendix UK Ancestry means born:

- (a) in the UK; or
- (b) in the Channel Islands (Bailiwick of Guernsey, Bailiwick of Jersey); or
- (c) in the Isle of Man; or
- (d) before 31 March 1922, in Ireland; or
- (e) on a British-owned or registered ship or aircraft if the requirements of either section 50(7)(a) of the British Nationality Act 1981, or section 32(5) of the British Nationality Act 1948, as applicable, are met.

**“BN(O) Adult Dependent Relative”** means a person granted permission as a BN(O) Adult Dependent Relative under Appendix Hong Kong British National (Overseas).

**“BN(O) Household Child”** means a person falling within HK 15.1. and who is granted permission as a BN(O) Household Child under Appendix Hong Kong British National (Overseas).

**“BN(O) Household Member”** means a person granted permission as a BN(O) Household Member under Appendix Hong Kong British National (Overseas).

**“BN(O) Status Holder”** means a person granted permission as a BN(O) Status Holder under Appendix Hong Kong British National (Overseas).

**“Breach of immigration laws”** - a person is in breach of immigration laws for the purpose of these rules where the person is an overstayer; is an illegal entrant; is in breach of a condition of their permission; or used deception in relation to their most recent application for entry clearance or permission; and **“previously breached immigration laws”** – a person previously breached immigration laws if they overstayed or used deception in relation to a previous application for entry clearance or permission.

**“Business day”** means any day other than Saturday or Sunday, a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of the UK to which the notice is sent, Christmas Day or Good Friday.

**“Calendar year”** means a year beginning on 1 January and ending on 31 December.

**“Cancellation”** in Part 9, Appendix S2 Healthcare Visitor and Appendix Service Providers from Switzerland means cancellation, variation in duration, or curtailment, of entry clearance

or permission, which can take effect immediately or at a specified future date and whether the person is in the UK or overseas.

**“Certificate of Sponsorship”** means an electronic document with a unique reference number issued by a sponsor via the Sponsor Management System. The document confirms the details of the job for which the sponsor is sponsoring the applicant.

**“Charity Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) Charity Worker or as a Tier 5 (Temporary Worker) migrant in the Charity Workers sub-category under Part 6A of the rules in force before 1 December 2020.

**“Child”** means a person who is aged under 18 years.

**“Child Student”** means a person who has, or had, permission under Appendix Child Student, Appendix CS: Child Student under the rules in force before 1 December 2020, or as a Tier 4 (Child) Student under the rules in force before 5 October 2020.

**“Civil partnership”** means a civil partnership under or by virtue of the Civil Partnership Act 2004.

**“Close relative”** means a grandparent, brother, sister, step-parent, uncle (brother or half-brother of a child’s parent) or aunt (sister or half-sister of a child’s parent) who is aged 18 or over.

**“Common Travel Area”** is as defined in section 1(3) of the Immigration Act 1971.

**“Commonwealth citizen”** is a citizen of a country listed in Schedule 3 to the British Nationality Act 1981.

**“Condition”** means a condition of leave to enter or leave to remain under section 3(1)(c) of the Immigration Act 1971, such as a prohibition on employment or study.

**“Confirmation of Acceptance for Studies reference number”** means a number which links to a single Confirmation of Acceptance for Studies that was assigned to a Student or Child Student by their student sponsor.

**“Consecutive engagements”** means where:

- (a) the applicant is being sponsored for more than one engagement in the UK as a Creative or Sporting Worker; and
- (b) the applicant will be sponsored by more than one sponsor for those engagements; and
- (c) each sponsor has issued a Certificate of Sponsorship in the Creative or Sporting Worker route for the relevant engagement, or engagements; and
- (d) there is no more than 14 days between each individual engagement.

**“Contact point meeting”** means for the purpose of Appendix Start-up and Appendix Innovator a meeting between the applicant and their Endorsing body to assess progress against the applicant’s business plan. For Start-up contact point meetings must be held at least after 6 months and 12 months from the date the application was granted. For Innovator contact point meetings must be held at least after 6 months, 12 months and 24 months from the date the application was granted.

**“Control Zone”** is as defined by article 2(1) of, and Schedule 1 to, the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and article 2 of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818) (as amended from time to time).

**“Course of study”** means the course for which a Confirmation of Acceptance for Studies was assigned.

**“Confirmation of Acceptance for Studies”** means an electronic document with a unique reference number electronically issued by a student sponsor via the Sponsor Management System, to a person who the student sponsor has agreed to sponsor, for use in an application as a Student or Child Student, in accordance with these rules.

**“Conviction”** means conviction for a criminal offence in the UK or any other country.

**“Creative or Sporting Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) Creative or Sporting Worker, or as a Tier 5 (Temporary Worker) migrant in the Creative and Sporting sub-category under Part 6A of the rules in force before 1 December 2020.

**“Crew member”** has the same meaning as in the Immigration Act 1971.

**“Curtailment”**, in relation to the curtailment of a person’s leave to enter or leave to remain, means cancelling or curtailing their leave such that they will have a shorter period of, or no, leave remaining.

**“Custodial sentence”** means a period of imprisonment, not including a suspended sentence.

**“Customs breach”** means a breach of any provision of the Customs and Excise Acts or any other breach relating to an assigned matter (which is any matter in relation to which the Commissioners or officers of Her Majesty’s Revenue and Customs have a power or duty which the Home Office may exercise at the border).

**“Date of application”** means:

If applying for entry clearance either:

- (a) the date of payment of the relevant fee; or
- (b) where a fee is not required, the date on which the application is submitted online; or
- (c) where a fee is not required and an online application is not available, the date on which the paper application form is received by the Home Office.

If applying for permission to enter, the date the person seeks entry.

If applying for permission to stay:

- (a) where the paper application form is sent by post by Royal Mail, whether or not accompanied by a fee waiver request form, the date of posting as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or
- (b) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office; or

- (c) where the application is made via the online application process, and there is no request for a fee waiver, the date on which the online application is submitted, and the relevant fee is paid; or
- (d) where the application is made via the online application process, and includes a request for a fee waiver, the date on which the online request for a fee waiver is submitted, as long as the completed application is submitted within 10 days of the receipt of the decision on the request for a fee waiver.

**“Decision maker”** means an entry clearance officer, immigration officer or the Secretary of State, as the case may be.

**“Deemed sponsorship status”** means that the country or territory is not required to issue its nationals or passport holders with a Certificate of Sponsorship in order to enable a successful application under Appendix T5 (Temporary Worker) Youth Mobility Scheme and is a status held by a country or territory listed as such at Appendix Youth Mobility Scheme eligible nationals.

**“Degree level study”** means a course which leads to a recognised UK bachelor’s degree, or an equivalent qualification at level 6 of the Regulated Qualifications Framework, or at level 9 or 10 of the Scottish Credit and Qualifications Framework.

**“Deportation order”** means an order made under section 5(1) of the Immigration Act 1971.

**“Doctorate extension scheme”** means a sponsored scheme which enables successful applicants to remain in the UK for 12 months from the expected end date of a course leading to the award of a PhD as in Appendix Student, or under the rules in force before 1 December 2020.

**“ECAA route”** means Appendix ECAA Extension of Stay or under the ECAA rules in force on 30 December 2020.

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

**“EEA EFTA separation agreement”** means (as modified from time to time in accordance with any provision of it) the Agreement on arrangements between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland following the withdrawal of the United Kingdom from the European Union, the EEA Agreement and other agreements applicable between the United Kingdom and the EEA EFTA States by virtue of the United Kingdom’s membership of the European Union.

**“EEA Regulations”** means:

- (a) (where relevant to something done before 11pm on 31 December 2020) the Immigration (European Economic Area) Regulations 2016 (as they have effect immediately before that date or, in the case of an application made under these rules where the date of decision is before 11pm on 31 December 2020, as they have effect at the date of application); or

(b) (where relevant to something done after 11pm on 31 December 2020) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of regulations made under section 7, 9 or 11 of the European Union (Withdrawal Agreement) Act 2020).

**“Employment”** includes paid and unpaid employment, paid and unpaid work placements undertaken as part of a course or period of study, self-employment and engaging in business or any professional activity.

**“Employment as a doctor or dentist in training”** means employment in a medical post or training programme which has been approved by the General Medical Council, or employment in a postgraduate training programme in dentistry.

**“Endorsed funder”** means an organisation accepted by UKRI, and on a list published by them, as prestigious funders of research and innovation who have an excellent track record of awarding funding to researchers with critical skills, following a rigorous peer review process.

**“Endorsing body”** means an organisation which has been approved by the Home Office to endorse an application under one or more of the following routes:

- (a) Start-up;
- (b) Innovator;
- (c) Global Talent.

**“Endorsement letter”** means an official letter issued by an endorsing body, confirming that the endorsing body has endorsed the applicant in the relevant category.

**“English language course”** means a course that solely consists of English language study.

**“Evidence of P’s permission to enter or remain”** under Appendix S2 Healthcare Visitor means:

- (a) a valid document which is either a biometric immigration document, stamp or endorsement in a passport (whether or not the passport has expired), or other document or electronic document issued by the Home Office, confirming that the patient (P) has permission to enter or remain in the UK as an S2 Healthcare Visitor, which has not been cancelled; or
- (b) the decision maker is otherwise satisfied from the information available that P has permission as an S2 Healthcare Visitor, which has not been cancelled.

**“Exclusion decision”** means a decision made personally by the Secretary of State that a person be excluded from the UK.

**“Exclusion order”** means an order made under regulation 23(5) of the EEA Regulations that the exclusion of an EEA national or the family member of an EEA national is justified on the grounds of public policy, public security or public health.

**“Expected end date of a course leading to the award of a PhD”** means the date the PhD is expected to be formally confirmed, by the student sponsor, as completed to the standard required for the award of a PhD and recorded on the Confirmation of Acceptance for Studies which applies to the application on the doctorate extension scheme.

**“External student”** means a student studying for a degree from a UK degree awarding body without any requirement to attend the UK degree awarding body’s premises or a UK listed body’s premises for lectures and tutorials.

**“False document”** includes:

- (a) a document which has been altered or tampered with; and
- (b) a counterfeit document; and
- (c) a document which is being used by an imposter; and
- (d) a document which has been fraudulently obtained or issued; and
- (e) a document which contains a falsified or counterfeit entry clearance, visa or endorsement.

**“Fee”** means the amount the applicant must pay to the Secretary of State as specified in regulations made in exercise of the powers in sections 68, 69 and 74 of the Immigration Act 2014.

**“Foundation degree”** means a programme of study which leads to a qualification awarded by an English higher education provider with degree awarding powers which is at a minimum of level 5 on the Regulated Qualifications Framework, or awarded on a directly equivalent basis in the devolved administrations.

**“Full-time course”** means a course which is:

- (a) a full-time course of course of study at UK bachelor’s degree level or above; or
- (b) an overseas higher education course that a Student is studying in the UK and leads to a qualification from an overseas higher education institution that is recognised as being equivalent to a UK higher education qualification; or
- (c) a course of study below UK degree level that involves a minimum of 15 hours a week of classroom-based, daytime study (08:00 – 18:00, Monday to Friday), but scheduled breaks do not count towards the 15 hours.

**“Global Talent”** means the route, or a person with permission as a lead applicant on the route, under Appendix Global Talent or as a Global Talent migrant under Appendix W of the rules in force before 1 December 2020, or as a Tier 1 (Exceptional Talent) Migrant.

**“Government Authorised Exchange Scheme”** means a scheme under the T5 (Temporary Worker) Government Authorised Exchange Worker route which is endorsed by a Government Department in support of Government objectives and provides temporary work in an occupation which appears in Table 1 or Table 2 of Appendix Skilled Occupations and where the migrant will be supernumerary.

**“Government Authorised Exchange Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker, or as a Tier 5 (Temporary Worker) migrant in the Government Authorised Exchange sub-category under part 6A of the rules in force before 1 December 2020.

**“Grandparent”** in Appendix UK Ancestry includes the applicant’s blood grandparent or grandparent by reason of an adoption recognised by the laws of the UK relating to adoption.

**“High earner”** under Appendix Intra-Company routes is a person 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.

**“Higher education provider”** means a student sponsor which:

- (a) in England, is an institution that is required to register with the Office for Students, because it is an “English Higher Education Provider”, as defined in the Office for Students Regulations and section 83 of the Higher Education and Research Act 2017; or
- (b) in Northern Ireland, is a higher education institution as set out in the Education and Libraries (Northern Ireland) Order 1993, or a body that provides higher education, and is recognised under the Further Education (Northern Ireland) Order 1997, with “in developmental” or “established provider” status; or
- (c) in Scotland, is an institution that provides higher education within the meaning of section 38 of the Further and Higher Education (Scotland) Act 1992 and which is a post-16 education body within the meaning of section 35(1) of the Further and Higher Education (Scotland) Act 2005; or
- (d) in Wales, is an institution that offers higher education provision and is a “regulated institution”, as defined in the Higher Education (Wales) Act 2015 (for the purpose of the 2015 Act, higher education is defined as education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988).

**“Human Rights Convention”** means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950, as it has effect for the time being in relation to the UK.

**“Humanitarian protection”** means leave granted pursuant to paragraph 339C and which has not been revoked pursuant to paragraph 339G to 339H.

**“Illegal entrant”** has the same meaning as in section 33(1) of the Immigration Act 1971.

**“Immigration Acts”** has the same meaning as in section 61(2) of the UK Borders Act 2007.

**“Immigration employment document”** means a work permit or any other document which relates to employment and is issued for the purpose of these rules or in connection with leave to enter or remain in the UK.

**“Immigration Health Charge”** means a charge under section 38 of the Immigration Act 2014 and the Immigration (Health Charge) Order 2015.

**“Immigration Officer”** includes a Customs Officer acting as an Immigration Officer.

**“Immigration Skills Charge”** means a charge payable under regulations made under section 70A of the Immigration Act 2014.

**“Independent School”** means:

- (a) a school in England or Wales (which is not an Academy, a school maintained by a local authority, or a non-maintained special school), at which full-time education is provided for:
  - (i) five or more pupils of compulsory school age (whether or not such education is also provided at it for pupils under or over that age); or

- (ii) for at least one pupil of compulsory school age (whether or not such education is also provided at it for pupils under or over that age) for whom an education, health and care (EHC) plan or a statement of special educational needs is maintained, or who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989); or
- (b) a school in Scotland (which is not a public school or a grant-aided school), at which full-time education is provided for pupils of school age (whether or not such education is also provided for pupils under or over that age); or
- (c) a school in Northern Ireland (which is not grant-aided), which has been registered with the Department of Education.

**“Innovator”** means a person who has, or had, permission as an Innovator under Appendix Innovator or as an Innovator migrant under Appendix W of the rules in force before 1 December 2020.

**“Intention to live permanently with the other in the UK”** or **“intend to live together permanently in the UK”** means an intention to live together, evidenced by a clear commitment from both parties that they will live together permanently in the UK immediately following the outcome of the application in question or as soon as circumstances permit thereafter. However, where an application is made under Appendix Armed Forces the words “in the UK” in this definition do not apply. Where an application is made under Appendix FM and the sponsor is a permanent member of HM Diplomatic Service, or a comparable UK-based staff member of the British Council, the Foreign, Commonwealth and Development Office or the Home Office on a tour of duty outside the UK, the words “in the UK” in this definition do not apply.

**“International Agreement Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) International Agreement Worker, or as a Tier 5 (Temporary Worker) migrant in the International Agreement sub-category under part 6A of the rules in force before 1 December 2020.

**“International scholarship agency”** means an international institution or organisation which provides funding to students studying in the UK.

**“Intra-Company Graduate Trainee”** means a person who has, or last had, permission as an Intra-Company Graduate Trainee route under Appendix Intra-Company Routes or as a Tier 2 (Intra-Company Transfer) migrant in the Graduate Trainee sub-category under the rules in force before 1 December 2020.

**“Intra-Company Transfer”** means permission on the Intra-Company Transfer route under Appendix Intra-Company Routes or as a Tier 2 (Intra-Company Transfer) migrant in the Long-Term Staff sub-category under the rules in force before 1 December 2020.

**“Intra-Company routes”** means the Intra-Company Transfer route and Intra-Company Graduate Trainee route under Appendix Intra-Company routes, or the Tier 2 (Intra-Company Transfer) route under the rules in force before 1 December 2020.

**“Islands”** means any of the Channel Islands or the Isle of Man.

**“Lead applicant”**, under Appendix KOLL, Appendix KOL UK and Appendix English



Language, means the applicant on whose status, or previous status, a dependent partner or dependent child is relying as the basis of their application.

**“Legal guardian”** is a person appointed according to local laws to take care of a child.

**“Letter of authority”** means a written authorisation from a person that they wish to appoint or change their immigration adviser (who must be a qualified person as required by section 84 of the Immigration and Asylum Act 1999 or regulated by the Office of the Immigration Services Commissioner).

**“Marriage and Civil Partnership visitor”** means a person who has, or had, entry clearance under Appendix V: Visitor to marry or form a civil partnership, or give notice of marriage or civil partnership, in the UK.

**“Media representative”** means a person who has, or had, permission on the Representative of an Overseas Business route having met the requirement at ROB 4.4.(b) of Appendix Representative of an Overseas Business, or as a Representative of an Overseas Business having met the requirement of paragraph 144(ii)(b) of Part 5 of the rules in force before 1 December 2020.

**“Medical inspector”** means a medical inspector appointed under Schedule 2 to the Immigration Act 1971.

**“Must not be leading an independent life”** or **“is not leading an independent life”** means that the person:

- (a) does not have a partner; and
- (b) is living with their parent (except where they are at boarding school, college or university as part of their full-time education); and
- (c) is not in full-time employment (unless aged 18 or over); and
- (d) is wholly or mainly dependent upon their parent for financial support (unless aged 18 or over); and
- (e) is wholly or mainly dependent upon their parent for emotional support.

Where under these rules a relative other than a parent may act as the sponsor or carer of the person, references in this definition to “parent” shall be read as applying to that other relative.

**“National minimum wage”** means as defined in the National Minimum Wage Act 1998.

**“National Referral Mechanism”** means the arrangements administered by the Competent Authorities as set out in the guidance found at: <https://www.gov.uk/government/publications/victims-of-trafficking-guidance-for-competent-bodies>.

**“Notice of liability for removal”** means a notice given that a person is or will be liable for removal under section 10 of the Immigration and Asylum Act 1999, and for notices that pre-date the Immigration Act 2014 coming into force, refers to a decision to remove in accordance with section 10 of the Immigration and Asylum Act 1999, a decision to remove an illegal entrant by way of directions under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971, or a decision to remove in accordance with section 47 of the Immigration, Asylum and Nationality Act 2006.

**“Occupation code”** means the relevant 4-digit code in the Standard Occupational Classification (SOC) 2010 system, published by the Office for National Statistics at: <https://www.ons.gov.uk/methodology/classificationsandstandards/standardoccupationalclassificationsoc/soc2010>.

**“Occupy exclusively”** in relation to accommodation means that part of the accommodation must be for the exclusive use of the person or family.

**“Overcrowded”** means overcrowded within the meaning of the Housing Act 1985, the Housing (Scotland) Act 1987 or the Housing (Northern Ireland) Order 1988 (as appropriate).

**“Overseas Business”** is a business which has its main place of operation outside of the UK.

**“Overseas Government Language Programme”** means an overseas Government sponsored professional language development programme under the Government Authorised Exchange Scheme where the person concerned delivers language training and participates in a cultural exchange programme that is fully or partially paid for by the overseas government or an organisation affiliated to an overseas government.

**“Overseas higher education institution”** means an institution which holds overseas accreditation confirmed by UK NARIC as offering degree programmes which are equivalent to UK degree level qualifications, and which teaches no more than half of a degree programme in the UK as a study abroad programme.

**“Overstayed”** or **“overstaying”** means the person has stayed in the UK beyond the latest of:

- (a) the time limit attached to the last permission granted; or
- (b) the period that the permission was extended under section 3C or 3D of the Immigration Act 1971.

**“Parent”** includes:

- (a) the stepfather of a child whose father is dead, and reference to stepfather includes a relationship arising through civil partnership; and
- (b) the stepmother of a child whose mother is dead, and reference to stepmother includes a relationship arising through civil partnership; and
- (c) the father, as well as the mother, of an illegitimate child where the person is proved to be the father; and
- (d) an adoptive parent, where a child was adopted in accordance with a decision taken by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or where a child is the subject of a de facto adoption in accordance with the requirements of paragraph 309A (except that an adopted child or a child who is the subject of a de facto adoption may not make an application for leave to enter or remain in order to accompany, join or remain with an adoptive parent under paragraphs 297 to 303); and
- (e) in the case of a child born in the UK who is not a British citizen, a person to whom there has been a genuine transfer of parental responsibility on the ground of the original parents’ inability to care for the child.

**“Parent of a Child Student”** means a person who has, or had, permission under Appendix Parent of a Child Student or as a Parent of a Tier 4 (Child) Student under the rules in force before 5 October 2020.

**“Partner”** means a person’s:

- (a) spouse; or
- (b) civil partner; or
- (c) unmarried partner, where the couple have been living together in a relationship similar to marriage or a civil partnership for at least two years.

**“Partner Institution”** means an institution which has a partnership agreement with a student sponsor, which has been approved by the Home Office in accordance with the requirements set out in the student sponsor guidance published on the gov.uk website. Teaching partnerships allow a student sponsor’s students to undertake study of a specified type at a partner institution’s site.

**“Passport”** means a document which:

- (a) is issued by or on behalf of the government of any country recognised by the UK, or dealt with as a government by the UK, and which complies with international passport practice; and
- (b) shows both the identity and nationality of the holder; and
- (c) gives the holder the right to enter the country of the government which issued the document; and
- (d) is authentic and not unofficially altered or tampered with; and
- (e) is not damaged in a way that compromises the integrity of the document; and
- (f) is used by the rightful holder; and
- (g) has not expired.

**“Pathway Course”** means a course which prepares a student for progression to another course at a specific UK recognised body or a body in receipt of public funding as a higher education institution from the Department for the Economy in Northern Ireland, the Office for Students, the Higher Education Funding Council for Wales, the Scottish Funding Council or any other provider registered with the Office for Students. It does not include a pre-sessional course.

**“Patient”**, in Appendix S2 Healthcare Visitor, means a person who is undergoing or plans to undergo a course of planned healthcare treatment in the UK.

**“PAYE”** means HM Revenue and Customs’ Pay As You Earn system for collecting Income Tax and National Insurance from employee earnings.

**“Peer reviewed research fellowship or award”** means a specific fellowship or award which appears on the list of peer reviewed research fellowships or awards published by The Royal Society, The Royal Academy of Engineering or The British Academy.

**“Pending appeal”** has the same meaning as in section 104 of the Nationality, Immigration and Asylum Act 2002.

**“Period of imprisonment”** has the same meaning as in section 38(2) of the UK Borders Act 2007.

**“Permission to enter”** has the same meaning as leave to enter under the Immigration Act 1971.

**“Permission to stay”** has the same meaning as leave to remain under the Immigration Act 1971 (and includes a variation of leave to enter or remain and an extension of leave to enter or remain).

And references in these rules to a person having, having had or being granted **“Permission”** means either permission to enter or permission to stay.

**“Permitted Paid Engagement visitor”** means a person who has, or had, permission under Appendix V: Visitor to undertake specific paid engagements for up to one month.

**“Postgraduate doctor or dentist”** in Appendix Student means a student undertaking a recognised Foundation Programme with Health Education England following completion of a recognised degree in medicine or dentistry in the UK.

**“Postgraduate level study”** means a course at level 7 or above of the Regulated Qualifications Framework, or level 11 or above of the Scottish Credit and Qualifications Framework, which leads to a recognised UK postgraduate degree at master’s level or above, or an equivalent qualification at the same level.

**“Premium Sponsor”** means a sponsor which is recorded as holding Premium status on the register of licensed sponsors maintained by the Home Office.

**“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) a permanent member of HM Diplomatic Service, or a comparable UK-based staff member of the British Council, the Foreign, Commonwealth and Development Office or the Home Office 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 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 words “and their partner must be in the UK” are to be disregarded.

For the purposes of an application under Appendix FM, or as a child under Part 8, an EEA or non-EEA national with a permanent right to reside in the UK under EU law must hold either a valid residence permit or document issued under the Immigration (European Economic Area) Regulations 2000 which has been endorsed under the Immigration Rules to show permission to remain in the UK indefinitely, or a valid document certifying permanent residence or permanent residence card issued under the Immigration (European Economic Area) Regulations 2016, 2006 or predecessor instruments in order to be regarded as present and settled in the UK. This does not, however, apply if the EEA or non-EEA national in question holds valid indefinite leave to enter or remain granted under Appendix EU to these Rules or, in the case of an Irish citizen, would hold such leave if they made (or, where the date of application under Appendix FM is on or after 1 July 2021, if they had made) a valid application under that Appendix before 1 July 2021.

**“Primary degree”** means a qualification obtained from a course of degree level study, which

did not feature as an entry requirement a previous qualification obtained from degree level study, for example an undergraduate degree is a primary degree, but a master's degree that has a bachelor's degree as an entry requirement is not a primary degree.

**“Private foster care arrangement”** means an arrangement in which a child aged under 16, or aged under 18 if disabled, is cared for, on a full-time basis for a period of 28 days or more, by a person aged 18 or over who is not the child's parent or a close relative.

**“Private medical insurance”** means insurance to cover treatment provided by a private health provider, or a reciprocal arrangement in place with another country by which certain nationals may receive NHS treatment.

**“Private medical treatment”** means treatment provided by a private health provider, or by the NHS where there is a reciprocal arrangement in place with another country by which certain nationals may receive NHS treatment.

**“Probationary Sponsor”** means a student sponsor which is recorded as having “Probationary Sponsor status” on the register of licensed student sponsors maintained by the Home Office.

**“Professional Sportsperson”** means a person who is one or more of the following:

- (a) currently providing services as a sportsperson, or is playing or coaching in any capacity, at a professional or semi-professional level of sport (whether paid or unpaid); or
- (b) currently receiving payment, including payment in kind, for playing or coaching, and that payment covers all, or the majority of, their costs for travelling to, and living in, the UK, or has received such payment within the previous 4 years; or
- (c) currently registered to a professional or semi-professional sports team or has been so registered within the previous 4 years (this includes all academy and development team age groups); or
- (d) has represented their nation or national team within the previous two years, including all youth and development age groups from under 17s upwards; or
- (e) has represented their state or regional team within the previous two years, including all youth and development age groups from under 17s upwards; or
- (f) has an established international reputation in their chosen field of sport; or
- (g) engages an agent or representative, with the aim of finding opportunities as a sportsperson, and/or developing a current or future career as a sportsperson, or has engaged such an agent in the last 12 months; or
- (h) is providing services as a sportsperson or coach, unless they are doing so as an “Amateur” in a charity event; or
- (i) is providing services as a sportsperson or coach, unless they are doing so as a Student who is studying a course at degree level or above at a higher education provider and playing or coaching sport as an Amateur or as part of a work placement that is undertaken as an integral and assessed part of their course.

**“Prohibited degree of relationship”** has the same meaning as in the Marriage Act 1949, the Marriage (Prohibited Degrees of Relationship) Act 1986 and the Civil Partnership Act 2004.

**“Protection claim”** has the same meaning as in section 82(2)(a) of the Nationality, Immigration and Asylum Act 2002.

**“Public funds”** means:

- (a) housing under Part VI or VII of the Housing Act 1996 and under Part II of the Housing Act 1985, Part I or II of the Housing (Scotland) Act 1987, Part II of the Housing (Northern Ireland) Order 1981 or Part II of the Housing (Northern Ireland) Order 1988; and
- (b) attendance allowance, severe disablement allowance, carer’s allowance and disability living allowance under Part III of the Social Security Contribution and Benefits Act 1992; income support, council tax benefit and housing benefit under Part VII of that Act; a social fund payment under Part VIII of that Act; child benefit under Part IX of that Act; income based jobseeker’s allowance under the Jobseekers Act 1995, income related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance) state pension credit under the State Pension Credit Act 2002; or child tax credit and working tax credit under Part 1 of the Tax Credits Act 2002; and
- (c) attendance allowance, severe disablement allowance, carer’s allowance and disability living allowance under Part III of the Social Security Contribution and Benefits (Northern Ireland) Act 1992; income support, council tax benefit and, housing benefit under Part VII of that Act; a social fund payment under Part VIII of that Act; child benefit under Part IX of that Act; income based jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995 or income related allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007; and
- (d) Universal Credit under Part 1 of the Welfare Reform Act 2012 or Personal Independence Payment under Part 4 of that Act; and
- (e) Universal Credit, Personal Independence Payment or any domestic rate relief under the Welfare Reform (Northern Ireland) Order 2015; and
- (f) a council tax reduction under a council tax reduction scheme made under section 13A of the Local Government Finance Act 1992 in relation to England or Wales or a council tax reduction pursuant to the Council Tax Reduction (Scotland) Regulations 2012 or the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012; and
- (g) a payment made from a welfare fund under the Welfare Funds (Scotland) Act 2015; and
- (h) a discretionary support payment made in accordance with any regulations made under article 135 of the Welfare Reform (Northern Ireland) Order 2015; and
- (i) a discretionary payment made by a local authority under section 1 of the Localism Act 2011.

For the purpose of these rules,

- (i) a person (P) is not to be regarded as having (or potentially having) recourse to public funds merely because P is (or will be) reliant in whole or in part on public funds provided to P’s family sponsor unless, as a result of P’s presence in the UK, the family sponsor is (or would be) entitled to increased or additional public funds (save where such entitlement to increased or additional public funds is by virtue of P and the family sponsor’s joint entitlement to benefits under the regulations referred to in subparagraph (ii) below; and
- (ii) subject to subparagraph (iii) below, a person (P) shall not be regarded as having recourse to public funds if P is entitled to benefits specified under section 115 of the Immigration and Asylum Act 1999 by virtue of regulations made under sub-sections (3) and (4) of that section or section 42 of the Tax Credits Act 2002; and
- (iii) a person (P) making an application from outside the UK will be regarded as having

recourse to public funds where P relies upon the future entitlement to any public funds that would be payable to P or to P's family sponsor as a result of P's presence in the UK (including those benefits to which P or the family sponsor would be entitled as a result of P's presence in the UK under the regulations referred to in subparagraph (ii) above).

**“Recreational Course”** means a course undertaken purely for leisure purposes that does not lead to a formal qualification, for example, a leisure course in pottery or horse riding.

**“Refugee”** has the same meaning as in regulation 2 of the Refugee or Person in Need of International Protection (Qualification) Regulations 2006.

**“Refugee Convention”** means the 1951 United Nations Convention and its 1967 Protocol relating to the Status of Refugees.

**“Refugee status”** is the recognition by the UK that a person meets the criteria in paragraph 334.

**“Refugee leave”** means limited leave granted pursuant to paragraph 334 or 335, which has not been revoked pursuant to paragraph 339A to 339AC or 339B.

**“Relevant NHS body”** in Part 9, and in paragraphs S-EC.2.3., S-LTR.2.3. and S-ILR.2.3. of Appendix FM, means:

- (a) in relation to England-
  - (i) a National Health Service Trust established under section 25 of the National Health Service Act 2006; or
  - (ii) a National Health Service foundation trust; and
- (b) in relation to Wales-
  - (i) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006; or
  - (ii) a National Health Service Trust established under section 18 of the National Health Service (Wales) Act 2006; or
  - (iii) a Special Health Authority established under 22 of the National Health Service (Wales) Act 2006; and
- (c) in relation to Scotland-
  - (i) a Health Board or Special Health Board established under section 2 of the National Health Service (Scotland) Act 1978 (c. 29); or
  - (ii) the Common Services Agency for the Scottish Health Service established under section 10 of that Act; or
  - (iii) Healthcare Improvement Scotland established under section 10A of that Act; and
- (d) in relation to Northern Ireland-
  - (i) the Regional Health and Social Care Board established under the Health and Social Care (Reform) Act (Northern Ireland) 2009; or
  - (ii) a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) and renamed under the Health and Social Care (Reform) Act (Northern Ireland) 2009.

**“Relevant NHS regulations”** means:

- (a) in Wales, the National Health Service (Charges to Overseas Visitors) Regulations 1989 (1989 No 306); and
- (b) in Scotland, the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 as amended (1989 No 364); and
- (c) in Northern Ireland, the Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015 (2015 No 227); and
- (d) in England, the National Health Service (Charges to Overseas Visitors) Regulations 2015 (2015 No 238).

**“Religious Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) Religious Worker or as a Tier 5 (Temporary Worker) migrant in the Religious Workers sub-category under part 6A of the rules in force before 1 December 2020.

**“Representative of an Overseas Business”** means a person who has, or had, permission under Appendix Representative of an Overseas Business or as a Representative of an Overseas Business under Part 5 of the rules in force before 1 December 2020.

**“Research Programme”** means research programmes and fellowships under a Government Authorised Exchange Scheme where the person is working on a scientific, academic, medical, or government research project at either a UK higher education institution or another research institution operating under the authority and/or financial sponsorship of a relevant Government Department.

**“Rough sleeping”** means sleeping, or bedding down, in the open air (for example on the street or in doorways) or in buildings or other places not designed for habitation (for example sheds, car parks or stations).

**“S2 certificate of entitlement to scheduled treatment”** has the same meaning as a portable document S2 issued under Regulation (EC) No 883/2004.

**“S2 Healthcare Visitor”** means a patient (P) or an accompanying person (AP) who meets the requirements of Appendix S2 Healthcare Visitor.

**“Seasonal work”** is work which fluctuates or is restricted according to the season or time of the year.

**“Seasonal Worker”** means a person who has, or had, permission under Appendix T5 (Temporary Worker) Seasonal Worker, or as a Tier 5 (Temporary Worker) migrant in the Seasonal Worker sub-category under part 6A of the rules in force before 1 December 2020.

**“Seeking entry”** refers to a person applying for entry clearance or permission to enter the UK.

**“Self-employed”** means a person who is registered as self-employed with HM Revenue & Customs, or an overseas equivalent, or is employed by a company of which the person is a controlling shareholder.

**“Self-employed Lawyer”** means a person granted permission outside the rules under the concession for self-employed lawyers that formerly appeared in Chapter 6, Section 1 Annex D of the Immigration Directorate Instructions.



“**Series of events**” in relation to sport is two or more linked events, such as a tour, or rounds of a competition, which do not add up to a league or a season.

“**Settled**” has the same meaning as in section 33(1) of the Immigration Act 1971.

“**Settled worker**” means:

- (a) a British citizen; or
- (b) a person who is resident in the UK in accordance with the EEA Regulations or who holds a permanent right of residence in the UK in accordance with regulation 15 of the EEA Regulations; or
- (c) a person with leave to remain or indefinite leave to remain granted under Appendix EU; or
- (d) a British Overseas Territories citizen, except those from the Sovereign Base Areas in Cyprus; or
- (e) a Commonwealth citizen who has been granted permission on the UK Ancestry route on the basis that they have a grandparent born in the UK and Islands; or
- (f) a person who is otherwise settled within the meaning of section 33(2A) of the Immigration Act 1971.

“**Settlement**” means indefinite leave to enter or remain.

“**Sham marriage**” and “**sham civil partnership**” has the same meaning as in section 62 of the Immigration Act 2014 and “**involvement in a sham marriage or sham civil partnership**” means a person who is a party to a sham marriage or sham civil partnership, or who has enabled the marriage or civil partnership to take place.

“**Short-term Student**” means a person who has, or had, permission under Appendix Short Term Student, or paragraph A57E of the rules in force before 1 December 2020.

“**Skilled Worker**” means a person who has, or had, permission under Appendix Skilled Worker, or as a Tier 2 (General) migrant under the rules in force before 1 December 2020.

“**Sole Representative**” means a person who has, or had, permission on the Representative of an Overseas Business route having met the requirement at ROB 4.4.(a) of Appendix Representative of an Overseas Business, or as a Representative of an Overseas Business having met the requirement of paragraph 144(ii)(a) of Part 5 of the rules in force before 1 December 2020.

“**Sponsor**” and “**family sponsor**”, in relation to a family member, means the person in relation to whom an applicant is seeking leave to enter or remain as their spouse, fiancé(e), civil partner, proposed civil partner, unmarried partner, same-sex partner or dependent relative, as the case may be, under paragraphs 277 to 295O or 317 to 319 or the person in relation to whom an applicant is seeking entry clearance or leave as their partner or dependent relative under Appendix FM.

“**Sponsor**”, in relation to study or work, means the person or organisation licensed by the Home Office that the Certificate of Sponsorship or Confirmation of Acceptance for Studies records as being the sponsor for a person.

**“Sponsor group”**, under Appendix Intra-Company 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.

**“Sponsor licence”** means a licence granted by the Home Office to a person who, by virtue of such a grant, is licensed as a sponsor in relation to applications to study or work in the UK.

**“Standard visitor”** means a person who has, or had, permission under Appendix V: Visitor to undertake the activities of a standard visitor set out in Appendix Visitor: Permitted Activities.

**“Start-up route”** means Appendix Start-up, and also includes a person who has, or had, permission as a Start-Up migrant under Appendix W of the rules in force before 1 December 2020.

**“State-funded school or academy”** means:

- (a) in England, an “Academy” as defined by and established under the Academies Act 2010, including academy schools, 16-19 academies and alternative provision academies; and
- (b) in England and Wales, a “school maintained by a local authority” being an institution defined in the School Standards and Framework Act 1998 or the Education Act 1996, including community schools, foundation schools, voluntary aided schools, voluntary controlled schools, community special schools, foundation special schools, pupil referral units and maintained nursery schools; and
- (c) in Northern Ireland, a “grant-aided school” being a school to which grants are paid under the Education Orders as defined in the Education and Libraries (Northern Ireland) Order 1986, including controlled, maintained, grant-maintained integrated schools and voluntary grammar schools; and
- (d) in Scotland, a “public school” and a “grant-aided school”, defined in section 135 of the Education (Scotland) Act 1980 (for the avoidance of doubt, these definitions include any such nursery schools and special schools) and “Special school” has the meaning given in section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004.

**“Student”** means a person who has, or had, permission under Appendix Student, or Appendix ST: Student of the rules in force immediately before 1 December 2020, or as a Tier 4 (General) Student under the rules in force before 5 October 2020.

**“Student sponsor”** means a sponsor which listed on the register of licensed sponsors maintained by the Home Office:  
<https://www.gov.uk/government/publications/register-of-licensed-sponsors-students>.

**“Student Union Sabbatical Officer”** means a person who has, or had, permission under Appendix Student, Appendix ST: Student of the rules in force immediately before 1 December 2020, or under paragraph 245ZV or paragraph 245ZX of the rules in force before 5 October 2020, and has been elected to a full-time, salaried, executive union position in the student union of the person’s sponsor institution or with the National Union of Students of the UK.

**“Studying in London”** means the applicant’s Confirmation of Acceptance for

Studies confirms they will be studying at an institution wholly within the Greater London Area. If the applicant will be studying at more than one site, one or more of which is in Greater London Area and one or more outside, then the applicant will be considered to be studying in London if the applicant's Confirmation of Acceptance for Studies states that the applicant will be spending the majority of time studying at a site or sites situated within the Greater London Area.

**“Studying outside London”** means the applicant's Confirmation of Acceptance for Studies confirms they will be studying in the UK but the site of study does not meet the definition of Studying in London.

**“Successfully completed”** means the Student or Child Student has been awarded the qualification for the course of study for which their Confirmation of Acceptance for Studies was assigned.

**“Supplementary employment”** means employment in a job (other than the job for which the person is being sponsored) which appears on the Shortage Occupation Lists in Appendix Shortage Occupation Lists, or in the same profession and at the same professional level as the job for which the person is being sponsored, provided that:

- (a) the person remains working for the sponsor in the job for which the Certificate of Sponsorship records the person is being sponsored; and
- (b) the other employment does not exceed 20 hours per week and takes place outside of the hours when the person is contracted to work for the sponsor in the job for which the person is being sponsored.

**“Swiss citizens' rights agreement”** means (as modified from time to time in accordance with any provision of it) the Agreement signed at Bern on 25 February 2019 between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on citizens' rights following the withdrawal of the United Kingdom from:

- (a) the European Union; and
- (b) the Agreement on the Free Movement of Persons.

**“Tier 1 (Entrepreneur) Migrant”** means a person who has, or had leave under paragraphs 245D to 245DF.

**“Tier 1 (Exceptional Talent) Migrant”** means a person who was granted leave under paragraphs 245B to 245BF of the rules in force before 1 December 2020.

**“Tier 1 (General) Migrant”** means a person who was granted leave under paragraphs 245C to 245CE of the rules in force before 6 April 2018.

**“Tier 1 (Graduate Entrepreneur) Migrant”** means a person who was granted leave under paragraphs 245F to 245FB of the rules in force on or after 6 April 2012 and before 29 March 2019.

**“Tier 1 (Investor) Migrant”** means a person who has, or had, leave under paragraphs 245E to 245EF.

**“Tier 1 (Post-Study Work) Migrant”** means a person who was granted leave under paragraphs 245F to 245FE of the rules in force before 6 April 2012.

**“Tier 2 (General) Migrant”** means a person granted leave under paragraphs 245H to 245HF and who obtained points under paragraphs 76 to 84A of Appendix A of the rules in force before 1 December 2020.

**“Tier 2 (Intra-Company Transfer) Migrant”** means a person granted leave under paragraphs 245G to 245GF of the rules in force before 1 December 2020.

**“Tier 2 Migrant”** means a person granted leave as a Tier 2 (Intra-Company Transfer) Migrant, a Tier 2 (General) Migrant, a Tier 2 (Minister of Religion) Migrant or a Tier 2 (Sportsperson) Migrant under the rules in force before 1 December 2020.

**“Tier 2 (Minister of Religion) Migrant”** means a person granted leave under the Tier 2 Minister of Religion route as a missionary or a member of a religious order under paragraphs 245H to 245HF of the rules in force before 1 December 2020.

**“T2 Minister of Religion”** means a person who has, or had, permission under Appendix T2 Minister of Religion, or as a Tier 2 (Minister of Religion) migrant under the rules in force before 1 December 2020.

**“Tier 2 (Sportsperson) Migrant”** means a person granted leave under paragraphs 245H to 245HF (and who obtained points under paragraphs 93 to 100 of Appendix A) of the rules in force before 1 December 2020.

**“T2 Sportsperson”** means person who has, or had, permission under Appendix T2 Sportsperson, or as a Tier 2 (Sportsperson) migrant under the rules in force before 1 December 2020.

**“Tier 4 (Child) Student”** means a person granted leave under paragraphs 245ZZ to 245ZZD of the rules in force before 5 October 2020.

**“Tier 4 (General) Student”** means a person granted leave under paragraphs 245ZT to 245ZY of the rules in force before 5 October 2020.

**“Tier 4 Migrant”** means a Tier 4 (General) Student or a Tier 4 (Child) Student.

**“Tier 5 Migrant”** means a person granted leave as either a Tier 5 (Temporary Worker) Migrant or a Tier 5 (Youth Mobility Scheme) Temporary Migrant under the rules in force before 1 December 2020.

**“T5 (Temporary Worker)”** means a person who has, or had, permission as a Seasonal Worker, Youth Mobility Scheme Worker, Religious Worker, Charity Worker, Creative or Sporting Worker, International Agreement Worker, or Government Authorised Exchange Worker.

**“Tier 5 (Temporary Worker) Migrant”** means a person granted leave under paragraphs 245ZM to 245ZS of the rules in force before 1 December 2020.

**“Track record of compliance”** means a 4-year track record of immigration compliance and Educational Oversight, established by a student sponsor in accordance with the requirements

set out in the student sponsor guidance which is published on the visa and immigration pages of the gov.uk website.

**“Training Programme”** means a training programme under a Government Authorised Exchange Scheme where the person concerned either receives formal, practical training in the fields of science and / or medicine or will be trained by HM Forces or by UK emergency services.

**“UK”** means the United Kingdom.

**“UK Ancestry route”** means the route in Appendix UK Ancestry, or paragraphs 186 to 199B in Part 5 of the Rules in force before 1 December 2020, and **“person with UK Ancestry”** means a person applying for, or granted, permission on the basis that they have a grandparent born in the UK and Islands and meet the requirements in Appendix UK Ancestry, or under paragraphs 186 to 193 in Part 5 of the Rules in force before 1 December 2020.

**“UK bachelor’s degree”** means:

- (a) a programme of study or research which leads to the award by or on behalf of a university, college or other body which is authorised by Royal Charter, an Act of Parliament, the Privy Council or the Office for Students to grant degrees, of a qualification designated by the awarding institution to be of bachelor’s degree level; or
- (b) a programme of study or research, which leads to a recognised award for the purposes of section 214(2)(c) of the Education Reform Act 1988, of a qualification designated by the awarding institution to be of bachelor’s degree level.

**“UK Border”** means immigration control at a UK port and a control zone in France or Belgium or a supplementary control zone in France as defined by Article 2(1) and Schedule 1 to the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and Article 2 of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818).

**“UK listed body”** is an institution which is not a UK recognised body but which provides full courses that lead to the award of a degree by a UK recognised body.

**“UK NARIC”** means the UK National Recognition Information Centre, which provides information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world, set out at: <https://uknaric.org/>.

**“UK recognised body”** means a higher learning institution that has been granted degree awarding powers by Royal Charter, an Act of Parliament, the Privy Council or the Office for Students, and for the purposes of these rules, Health Education South London and Health Education England are equivalent to UK recognised bodies, as set out at: <https://www.gov.uk/check-a-university-is-officially-recognised>.

**“UK Regulated Profession”** means a profession regulated by UK law under Directive 2005/36/EC, modified by Directive 2013/55/EU, as listed at: <http://cpq.naric.org.uk/Professions/Regulated%20professions/Default>.

“**UKRI**” means UK Research and Innovation.

“**United Kingdom passport**” has the same meaning as in the Immigration Act 1971.

“**Unmarried partner**”, under Appendix ECAA Extension of Stay or Appendix ECAA Settlement, means a person who is:

- (a) resident with the ECAA worker or ECAA business person unless applying for entry clearance; and
- (b) intends to live, or continue living, with the ECAA worker or ECAA business person; and
- (c) is in a relationship with the ECAA worker or ECAA business person that is genuine and subsisting.

“**Valid application**” means an application made in accordance with the requirements of Part 1, or the validity requirements of the route in question, whichever is applicable.

“**Visa nationals**” means persons specified in Appendix Visitor: Visa National list as needing a visa, or entry clearance, for the UK for a visit or for any other purposes where seeking entry for 6 months or less and “**Non-visa nationals**” are persons who are not so specified in that Appendix.

“**Visitor**” means a person granted permission under paragraphs 40-56Z, 75A-M or 82-87 of the rules in force before 24 April 2015 or Appendix V on or after 24 April 2015 or Appendix V: Visitor after 9am on 1 December 2020.

“**Voluntary fieldwork**” means activities which would not normally be offered at a waged or salaried rate and which contribute directly to the achievement or advancement of the sponsor’s charitable purpose. It does not include work ancillary to the sponsor’s charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor’s offices and other assets.

“**Voluntary work**” has the same meaning as applies to a voluntary worker in the National Minimum Wage Act 1998.

“**Week**” means a period of 7 days beginning with a Monday.

“**Withdrawal Agreement**” means the agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU (as that agreement is modified from time to time in accordance with any provision of it).

“**Work**” has the same meaning as “**Employment**”, except that work does not include being party to an employment contract but not working.

“**Work Experience Programme**” means work experience including volunteering and job-shadowing, internships and work exchange programmes under a Government Authorised Exchange Scheme.

“**Work placement**” means a placement that forms an integral and assessed part of the course

of study which meets the requirements in Appendix Student or Appendix Child Student.

**“Working day”** means a business day in the part of the UK in which the applicant resides or (as the case may be) is detained.

**“Working illegally”** means working in breach of a condition of leave or working in the UK without valid leave where such leave is required.

**“Youth Mobility Scheme route”** means permission under Appendix T5 (Temporary Worker) Youth Mobility Scheme, or the Tier 5 (Youth Mobility Scheme) Temporary Migrant category under part 6A of the rules in force before 1 December 2020.

### **Changes to Part 1**

- 1.1. In paragraph 7, for “the provisions of the 2006 EEA Regulations” substitute “section 3ZA of the Immigration Act 1971”.
- 1.2. In paragraph 28(a), for “as a Tier 5 (Temporary Worker) Migrant in the creative and sporting sub-category of Tier 5” substitute “under Appendix T5 (Temporary Worker) Creative or Sporting Worker”.
- 1.3. In paragraph 28(b), for “Tier 5 (Youth Mobility Scheme) temporary Migrant” substitute “under Appendix T5 (Temporary Worker) Youth Mobility Scheme”.
- 1.4. In paragraph 30A delete sub-paragraphs (i), (ii) and (iii).
- 1.5. Immediately before paragraph 34 insert:

“A34. Paragraphs 34 and 34A do not apply to an application made under the following:

Appendix V: Visitor  
Appendix S2 Healthcare Visitor  
Appendix Student  
Appendix Short-term Student  
Appendix Child Student  
Appendix Parent of a Child Student  
Appendix Skilled Worker  
Appendix Intra-Company routes  
Appendix T2 Minister of Religion  
Appendix T2 Sportsperson  
Appendix Representative of an Overseas Business  
Appendix UK Ancestry  
Appendix Global Talent  
Appendix Start-up  
Appendix Innovator  
Appendix T5 (Temporary Worker) Seasonal Worker  
Appendix T5 (Temporary Worker) Youth Mobility Scheme  
Appendix T5 (Temporary Worker) Creative or Sporting Worker  
Appendix T5 (Temporary Worker) Religious Worker  
Appendix T5 (Temporary Worker) Charity Worker  
Appendix T5 (Temporary Worker) International Agreement Worker

Appendix T5 (Temporary Worker) Government Authorised Exchange Worker  
Appendix Service Providers from Switzerland  
Appendix Hong Kong British National (Overseas)  
Appendix EU.”

- 1.6. In paragraph 34, delete “Except for an application made under Appendix ST: Student or Appendix CS: Child Student,”.
- 1.7. In paragraph 34B(1), for “in Appendix ST: Student or Appendix CS: Child Student” substitute “for the route under which they are applying”.
- 1.8. In paragraph 34B(2), for “or Appendix ST: Student ST 1.2.(a) and (b) or Appendix CS: Child Student CS 1.2.(b) and (c) have been met” substitute “or a requirement to pay a fee and provide biometrics has been met”.
- 1.9. In paragraph 34E, after “34” inset “or the validity requirements for the route now applied for”.
- 1.10. In paragraph 34J, for “or Appendix ST: Student ST 1.2.(c) or Appendix CS: Child Student CS 1.2.(d)” substitute “or any other application for leave to remain”.
- 1.11. In paragraph 34K, for “or Appendix ST: Student ST 1.2.(c) or Appendix CS: Child Student CS 1.2.(d)” substitute “or any other application for leave to remain”.
- 1.12. In paragraph 34Y, after “34” insert “or the validity requirements for the route applied for”.
- 1.13. For paragraph 39D substitute:

“39D. For the purpose of assessing whether any of the grounds of cancellation of entry clearance or permission under Part 9 apply the Secretary of State may request a person to:

  - (a) provide additional information to the Home Office at the address specified in the request within 28 calendar days of the date the request is sent; and
  - (b) attend an interview.”.
- 1.14. After paragraph 39E(2) insert:

“(3) the period overstaying was between 24 January and 31 August 2020.”.

## **Changes to Part 2**

- 2.1. Delete paragraphs 1, 2, 3 and 4.

## **Changes to Part 3**

- 3.1. Delete paragraphs A57A to A57H.

## **Changes to Part 4**

- 4.1. Delete paragraphs 122 to 127.



## **Changes to Part 5**

- 5.1. Delete paragraph 128A.
- 5.2. Delete paragraph 128.
- 5.3. Delete paragraph 134.
- 5.4. Delete paragraph 134SD.
- 5.5. Delete paragraph 135.
- 5.6. Delete paragraphs 135G to 135HA.
- 5.7. Delete paragraph 136.
- 5.8. Delete paragraphs 142, 142SD and 143.
- 5.9. Delete paragraphs 144 to 151 and 169 to 177.
- 5.10. In paragraph 159A(iii)(a), delete “or EEA national employer” and “or EEA national”.
- 5.11. In paragraph 159A(iii)(b), delete “or EEA national”.
- 5.12. Delete paragraph 159A(iii)(c).
- 5.13. After paragraph 159A(iii)(b) insert:

“(d) a foreign national employer or the employer’s spouse, civil partner or child where the employer is seeking or has been granted permission under Appendix V: Visitor, except where that permission is to undertake activities listed in Appendix Visitor: Permitted Activities at PA 17.1. to PA 17.3.”.
- 5.14. Delete paragraphs 186 to 193.
- 5.15. In paragraph 195, delete from “If the person is seeking leave to enter as the partner of a Highly Skilled Migrant” until the end of the paragraph.
- 5.16. In paragraph 196B, delete from “If the person is seeking an extension of stay as the partner, of a Highly Skilled Migrant” until the end of the paragraph.

## **Changes to Part 6**

- 6.1. Delete paragraphs 200 to 210F.

### **Changes to Part 6A**

- 6A.1. Delete paragraph 245B.
- 6A.2. Delete paragraph 245BF.

6A.3. In paragraph 245ED(c)(xvii), after “as a” insert “Child”.

6A.4. Delete paragraphs 245G to 245ZT.

### **Changes to Part 7**

7.1. For paragraph 276BB1 substitute:

“276BB1. A relevant Afghan citizen is a person who:

- (i) is in Afghanistan; and
- (ii) is an Afghan citizen; and
- (iii) is aged 18 years or over; and
- (iv) if applying on the basis of redundancy:
  - a) was employed in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office; and
  - b) was made redundant on or after 1 May 2006; and
  - c) the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development, or the Foreign, Commonwealth and Development Office has determined should meet the criteria to qualify for relocation under the ex-gratia redundancy / resignation package; or
- (v) if applying on the basis of employment, is or was employed, in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office for any period since 2001; and has been determined by the Secretary of State as being in need of relocation to the UK under the published intimidation policy; or
- (vi) if applying on the basis of resignation:
  - a) was employed in Afghanistan directly by the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office; and
  - b) resigned on or after 1 May 2006; and
  - c) served for a minimum of 12 months prior to resignation and served ‘on frontline duties outside the wire in Helmand’; and
  - d) submits an application for consideration not later than 30 November 2022; and
  - d) the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development or the Foreign, Commonwealth and Development Office has determined should qualify for relocation under the ex-gratia redundancy / resignation package, including confirmation that they served ‘on frontline duties outside the wire in Helmand’.”.

7.2. Delete paragraphs 276BT1 to 276BV1.

### **Changes to Part 8**

- 8.1. After paragraph A281 insert:  
 “A282. From 1 December 2020, all references to ‘refusal under General Grounds for Refusal’ in Part 8 are to be read as ‘refusal under Part 9: grounds for refusal’.”
- 8.2. In paragraph 319AA for (a) substitute:  
 “(a) Relevant Points Based System migrant means a T1 (Entrepreneur) or T1 (Investor)”.
- 8.3. Delete paragraph 319AA(b).
- 8.4. In paragraph 319B(a) and (b), delete “or Appendix W worker”.
- 8.5. In paragraph 319C(g), delete “or a Tier 1 (Exceptional Talent) Migrant, or as the Partner of an Appendix W Worker who is a Global Talent migrant”.
- 8.6. Delete paragraph 319C(k)(1)(c).
- 8.7. Delete paragraph 319D(b)(iii).
- 8.8. In paragraph 319E(d), for:  
 “at least the applicable specified period in either (i) or (ii), subject to (iii):  
 (i) If the applicant was granted leave as:  
 (a) the Partner of that Relevant Points Based System Migrant, or  
 (b) the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules  
 under the Rules in place before 9 July 2012, and since then has had continuous leave as the Partner of that Relevant Points based System Migrant or Appendix W Worker, the specified period is 2 years  
 (ii) If (i) does not apply, the specified period is a continuous period of 5 years, during which the applicant must:”  
 substitute “at least a continuous period of 5 years, during which the applicant must:”.
- 8.9. Delete the numbering “(iii)” at paragraph 319E(d)(iii).
- 8.10. Delete paragraph 319G(b).
- 8.11. In paragraph 319H(g), delete “or a Tier 1 (Exceptional Talent) Migrant, or as the Child of an Appendix W Worker who is a Global Talent migrant”.
- 8.12. In paragraph 319H(h)(i), delete “unless the applicant is applying as the Child of a Relevant Points Based System Migrant who has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245ZQ(b)(ii)”.
- 8.13. In paragraph 319L(i)(b)(iv), insert “Malta;” after “the USA;”.

8.14. In paragraph 319L(i)(b)(v), insert “Malta;” after “the USA;”.

8.15. In paragraph 319O(i)(b)(iv), insert “Malta;” after “the USA;”.

8.16. In paragraph 319O(i)(b)(v), insert “Malta;” after “the USA;”.

## **Changes to Part 9**

9.1. Replace Part 9 with:

### **“PART 9: GROUNDS FOR REFUSAL**

*Suitability requirements apply to all routes and must be met in addition to validity and eligibility requirements.*

*Where this Part applies a person will not meet the suitability requirements if they fall for refusal under this Part.*

*A person may also have their entry clearance or permission cancelled on suitability grounds.*

*More than one grounds for refusal or cancellation may apply, for example, the presence of a foreign criminal in the UK may not be conducive to the public good.*

*The Immigration Act 1971, section 76 of the Nationality, Immigration and Asylum Act 2002 (revocation of indefinite leave), the Immigration (Leave to Enter and Remain) Order 2000 and Schedule 2 of the Immigration Act 1971 set out the powers to cancel entry clearance or permission. These rules set out how those powers are to be exercised.*

*Decisions on suitability are either mandatory (must) or discretionary (may) and must be compatible with the UK obligations under the Refugee Convention and the European Convention on Human Rights, which are mainly provided for under other provisions in these Rules.*

*Some routes have their own, or additional, suitability requirements.*

*This Part is in 5 sections.*

- 1. Application of this Part;*
- 2. Grounds for refusal, or cancellation of, entry clearance, permission to enter and permission to stay;*
- 3. Additional grounds for refusal of entry, or cancellation of entry clearance or permission, on arrival in the UK;*
- 4. Additional grounds for refusal, or cancellation, of permission to stay;*
- 5. Additional grounds for cancellation of entry clearance, permission to enter and permission to stay which apply to specified routes.*

### **Section 1: Application of this Part**

9.1.1. Part 9 does not apply to the following:

- (a) Appendix FM, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.9.2, 9.15.1, 9.15.2, 9.15.3, 9.16.2, 9.19.2, 9.20.1, 9.23.1 and 9.24.1. apply, and paragraph 9.7.3 applies to

- permission to stay; and paragraph 9.8.2 (a) and (c). applies where the application is for entry clearance; and
- (b) an application on grounds of private life under paragraphs 276ADE to 276DH, except paragraph 9.13.1; and
  - (c) Appendix Armed Forces, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.7.3, 9.8.1. to 9.8.8, 9.9.2, 9.15.1. to 9.15.3, 9.16.2, 9.19.2, 9.20.1, 9.23.1. and 9.24.1. apply; and paragraph 9.10.2. applies where the application is under Part 9, 9A or 10 of Appendix Armed Forces; and
  - (d) Appendix EU; and
  - (e) Appendix EU (Family Permit); and
  - (f) Paragraph 159I in Part 5, except paragraphs 9.2.1(c), 9.2.2, 9.3.1, 9.3.2, 9.4.1(b), 9.4.1(c), 9.4.2, 9.4.5, 9.7.1, 9.7.2, 9.7.3, 9.9.1, 9.9.2, 9.16.2, 9.20.1, 9.23.1, 9.24.1; and
  - (g) Part 11 (Asylum), except Part 9 does apply to paragraphs 352ZH to 352ZS, and 352I to 352X; and
  - (h) applications for entry clearance or permission to stay granted by virtue of the ECAA Association Agreement, except that in relation to permission granted under the Agreement paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
  - (i) applications for permission to stay under Appendix ECAA Extension of Stay, except paragraphs 9.2.1, 9.3.1, 9.4.1, 9.4.3, 9.6.1, 9.7.1, 9.7.2, 9.11.1, 9.12.1 and 9.21.1, and in relation to such permission paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
  - (j) Appendix S2 Healthcare Visitor; and
  - (k) Appendix Service Providers from Switzerland.

## **Section 2: Grounds for refusal, or cancellation, of entry clearance, permission to enter and permission to stay**

### **Exclusion or deportation order grounds**

9.2.1. An application for entry clearance, permission to enter or permission to stay must be refused where:

- (a) the Secretary of State has personally directed that the applicant be excluded from the UK; or
- (b) the applicant is the subject of an exclusion order; or.
- (c) the applicant is the subject of a deportation order, or a decision to make a deportation order.

9.2.2. Entry clearance or permission held by a person must be cancelled where the Secretary of State has personally directed that the person be excluded from the UK.

### **Non-conductive grounds**

9.3.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).

9.3.2. Entry clearance or permission held by a person must be cancelled where the person's presence in the UK is not conducive to the public good.

## **Criminality grounds**

9.4.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
- (b) is a persistent offender who shows a particular disregard for the law; or
- (c) has committed a criminal offence, or offences, which caused serious harm.

9.4.2. Entry clearance or permission held by a person must be cancelled where the person:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
- (b) is a persistent offender who shows a particular disregard for the law; or
- (c) has committed a criminal offence, or offences, which caused serious harm.

9.4.3. An application for entry clearance, permission to enter or permission to stay may be refused (where paragraph 9.4.2. and 9.4.4. do not apply) where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

9.4.4. An application for entry clearance or permission to enter under Appendix V: Visitor, or where a person is seeking entry on arrival in the UK for a stay for less than 6 months, must be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless more than 12 months have passed since the end of the custodial sentence; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record, unless more than 12 months have passed since the date of conviction.

9.4.5. Entry clearance or permission held by a person may be cancelled (where paragraph 9.4.2. does not apply) where the person:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or
- (b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

## **Exclusion from asylum or humanitarian protection grounds**

9.5.1. An application for entry clearance, permission to enter or permission to stay may be refused where the Secretary of State:

- (a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or

- (b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

9.5.2. Entry clearance or permission held by a person may be cancelled where the Secretary of State:

- (a) has at any time decided that paragraph 339AA (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or
- (b) has decided that paragraph 339AA, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA, 339AC, 339D or 339GB.

### **Involvement in a sham marriage or sham civil partnership grounds**

9.6.1. An application for entry clearance, permission to enter or permission to stay may be refused where the decision maker is satisfied that it is more likely than not that the applicant is, or has been, involved in a sham marriage or sham civil partnership.

9.6.2. Entry clearance or permission held by a person may be cancelled where the decision maker is satisfied that it is more likely than not the person is, or has been, involved in a sham marriage or sham civil partnership.

### **False representations, etc. grounds**

9.7.1. An application for entry clearance, permission to enter or permission to stay may be refused where, in relation to the application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:

- (a) false representations are made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
- (b) relevant facts are not disclosed.

9.7.2. An application for entry clearance, permission to enter or permission to stay must be refused where the decision maker can prove that it is more likely than not the applicant used deception in the application.

9.7.3. Entry clearance or permission held by a person may be cancelled where, in relation an application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:

- (a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
- (b) relevant facts were not disclosed.

9.7.4 Permission extended under section 3C of the Immigration Act 1971 may be cancelled where the decision maker can prove that it is more likely than not the applicant used deception in the application for permission to stay.

### **Previous breach of immigration laws grounds**

9.8.1. An application for entry clearance or permission to enter must be refused if:

- (a) the applicant has previously breached immigration laws; and
- (b) the application is for entry clearance or permission to enter and it was made within the relevant time period in paragraph 9.8.7.

9.8.2. An application for entry clearance or permission to enter may be refused where:

- (a) the applicant has previously breached immigration laws; and
- (b) the application was made outside the relevant time period in paragraph 9.8.7; and
- (c) the applicant has previously contrived in a significant way to frustrate the intention of the rules, or there are other aggravating circumstances (in addition to the immigration breach), such as a failure to cooperate with the redocumentation process, such as using a false identity, or a failure to comply with enforcement processes, such as failing to report, or absconding.

9.8.3. An application for permission to stay may be refused where a person has previously failed to comply with the conditions of their permission, unless permission has been granted in the knowledge of the previous breach.

9.8.4. In paragraphs 9.8.1. and 9.8.2, a person will only be treated as having previously breached immigration laws if, when they were aged 18 or over, they:

- (a) overstayed their permission and neither paragraph 9.8.5. nor paragraph 9.8.6. apply; or
- (b) breached a condition attached to their permission and entry clearance or further permission was not subsequently granted in the knowledge of the breach; or
- (c) were (or still are) an illegal entrant; or
- (d) used deception in relation to an application (whether or not successfully).

9.8.5. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4. (a) where the person left the UK voluntarily, not at the expense (directly or indirectly) of the Secretary of State, and:

- (a) the person overstayed for 90 days or less, where the overstaying began before 6 April 2017; or
- (b) the person overstayed for 30 days or less, where the overstaying began on or after 6 April 2017; or
- (c) paragraph 39E applied to the period of overstaying.

9.8.6. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4.(a) where the overstaying arose from a decision to refuse an application, or cancellation of permission, which was subsequently withdrawn, or quashed, or reconsidered by direction of a court or tribunal, unless the legal challenge which led to the reconsideration was brought more than 3 months after the date of the decision to refuse or cancel.

9.8.7. The relevant time period under paragraphs 9.8.1. and 9.8.2. is as set out in the following table (and where the person previously breached more than one immigration law,



only the breach which leads to the longest period of absence from the UK will be taken into account):

<b>Time from date the person left the UK (or date of refusal of the entry clearance under row (f))</b>	<b>This applies where the applicant</b>	<b>And the applicant left the UK</b>	<b>And the applicant left the UK</b>
(a) 12 months	left voluntarily	at their own expense	N/A
(b) 2 years	left voluntarily	at public expense	Within 6 months of being given notice of liability for removal or when they no longer had a pending appeal or administrative review, whichever is later.
(c) 5 years	left voluntarily	at public expense	more than 6 months after being given notice of liability for removal or when they no longer had a pending appeal or administrative review, whichever is later.
(d) 5 years	left or was removed from the UK	as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act 2003 (and providing that any condition prohibiting their return to the UK has itself expired)	-
(e) 10 years	was deported or removed from the UK	at public expense	-
(f) 10 years	Used deception in an application for entry clearance (including a visit visa).	-	-

9.8.8. Permission (including permission extended under section 3C of the Immigration Act 1971) may be cancelled where the person has failed to comply with the conditions of their permission.

#### **Failure to provide required information, etc grounds**

9.9.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics (whether or not requested as part of an application); or
- (d) undergo a medical examination; or
- (e) provide a medical report.

9.9.2. Any entry clearance or permission held by a person may be cancelled where the person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics; or
- (d) undergo a medical examination; or
- (e) provide a medical report.

#### **Admissibility to the Common Travel Area or other countries grounds**

9.10.1. An application for entry clearance or permission to enter must be refused where a person is seeking entry to the UK with the intention of entering another part of the Common Travel Area and fails to satisfy the decision maker that they are acceptable to the immigration authorities there.

9.10.2. An application for entry clearance, permission to enter or permission to stay may be refused where a person seeking entry fails to satisfy the decision maker that they will be admitted to another country after a stay in the UK.

#### **Debt to the NHS grounds**

9.11.1. An application for entry clearance, permission to enter or permission to stay may be refused where a relevant NHS body has notified the Secretary of State that the applicant has failed to pay charges under relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

#### **Unpaid litigation costs grounds**

9.12.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person has failed to pay litigation costs awarded to the Home Office.

#### **Purpose not covered by the Immigration Rules grounds**

9.13.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person is seeking to come to or stay in the UK for a purpose not covered by these rules.

### **Section 3: Additional grounds for refusal of entry on arrival in the UK**

#### **No entry clearance grounds**

9.14.1. Permission to enter must be refused if the person seeking entry is required under these rules to hold on arrival entry clearance for the purpose for which entry is sought, or the person is a visa national, and the person does not hold the required entry clearance.

#### **Failure to produce recognised passport or travel document grounds**

9.15.1. Permission to enter must be refused if the person seeking entry fails to produce a passport or other travel document that satisfies the decision maker as to their identity and nationality, unless the person holds a travel document issued by the national authority of a state of which the person is not a national and the person's statelessness or other status prevents the person from obtaining a document satisfactorily establishing their identity and nationality.

9.15.2. Permission to enter may be refused if the person seeking entry produces a passport or other travel document which:

- (a) was issued by a territorial entity or authority which is not recognised by Her Majesty's Government as a state, or is not dealt with as a government by them; or
- (b) was issued by a territorial entity or authority which does not accept valid UK passports for the purpose of its own immigration controls; or
- (c) does not comply with international passport practice.

9.15.3. Entry clearance or permission held by a person may be cancelled where on arrival a person fails to produce a passport or other travel document that meets the requirements in paragraph 9.15.1. or 9.15.2.

#### **Medical grounds**

9.16.1. Permission to enter must be refused where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person, unless the decision maker is satisfied that there are strong compassionate reasons justifying admission.

9.16.2. Entry clearance or permission held by a person may be cancelled where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person.

#### **Consent for a child to travel grounds**

9.17.1. A child may be refused permission to enter if they are not travelling with their parent or legal guardian and, if required to do so, the child's parent or legal guardian fails to provide the decision maker with written consent to the child seeking entry to the UK.

#### **Returning residents grounds**

9.18.1. A person seeking entry as a returning resident under paragraph 18 of these rules may be refused permission to enter if they fail to satisfy the decision maker that they meet the requirements of that paragraph, or that they are seeking entry for the same purpose as that for which their previous permission was granted.

#### **Customs breaches grounds**

9.19.1. Permission to enter may be refused where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued.

9.19.2. Where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued, any entry clearance or permission held by the person may be cancelled.

### **Change of circumstances or purpose grounds**

9.20.1. Entry clearance or permission held by a person may be cancelled where there has been such a change in circumstances since the entry clearance or permission was granted that it should be cancelled.

9.20.2. Entry clearance or permission to enter held by a person on arrival in the UK may be cancelled where the person's purpose in seeking entry is different from the purpose specified in their entry clearance.

### **Section 4: Additional grounds for refusal of permission to stay**

#### **Rough sleeping in the UK**

9.21.1. Permission to stay may be refused where the decision maker is satisfied that a person has been rough sleeping in the UK.

9.21.2. Where the decision maker is satisfied that a person has been rough sleeping in the UK any permission held by the person may be cancelled.

#### **Crew members**

9.22.1. Where a person has permission to enter as a crew member an application for permission to stay may be refused, unless permission to stay is granted to fulfil the purpose for which the person has permission to enter.

### **Section 5: Additional grounds for cancellation of entry clearance, permission to enter and permission to stay**

#### **Ceasing to meet requirement of rules**

9.23.1. A person's entry clearance or permission may be cancelled if they cease to meet the requirements of the rules under which the entry clearance or permission was granted.

#### **Dependent grounds**

9.24.1. A person's entry clearance or permission may be cancelled where they are the dependent of another person whose permission is, or has been, cancelled.

#### **Withdrawal of sponsorship or endorsement grounds**

9.25.1. A person's entry clearance or permission may be cancelled where their sponsorship or endorsement has been withdrawn and they have entry clearance or permission on one of the following routes:

- (a) Student; or
- (b) Child Student; or
- (c) Skilled Worker; or
- (d) Intra-Company Transfer; or
- (e) Intra-Company Graduate Trainee; or
- (f) Representative of an Overseas Business; or
- (g) T2 Minister of Religion; or
- (h) T2 Sports person; or
- (i) T5 (Temporary Worker); or
- (j) Start-up; or
- (k) Innovator; or

- (l) Global Talent.

9.25.2 A Student's permission may be cancelled where the sponsor withdraws their sponsorship of the Student because, having completed a pre- sessional course, the student does not have a knowledge of English equivalent to level B2 or above of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening).

**Student does not start course or ceases to study**

- 9.26.1. The entry clearance or permission of a Student or Child Student may be cancelled if:
- (a) they do not start their studies with their sponsor; or
  - (b) they or their sponsor confirm that their course of study has ceased, or will cease before the end date recorded on the Certificate of Acceptance for Studies; or
  - (c) the start date for the course is delayed for more than 28 days; or
  - (d) they cease to study with their sponsor.

**Worker does not start work or ceases their employment**

- 9.27.1. The entry clearance or permission of a Skilled Worker, person on the Intra-Company routes, Representative of an Overseas Business, T2 Minister of Religion, T2 Sportsperson or T5 (Temporary Worker), may be cancelled if:
- (a) they do not start working for their sponsor; or
  - (b) they or their sponsor confirm that their employment, volunteering, training or job shadowing has ceased or will cease before the end date recorded on the Certificate of Sponsorship; or
  - (c) the start date for the job, as recorded in the Certificate of Sponsorship, is delayed by more than 28 days; or
  - (d) they cease to work for their sponsor.

**Sponsor loses licence or transfers business**

- 9.28.1. Where a person has entry clearance or permission as a Student, Child Student, Skilled Worker, person on the Intra-Company Routes, T2 Minister of Religion, T2 Sportsperson, or Tier 5 (Temporary Worker), their entry clearance or permission may be cancelled if:
- (a) their sponsor does not have a sponsor licence; or
  - (b) their sponsor transfers the business for which the person works, or at which they study, to another business or institution, and that business or institution:
    - (i) fails to apply for a sponsor licence; or
    - (ii) fails to apply for a sponsor licence within 28 days of the date of a transfer of their business or institution; or
    - (iii) applies for a sponsor licence but is refused; or
    - (iv) makes a successful application for a sponsor licence, but the sponsor licence granted is not in a category that would allow the sponsor to issue a Certificate of Sponsorship or Confirmation of Acceptance for Studies to the person.

**Change of employer**

- 9.29.1. Where a person has permission as a Skilled Worker, person on the Intra-Company routes, T2 Minister of Religion, T2 Sportsperson, or T5 (Temporary Worker), their permission may be cancelled where they have changed their employer, unless any of the following exceptions apply:

- (a) they are a T5 (Temporary Worker) on the Government Authorised Exchange Worker or Seasonal Worker routes and the change of employer is authorised by the sponsor; or
- (b) they are working for a different sponsor unless the change of sponsor does not result in a change of employer, or the change in employer is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006, equivalent statutory transfer schemes, or the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector; or
- (c) they have permission as a T2 Sports person or a T5 (Temporary Worker): Creative or Sporting Worker, and all of the following apply:
  - (i) they are sponsored by a sports club; and
  - (ii) they are sponsored as a player and are being temporarily loaned to another sports club; and
  - (iii) player loans are specifically permitted in rules set down by the relevant sports governing body; and
  - (iv) their sponsor has made arrangements with the loan club to enable to the sponsor to continue to meet its sponsor duties; and
  - (v) the player will return to working for the sponsor at the end of the loan.

### **Absence from employment**

9.30.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, T2 Minister of Religion, T2 Sports person or T5 (Temporary Worker) routes who has been absent from work without pay, or on reduced pay, for more than 4 weeks during any calendar year may have their permission cancelled unless the reason for absence is one of the following:

- (a) statutory maternity leave, paternity leave or parental leave; or
- (b) statutory adoption leave; or
- (c) sick leave; or
- (d) assisting with a national or international humanitarian or environmental crisis, providing their sponsor agreed to the absence for that purpose; or
- (e) taking part in legally organised industrial action.

### **Change of job or lower salary rate**

9.31.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, T2 Minister of Religion or T5 (Temporary Worker) routes may have their permission cancelled where they have changed jobs or they receive a lower salary rate (unless any of paragraphs 9.31.2. to 9.31.3. apply) if:

- (a) they are on an Intra-Company route or are a Skilled Worker 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 the Appendix Skilled Occupations.
- (b) they are a Skilled Worker and scored points for a job in a Shortage Occupation and the new job does not appear in Appendix Shortage Occupation List.
- (c) they have changed jobs and the new job has a different occupation code to that recorded by the Certificate of Sponsorship (unless paragraph 9.31.2. applies); or
- (d) the person no longer meets the salary requirement or going rate requirement for the job.

9.31.2. The following exception applies to paragraph 9.31.1.(c):

- (a) the person is sponsored to undertake a graduate training programme covering multiple roles within the organisation; and

- (b) the person is changing to a job with a different occupation code either as a part of that programme or when appointed to a permanent role with the sponsor at the end of that programme; and
- (c) their sponsor has notified the Home Office of the change of job and any change in salary.

9.31.3. The following exceptions apply to reduction in salary under paragraph 9.31.1:

- (a) a reduction in salary coincides with an absence from employment permitted under paragraph 9.30.1; or
- (b) the person is on an Intra-Company route and a reduction in salary coincides with working for the sponsor group while the person is not physically present in the UK; or
- (c) the person is a Skilled Worker and would score at least 70 points after the change to the job.

### **Endorsing body no longer approved**

9.32.1. Where a person has entry clearance or permission on the Global Talent, Start-up or Innovator route their entry clearance or permission may be cancelled if their endorsing body ceases to hold that status for the route in which they were endorsed.

### **Changes to Part 11**

11.1 In paragraph 352ZH(v) for “none of the general grounds for refusal in paragraph 322 apply” substitute “must not fall for refusal under paragraphs 9.2.1 (c), 9.3.1, 9.4.1, 9.4.3, 9.5.1, 9.7.1, 9.7.2, 9.8.1. to 9.8.4, 9.9.1, 9.11.1, 9.12.1 or 9.13.1 of Part 9 Grounds for refusal.”

11.2 In paragraph 352ZP for “323 apply” substitute “9.3.2, 9.4.2 (b), 9.4.2(c), 9.4.5, 9.7.3, 9.8.8 and 9.9.2 of Part 9 Grounds for refusal apply.”

11.3 In paragraph 352J(v) for “none of the general grounds for refusal in paragraph 322 apply” substitute “must not fall for refusal under paragraphs 9.2.1 (c), 9.3.1, 9.4.1, 9.4.3, 9.5.1, 9.7.1, 9.7.2, 9.8.1 to 9.8.4, 9.9.1, 9.11.1, 9.12.1 or 9.13.1 of Part 9 Grounds for refusal.”

11.4 In paragraph 352U for “323 apply” substitute “9.3.2, 9.4.2 (b), 9.4.2(c), 9.4.5, 9.7.3, 9.8.8. and 9.9.2. of Part 9 Grounds for refusal apply.”

### **Changes to Part 14**

14.1. In paragraph 404(c) for “paragraph 322” substitute “Part 9”.

14.2. In paragraph 406 for “curtailed pursuant to paragraph 323” substitute “cancelled under Part 9”.

14.3. In paragraph 409 for “under any of the grounds set out in paragraph 322” substitute “under Part 9”.

14.4. In paragraph 412 (c) for “any of the grounds set out in paragraphs 320, 321 or 322” substitute “Part 9”.

14.5. In paragraph 414 for “curtailed pursuant to paragraph 323” substitute “cancelled under

Part 9”.

14.6. In paragraph 416 for “under any of the grounds set out in paragraph 322” substitute “under Part 9”.

### **Deletion of Appendix English Language**

EL.1. Delete Appendix English Language.

### **Deletion of Appendix Finance**

FIN.1. Delete Appendix Finance.

### **Changes to Appendix A**

A.1. Delete paragraphs 1 to 3.

A.2. Delete paragraph 6A.

A.3. In sub-paragraph 40(h), replace “No points will be awarded where the money is held in a financial institution with which the Home Office is unable to make satisfactory verification checks, as stated in Appendix P.” with “No points will be awarded unless the money is held in a financial institution permitted under Appendix Finance.”.

A.4. After paragraph 49(g) insert “(h) A job will be considered one for settled worker if the worker met the definition of settled worker in the Immigration Rules in force at the time they started the job, and they remained employed for the whole claimed 12 month period, even if they ceased to be a settled worker at a later date.”.

A.5. In paragraph 65B, replace “No points will be awarded where the specified documents show that the funds are held in a financial institution listed in Appendix P as being an institution with which the Home Office is unable to make satisfactory verification checks.” with “No points will be awarded where the specified documents show that the funds are held in a financial institution which is not permitted under Appendix Finance.”.

A.6. Delete paragraphs 73 to 112.

A.7. Delete paragraph 126.

### **Changes to Appendix AR**

AR1. In paragraph AR2.4(b), replace “application under paragraph 322(2)” with “application for permission to stay under paragraphs 9.7.1, 9.7.2 or 9.7.3 of Part 9”.

AR2. For paragraph AR2.11(a) substitute:

“AR2.11(a) Where the original decision maker’s decision to:

(i) refuse an application on the basis of paragraph 9.7.1, 9.7.2, 9.8.1 or 9.8.2 of Part 9; or

(ii) cancel permission which is in force under paragraph 9.7.3 of Part 9; or



- (iii) refuse an application of the type specified in paragraph AR3.2(d) on grounds of deception; or
- (iv) cancel leave to enter or remain which is in force under paragraph A3.1(c) of Annex 3 to Appendix EU or paragraph A3.1(c) of Annex 3 to Appendix EU (Family Permit); or
- (v) cancel permission to enter or stay under paragraph HV11.1(c) of Appendix S2 Healthcare Visitor; or
- (vi) cancel permission to enter under paragraph SPS9.1(c) of Appendix Service Providers from Switzerland.”.

AR3. After paragraph AR3.2(d) insert:

“(e) A decision on an application where the application was made on or after 1 December 2020 for permission to stay as:

- (i) a Student under Appendix Student; or
- (ii) a Child Student under Appendix Child Student; or
- (iii) the Parent of a Child Student under Appendix Parent of a Child Student; or
- (iv) a Skilled Worker under Appendix Skilled Worker; or
- (v) an Intra-company routes worker under Appendix Intra-Company Routes; or
- (vi) a Minister of Religion under Appendix T2 Minister of Religion; or
- (vii) a Sports person under Appendix T2 Sports person; or
- (viii) a Representative of an Overseas Business under Appendix Representative of an Overseas Business; or
- (ix) a person with UK Ancestry under Appendix UK Ancestry; or
- (x) a person on the Global Talent route under Appendix Global Talent; or
- (xi) a person on the Start-up route under Appendix Start-up; or
- (xii) an Innovator under Appendix Innovator; or
- (xiii) a Seasonal Worker under Appendix T5 (Temporary Worker) Seasonal Worker; or
- (xiv) a Youth Mobility Worker under Appendix T5 (Temporary Worker) Youth Mobility Scheme; or
- (xv) a Religious Worker under Appendix T5 (Temporary Worker) Religious Worker; or
- (xvi) a Charity Worker under Appendix T5 (Temporary Worker) Charity Worker; or
- (xvii) a Creative or Sporting Worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker; or
- (xviii) an International Agreement Worker under Appendix T5 (Temporary Worker) International Agreement Worker; or
- (xix) a Government Authorised Exchange Worker under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker route.

(f) A decision on an application where the application was made on or after 1 December 2020 for permission to stay as the dependent partner or dependent child of:

- (i) a Student under Appendix Student; or
- (ii) a Skilled Worker under Appendix Skilled Worker; or
- (iii) an Intra-company routes worker under Appendix Intra-Company Routes; or
- (iv) a Minister of Religion under Appendix T2 Minister of Religion; or
- (v) a Sports person under Appendix T2 Sports person; or
- (vi) a Representative of an Overseas Business under Appendix Representative of an Overseas Business; or

- (vii) a person with UK Ancestry under Appendix UK Ancestry; or
  - (viii) a person on the Global Talent route under Appendix Global Talent; or
  - (ix) a person on the Start-up route under Appendix Start-up; or
  - (x) an Innovator under Appendix Innovator; or
  - (xi) a Religious Worker under Appendix T5 (Temporary Worker) Religious Worker; or
  - (xii) a Charity Worker under Appendix T5 (Temporary Worker) Charity Worker; or
  - (xiii) a Creative or Sporting Worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker; or
  - (xiv) an International Agreement Worker under Appendix T5 (Temporary Worker) International Agreement Worker; or
  - (xv) a Government Authorised Exchange Worker under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker route.
- (g) A decision on an application where the application was made on or after 31 January 2021 for permission to stay as:
- (i) a Hong Kong British National (Overseas) under Appendix Hong Kong British National (Overseas); or
  - (ii) the dependent partner, BN(O) Household Child, BN(O) Household Member, or Adult Dependent Relative of a Hong Kong British National (Overseas) under Appendix Hong Kong British National (Overseas).”.

AR4. After paragraph AR5.2(a), insert:

- “(aa) An eligible decision is also a refusal of an application for entry clearance made on or after 5 October 2020 as:
- (i) a Student; or
  - (ii) a Child Student; or
  - (iii) the Parent of a Child Student; or
  - (iv) the dependent partner or dependent child of a Student.”.

AR5. After paragraph AR5.2(b), insert:

- “(c) An eligible decision is also a refusal of an application for entry clearance made on or after 1 December 2020 as:
- (i) a Short-term Student under Appendix Short-term Student (English language); or
  - (ii) a Skilled Worker under Appendix Skilled Worker; or
  - (iii) an Intra-company Transfer route worker under Appendix Intra-Company Routes; or
  - (iv) a Minister of Religion under Appendix T2 Minister of Religion; or
  - (v) a Sportsperson under Appendix T2 Sportsperson; or
  - (vi) a Representative of an Overseas Business under Appendix Representative of an Overseas Business; or
  - (vii) a person with UK Ancestry under Appendix UK Ancestry; or
  - (viii) a person on the Global Talent route under Appendix Global Talent; or
  - (ix) a person on the Start-up route under Appendix Start-up; or
  - (x) an Innovator under Appendix Innovator; or
  - (xi) a Seasonal Worker under Appendix T5 (Temporary Worker) Seasonal Worker; or

- (xii) a Youth Mobility Worker under Appendix T5 (Temporary Worker) Youth Mobility Scheme; or
- (xiii) a Religious Worker under Appendix T5 (Temporary Worker) Religious Worker; or
- (xiv) a Charity Worker under Appendix T5 (Temporary Worker) Charity Worker; or
- (xv) a Creative or Sporting Worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker; or
- (xvi) an International Agreement Worker under Appendix T5 (Temporary Worker) International Agreement Worker; or
- (xvii) a Government Authorised Exchange Worker under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker route.

(d) An eligible decision is also a refusal of an application for entry clearance made on or after 1 December 2020 as the dependent partner or dependent child of:

- (i) a Skilled Worker under Appendix Skilled Worker; or
- (ii) an Intra-company routes worker under Appendix Intra-Company Routes; or
- (iii) a Minister of Religion under Appendix T2 Minister of Religion; or
- (iv) a Sportsperson under Appendix T2 Sportsperson; or
- (v) a Representative of an Overseas Business under Appendix Representative of an Overseas Business; or
- (vi) a person with UK Ancestry under Appendix UK Ancestry; or
- (vii) a person on the Global Talent route under Appendix Global Talent; or
- (viii) a person on the Start-up route under Appendix Start-up; or
- (ix) an Innovator under Appendix Innovator; or
- (x) a Religious Worker under Appendix T5 (Temporary Worker) Religious Worker; or
- (xi) a Charity Worker under Appendix T5 (Temporary Worker) Charity Worker; or
- (xii) a Creative or Sporting Worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker; or
- (xiii) an International Agreement Worker under Appendix T5 (Temporary Worker) International Agreement Worker; or
- (xiv) a Government Authorised Exchange Worker under Appendix T5 (Temporary Worker) Government Authorised Exchange Worker route.

(e) An eligible decision is also a refusal of an application for entry clearance made on or after 31 January 2021 as:

- (i) a Hong Kong British National (Overseas) under Appendix Hong Kong British National (Overseas); or
- (ii) the dependent partner, BN(O) Household Child, BN(O) Household Member, or Adult Dependent Relative of a Hong Kong British National (Overseas) under Appendix Hong Kong British National (Overseas).”.

### **Changes to Appendix AR(EU)**

AREU1. In paragraph AR(EU)A1., after “Appendix EU” insert “, Appendix EU (Family Permit), Appendix S2 Healthcare Visitor or Appendix Service Providers from Switzerland.”.

AREU2. For paragraph AR(EU)1.1. substitute:

“AR(EU)1.1. An applicant may only apply for an administrative review where an eligible decision has been made. An eligible decision is a decision to:

(a) Refuse an application under paragraph EU6 of Appendix EU because the applicant does not meet the eligibility requirements for indefinite leave to enter or remain under paragraph EU11, EU11A or EU12 or for limited leave to enter or remain under paragraph EU14 or EU14A; or

(b) Grant limited leave to enter or remain under paragraph EU3 of Appendix EU and not indefinite leave to enter or remain under paragraph EU2; or

(c) Grant limited leave to enter or remain under paragraph EU3A of Appendix EU and not indefinite leave to enter or remain under paragraph EU2A; or

(d) Cancel leave granted under Appendix EU on the grounds that the person ceases to meet the requirements of that Appendix for that leave; or

(e) Cancel leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under Appendix EU (Family Permit) where since the entry clearance was granted, there has been a change in circumstances that is, or would have been, relevant to that person’s eligibility for that entry clearance, such that their leave to enter ought to be cancelled; or

(f) Refuse an application under paragraph HV9.1 of Appendix S2 Healthcare Visitor because the applicant does not meet the eligibility requirements for permission to enter or remain as an S2 Healthcare Visitor; or

(g) Refuse permission to enter to a person who holds entry clearance under Appendix S2 Healthcare Visitor, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the eligibility requirements for permission to enter; or

(h) Refuse permission to enter to a non-visa national seeking to come to the UK as an S2 Healthcare Visitor for 6 months or less, because they do not meet the eligibility requirements of Appendix S2 Healthcare Visitor; or

(i) Refuse an application for entry clearance under paragraph SPS7.1 of Appendix Service Providers from Switzerland because the applicant does not meet the eligibility requirements of that Appendix; or

(j) Refuse permission to enter to a person who holds an entry clearance under Appendix Service Providers from Switzerland, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the eligibility requirements for permission to enter.”.

AREU3. Delete paragraph AR(EU)1.1A.

AREU4. For paragraph AR(EU)1.2. substitute:

“AR(EU)1.2. An applicant may not apply for an administrative review where a decision has been made to:

(a) Refuse an application under paragraph EU6 of Appendix EU on suitability grounds as set out in paragraph EU15 or EU16; or

(b) Refuse an application under paragraph HV9.1 of Appendix S2 Healthcare Visitor where the suitability requirements are not met; or

(c) Refuse permission to enter to a person who holds entry clearance under Appendix S2 Healthcare Visitor, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the suitability requirements for permission to enter; or

(d) Refuse an application for entry clearance under paragraph SPS 7.1 of Appendix Service Providers from Switzerland because the applicant does not meet the suitability requirements of that Appendix; or

(e) Refuse permission to enter to a person who holds an entry clearance under Appendix Service Providers from Switzerland, where, since the entry clearance was granted, there has been a change in circumstances which means the person no longer meets the suitability requirements for permission to enter.”.

AREU5. For paragraph AR(EU)1.3. substitute:

“AR(EU)1.3. An applicant may not apply for an administrative review where their application has been rejected as invalid under paragraph EU10(1) of Appendix EU, paragraph HV1.7. of Appendix S2 Healthcare Visitor or paragraph SPS 1.4. of Appendix Service Providers from Switzerland.”.

AREU6. For paragraph AR(EU)2.1. substitute:

“AR(EU)2.1. The person considering the administrative review on behalf of the Secretary of State (“the reviewer”) will decide whether the decision is incorrect because:

(a) The decision maker failed to apply, or incorrectly applied, the relevant Immigration Rules;

(b) The decision maker failed to apply, or incorrectly applied, the published guidance in relation to the application; or

(c) Information or evidence that was not before the decision maker has been provided to the reviewer which shows that the applicant qualifies for:

- (i) a grant, or a different grant, of leave under Appendix EU; or
- (ii) permission to enter or stay in the UK under Appendix S2 Healthcare Visitor; or
- (iii) entry clearance or permission to enter under Appendix Service Providers from Switzerland.”.

AREU7. After paragraph AR(EU)3.2. insert:

**“Effect of a pending administrative review on liability for removal**

AR(EU)4.1. Where an administrative review under this Appendix is pending the Home Office will not seek to remove the applicant from the United Kingdom.

AR(EU)4.2. For the purposes of paragraph AR(EU)4.1., an administrative review is pending where:

- (a) An application for administrative review can be made in accordance with 34M to 34Y of these Rules, ignoring any possibility of an administrative review out-of-time under paragraph 34R(3);
- (b) A further application for administrative review can be made in accordance with paragraph 34M(2A) of these Rules; or
- (c) An application for administrative review has been made and has not yet been decided.

AR(EU)4.3. However, an administrative review is not pending where the applicant has waived their right to apply for an administrative review of an eligible decision by signing an administrative review waiver form.”.

**Change to Appendix ATAS**

ATAS1. Delete Appendix ATAS.

**Changes to Appendix B**

B.1. In paragraph 1, delete “or Tier 2 Migrant” and sub-paragraphs (iii) and (iv).

B.2. Under Table 1, delete the heading Tier 2 and the table that follows.

B.3. Delete paragraph 5.

B.4. In paragraph 6(i), add “Malta” to the list of countries.

B.5. In paragraph 7(i)(3), add “Malta” to the list of countries.

- B.6. Delete paragraph 8.
- B.7. In paragraph 12, delete “where the application falls under rows B to H of Table 1 above,”.
- B.8. In paragraph 13, delete “where the application falls under rows B to C or rows F to H of Table 1 above,”.
- B.9. Delete paragraph 14.
- B.10. Delete paragraphs 16 to 18.

### **Changes to Appendix C**

- C.1. In the heading after “(funds)” add “Tier 1 (Entrepreneur)”.
- C.2. In paragraph 1A(b), for “Tier 1 Migrant, a Tier 2 Migrant or a Tier 5 (Temporary Worker) Migrant,” substitute “Tier 1 (Entrepreneur) Migrant” and delete from after “period of time” to the end.
- C.3. In paragraph 1A(f), for “Tier 1 Migrant, a Tier 2 Migrant or a Tier 5 Migrant,” Substitute “Tier 1 (Entrepreneur) Migrant”.
- C.4. In paragraph 1A(i), for “No points will be awarded where the specified documents show that the funds are held in a financial institution listed in Appendix P as being an institution with which the UK Border Agency is unable to make satisfactory verification checks.” substitute “No points will be awarded unless the funds comply with Appendix Finance.”.
- C.5. For paragraph 1B(a), delete from “personal” to “requirements” and for (i) substitute: “A personal bank or building society statement which must cover a consecutive 90-day period of time.”.
- C.6. In paragraph 1B(a)(iii)(1)(ii), delete after “name”.
- C.7. In paragraph 1B(a)(iii)(1)(iii), for “Relevant Points-Based System Migrant” each time it occurs substitute “Tier 1 (Entrepreneur) Migrant”.
- C.8. For paragraph 1B(b(i)) substitute:  
  
“(b)(i) The building society passbook must cover a consecutive 90-day period of time.”.
- C.9. In paragraph 1B(b)(iii)(1)(ii), delete after “name” to the end.
- C.10. In paragraph 1B(b)(iii)(1)(iii), for “Relevant Points-Based System Migrant” each time it occurs substitute “Tier 1 (Entrepreneur) Migrant”.
- C.11. For paragraph 1B(c)(i) substitute:

“The letter must confirm the level of funds and that they have been held for a consecutive 90-day period of time.”.

- C.12. In paragraph 1B(c)(iii)(1)(ii) delete after “name” to the end.
- C.13. In paragraph 1B(c)(iii)(1)(iii) for “Relevant Points-Based System Migrant” each time it occurs substitute “Tier 1 (Entrepreneur) Migrant”.
- C.14. In the Table, in paragraph 1, delete “unless applying as a Tier 1 (Exceptional Talent) Migrant or a Tier 1 (Investor) Migrant” and delete paragraphs 4 to 9.

### **Changes to Appendix D**

- D.1. Delete Appendix D.

### **Changes to Appendix E**

- E.1. Change heading to “Appendix E applies only to applications as a dependent partner or dependent child of a Tier 1 (Entrepreneur) Migrant”.
- E.2. In line 1, for “Relevant Points Based System Migrant or Appendix W Worker” substitute “Tier 1 (Entrepreneur) Migrant”.
- E.3. In paragraph (ab), for “Where the application is connected to a Tier 1 (Entrepreneur) Migrant, the” substitute “The”.
- E.4. For paragraph (a) substitute “Where the application is connected to a Tier 1 (Entrepreneur) Migrant who is outside the UK or who has been in the UK for a period of less than 12 months, there must be £1,890 in funds.”.
- E.5. Delete paragraph (b).
- E.6. In paragraph (c), (d), (e), (f), (l), (o) and (p), for “Relevant Points Based System Migrant or Appendix W Worker” in each place it occurs substitute “T1 (Entrepreneur) Migrant.”.
- E.7. For paragraph (g) substitute “The funds in question must have been available to the person referred to in (f) above on the date of application and for a consecutive 90-day period of time.”.
- E.8. Delete paragraph (i).
- E.9. In paragraph (ia), replace “Sufficient funds will not be deemed to be available to the Partner or Child if the specified documents, as set out in paragraph 1B of Appendix C, show that the funds are held in a financial institution listed in Appendix P as being an institution with which the Home Office is unable to make satisfactory verification checks.” with “Sufficient funds will not be treated as available to the partner or child unless the specified documents, as set out in paragraph 1B of Appendix C, show that the funds are held in a financial institution to which Appendix Finance applies.”.



E.10. Delete paragraph (ib).

E.11. Delete paragraph (ic).

E.12. In paragraph (j) delete from “Appendix C” to the end.

### **Insert new Appendix ECAA Extension of Stay**

ECAA.1 After Appendix E, insert new Appendix:

#### **“ECAA: Extension of Stay**

*This route is for ECAA workers, business persons and their family members who are in the UK and already hold permission in that capacity and are seeking an extension of their permission.*

*It also covers children of ECAA workers and business persons who can apply for entry clearance to come to the UK as a dependent child.*

*A person with permission on the ECAA route can apply for settlement under Appendix ECAA Settlement.*

#### **Validity requirements for an ECAA Worker or ECAA business person on the ECAA Extension of Stay route**

ECAA 1.1. A person applying for permission to stay on the ECAA route must apply online on the gov.uk website on the specified form “Turkish Businessperson or Worker”.

ECAA 1.2. An application for permission to stay as an ECAA worker or ECAA business person must meet all the following requirements:

- (a) the applicant must be a Turkish national; 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.

ECAA 1.3. An application which does not meet all the validity requirements for the ECAA route is invalid and may be rejected and not considered.

#### **Suitability requirements for the ECAA Extension of Stay route**

ECAA 2.1. The suitability requirement for the ECAA Extension of Stay route will be met unless:

- (a) the applicant is an ECAA worker, and in respect of conduct before 11pm on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80; or
- (b) the applicant is a Turkish business person, and in respect of conduct before 11pm on 31 December 2020, the application is refused on grounds that it is undesirable to grant

it in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC510; or

- (c) in respect of conduct after 11pm on 31 December 2020, the applicant falls for refusal as provided for in Section 1 of Part 9 of these rules or ECAA 2.2.

ECAA 2.2. If applying for permission to stay and in respect of conduct after 11pm on 31 December 2020, 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 the ECAA Extension of Stay route**

#### **ECAA worker requirement for the ECAA route**

ECAA 3.1. To meet the ECAA worker requirement the applicant must:

- (a) have permission as an ECAA worker; and
- (b) have been lawfully employed in the UK for at least 3 years with the same employer; or
- (c) have been lawfully employed in the UK for at least 4 years, including at least 3 years with the same employer and the remaining time in the same occupation.

ECAA 3.2. The applicant must show that they will continue to be employed in the UK throughout the period of permission requested.

ECAA 3.3. The requirements in ECAA 3.1. and ECAA 3.2. must be proved by evidence that the applicant:

- (a) holds a valid employment contract with the employer; and
- (b) continues to receive payment for services as part of that contract.

ECAA 3.4. For the purposes of ECAA 3.1. the following absences will be treated as periods during which the applicant was lawfully employed:

- (a) annual holidays; and
- (b) statutory maternity leave, paternity leave or shared parental leave; and
- (c) statutory adoption leave; and
- (d) sick leave (up to 6 weeks in any 12 months, or longer if there are compelling circumstances); and
- (e) absence due to an accident at work; and
- (f) periods of involuntary unemployment (provided that the applicant registered with the relevant employment authorities and made a reasonable effort to re-join the workforce).

#### **ECAA Business person requirement for the ECAA route**

ECAA 4.1. To meet the ECAA business person requirement, the applicant must meet all the following requirements:

- (a) the applicant must have permission as an ECAA business person; and
- (b) the applicant must have established, or intend to establish, take over or become a partner or director of, one or more genuine businesses in the UK; and
- (c) the business or businesses must be viable; and
- (d) the applicant must genuinely intend to operate, or have genuinely operated, one or more businesses in the UK.

ECAA 4.2. The applicant must:

- (a) provide evidence that they have invested, or will invest, sufficient funds or assets in the business or businesses in proportion to their interest in the business or businesses; and
- (b) demonstrate that those funds or assets are, and continue to be, their own; and
- (c) demonstrate they can meet their share of the liabilities which the business or businesses may incur; and
- (d) demonstrate that their part in the business or businesses does not amount to disguised employment; and
- (e) demonstrate that their share of the profits of the business is enough to support themselves and any dependants; and
- (f) if they are joining an existing business, provide:
  - (i) a written statement of the terms and conditions on which they are joining the business; and
  - (ii) accounts for the existing business for the 12 months before the date of application; and
  - (iii) evidence that there is a genuine need for their services and investment.

ECAA 4.3. In assessing whether the requirements in ECAA 4.1. and ECAA 4.2. are met, the factors that will be considered include the following:

- (a) the viability and credibility of the source of the money being used to set up or invest in the business or businesses; and
- (b) evidence of a credible time frame (lasting no more than 11 months) of when money that has not yet been invested in the business or businesses will be invested; and
- (c) the credibility of the financial accounts of the business or businesses; and
- (d) the credibility of the applicant's proposed business activity in the UK; and
- (e) if the nature of the business requires mandatory accreditation, registration or insurance, whether the accreditation, registration or insurance have been obtained.

### **Decision on the ECAA Extension of Stay route**

ECAA 5.1. If the decision maker is satisfied that the suitability requirements are met, and either the eligibility requirements for either an ECAA worker or an ECAA business person are met, the application will be granted; otherwise, the application will be refused.

### **Period and conditions of grant on the ECAA Extension of Stay route**

ECAA 6.1. If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(a), but does not meet the requirement in ECAA 3.1.(b), they will be granted permission to stay for up to 12 months.

ECAA 6.2. If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(b), they will be granted permission to stay for up to 36 months.

ECAA 6.3. If the applicant meets the ECAA business person requirement, they will be granted permission to stay for up to 36 months.

ECAA 6.4. The grant will be subject to all the following conditions:

- (a) if the applicant meets the ECAA worker requirement and has been lawfully employed in the UK for less than 4 years, work is allowed only for the applicant's current employer, or in the same occupation with a different employer; and

- (b) if the applicant meets the ECAA business person requirement, work is allowed only for the business or businesses the applicant has established, joined or taken over (but not as an apprentice); and
- (c) no access to public funds (subject to any bi-lateral agreements); and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

ECAA 6.5. If the application is refused the person can apply for an administrative review under Appendix AR.

### **Dependants on the ECAA Extension of Stay route**

#### **Validity requirements for dependent partner and dependent child on the ECAA Extension of Stay route**

ECAA 7.1. A child applying for entry clearance or permission to stay, and a partner applying for permission to stay (a partner must already be in the UK and cannot apply for entry clearance), as a dependant on the ECAA Extension of Stay route must apply online on the gov.uk website on the following specified forms:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK, for a child applying for entry clearance	“Join or accompany a family” on the “Find and apply for other visas from outside the UK” form
Inside the UK, for a partner or child applying for permission to stay	If applying at the same time as the ECAA worker, on the form “Turkish Businessperson or Worker” If applying separately, - Dependant partner of a Turkish Businessperson or Worker (ECAA 3 - Dependant Partner), - Dependant child of a Turkish Businessperson or Worker (ECAA 3 - Dependant Child)

ECAA 7.2. An application for entry clearance or permission to stay by a dependant on the ECAA route must meet all the following requirements:

- (a) the applicant must have provided any required biometrics; and
- (b) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (c) where the applicant is applying for permission to stay as a dependent partner they must be in the UK and have permission to stay as a dependent partner on the ECAA route.

ECAA 7.3. An application which does not meet all the validity requirements for a dependent partner or dependent child on the ECAA Extension of Stay route is invalid and may be rejected and not considered.

#### **Suitability requirements for dependent partner and dependent child on the ECAA Extension of Stay route**

ECAA 8.1. The suitability requirements for entry clearance for a dependent child will be met unless the applicant falls for refusal under Part 9: grounds or refusal.

ECAA 8.2. The suitability requirement for permission to stay as a dependent partner or dependent child on the ECAA Extension of Stay route will be met unless:

- (a) the applicant is the dependant of a Turkish Worker, and in respect of conduct committed before 11pm on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80; or
- (b) the applicant is the dependent of a Turkish business person, and in respect of conduct committed before 11pm on 31 December 2020, the application is refused on grounds that it is undesirable to grant the application in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC 510; or
- (c) in respect of conduct committed after 11pm on 31 December 2020, the applicant falls for refusal as provided for under Section 1 of Part 9 of these rules or ECAA 8.3. applies.

ECAA 8.3. 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 child on the ECAA Extension of Stay route**

#### **Entry requirement for a dependent child on the ECAA Extension of Stay route**

ECAA 9.1. A person seeking to come to the UK as a dependent child must apply for and obtain entry clearance as a dependent child on the ECAA Extension of Stay route before they arrive in the UK.

#### **Relationship requirement for a dependent partner on the ECAA Extension of Stay route**

ECAA 10.1. The applicant must be the partner of a person (P) and P must have permission as an ECAA worker or ECAA business person on the ECAA route.

ECAA 10.2. If the applicant and the ECAA Worker or ECAA business person partner are unmarried partners, all of the following requirements must be met:

- (a) they must both be aged 18 or over on the date of application; and
- (b) any previous relationship of the applicant or their ECAA Worker or ECAA business person partner with another person must have permanently broken down; and
- (c) the applicant and their ECAA Worker or ECAA business person partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

ECAA 10.3. The relationship between the applicant and their ECAA worker or ECAA business person partner must be genuine and subsisting.

ECAA 10.4. The applicant and their ECAA worker or ECAA business person partner must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the ECAA Extension of Stay route**

ECAA 11.1. The applicant must be the child of a person (P) who has permission as an ECAA Worker or ECAA business person on the ECAA route, or a person who is the partner of P.

ECAA 11.2. The applicant's parents must each be either applying for permission, or be present in the UK with permission (other than as a visitor) on the ECAA route unless:

- (a) the parent with permission on the ECAA route is the sole surviving parent; or
- (b) the parent with permission on the ECAA route 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 entry clearance or permission to stay, to live with the parent who has permission on the ECAA route.

#### **Age requirement for a dependent child on the ECAA Extension of Stay route**

ECAA 12.1. The applicant must be under the age of 21 at the date of application, unless they were last granted permission as the dependent child of their parent on the ECAA route.

ECAA 12.2. The applicant must not be leading an independent life.

#### **Care requirement for a dependent child on the ECAA Extension of Stay route**

ECAA 13.1. If the applicant is under the age of 18 at 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.

#### **Financial requirement for a dependent partner or dependent child on the ECAA Extension of Stay route**

ECAA 14.1. There must be adequate accommodation provided by the ECAA worker or ECAA business person for the applicant.

ECAA 14.2. Where the applicant is the dependent of an ECAA business person, the profits of the business or businesses must be sufficient to maintain the applicant and any other dependents in the UK.

#### **Decision for a dependent partner or dependent child on the ECAA route**

ECAA 15.1. If the applicant meets the suitability requirements and meets the eligibility requirements for either a dependent partner or dependent child on the ECAA Extension of Stay route, the application will be granted; otherwise the application will be refused.

#### **Period and conditions of grant for a dependent partner or dependent child on the ECAA Extension of Stay route**

ECAA 16.1. The grant will be for a period which ends on the same day as the permission of the ECAA worker or ECAA business person on the ECAA route.

ECAA 16.2. The grant will be subject to all the following conditions:

- (a) no access to public funds (subject to any bi-lateral agreement); and
- (b) work is permitted; 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.

ECAA 16.3. If the application is refused, the person can apply for an Administrative Review under Appendix AR

## Changes to Appendix ECAA

ECAA.1. Rename Appendix ECAA as “Appendix ECAA Settlement”.

ECAA 2. Delete ECAA 1.1.

ECAA.3. Renumber ECAA 1.2. as ECAA 1.1.

ECAA.4. Substitute paragraph ECAA 2.1 (a) with:

“(a) the applicant has not been absent from the UK for more than 180 days during any 12 month period in the continuous period, except that any absence from the UK for the purpose of:

- (i) assisting with a national crisis; or
- (ii) assisting with an international humanitarian or environmental crisis overseas; or
- (iii) as a result of travel restrictions or serious illness,

shall not count towards the 180 days, if the applicant provides evidence that this was the reason of the absence(s);”.

ECAA.5. Delete paragraph ECAA 2.1 (d).

ECAA.6. Substitute references to “Turkish ECAA worker” with “ECAA worker” in the following paragraphs and headings:

- (a) ECAA 2.2 (a); and
- (b) ECAA 3 section title: REQUIREMENTS FOR TURKISH ECAA WORKERS APPLYING FOR INDEFINITE LEAVE TO REMAIN; and
- (c) Title ‘Indefinite leave to remain as a Turkish ECAA worker’ (below paragraph ECAA 3.1); and
- (d) Title: Refusal of indefinite leave to remain as a Turkish ECAA worker’ (below paragraph ECAA 3.2); and
- (e) Title ‘Indefinite leave to remain as the child of a Turkish ECAA worker of ECAA business person’ (below paragraph ECAA 5.1); and
- (f) Title ‘Refusal of indefinite leave to remain as the child of a Turkish ECAA worker or ECAA business person’ (below paragraph ECAA 5.2); and
- (g) Paragraph ECAA 5.3; and
- (h) Title ‘Indefinite leave to remain as the partner of a Turkish ECAA worker’ (below paragraph ECAA 6.3); and
- (i) Title ‘Refusal of indefinite leave to remain as the spouse, civil partner or unmarried partner of a Turkish ECAA worker’ (below paragraph ECAA 6.4); and
- (j) Paragraph ECAA 6.5; and
- (k) ECAA 7 Section title “REQUIREMENTS FOR PARTNER OF TURKISH ECAA WORKER OR ECAA BUSINESS PERSONS APPLYING FOR FURTHER LEAVE TO REMAIN”; and
- (l) Title ‘Granting further leave to remain as the partner of a Turkish ECAA worker or ECAA business person’ (below paragraph ECAA 7.1); and
- (m) Title ‘Refusal of further leave to remain as a Turkish ECAA worker or ECAA business person (below paragraph ECAA 7.2); and
- (n) Paragraph ECAA 7.3.

ECAA.7. Substitute references to “Turkish Business Person” with “ECAA business person” in the following paragraphs and headings:

- (a) Paragraph ECAA 2.2; and
- (b) ECAA 4: Section title ‘REQUIREMENTS FOR TURKISH ECAA BUSINESS PERSONS APPLYING FOR INDEFINITE LEAVE TO REMAIN; and
- (c) Title ‘Indefinite leave to remain as a Turkish ECAA business person’ (below paragraph ECAA 4.4); and
- (d) Title ‘Refusal of indefinite leave to remain as a Turkish ECAA business person’ (below paragraph 4.5); and
- (e) Paragraph ECAA 4.6; and
- (f) Paragraph ECAA 5.3.

ECAA.8. For paragraph ECAA 3.1 (a) and (b) substitute:

“ECAA 3.1. The requirements for indefinite leave to remain to be granted to an ECAA worker are that the applicant must:

- (a) be an ECAA worker; and
- (b) have resided lawfully in the UK for a continuous period of 5 years, of which the most recent period of leave must have been as an ECAA worker, in any combination of the following categories:
  - (i) an ECAA worker;
  - (ii) as a Tier 2 (General Migrant);
  - (iii) as a Tier 2 (Minister of religion) Migrant;
  - (iv) as a Tier 2 (Sportsperson) Migrant; or
  - (v) as a work permit holder; and”.

ECAA.9. For paragraph ECAA 3.1(e) substitute:

“(e) not fall for refusal under Part 9: grounds”.

ECAA.10. For paragraph ECAA 4.1 (a) and (b)(i) substitute:

“ECAA 4.1. The applicant must:

- (a) be an ECAA business person; and
- (b) have resided lawfully in the UK for a continuous period of five years, of which the most recent period of leave must have been as an ECAA business person, in any combination of the following categories:
  - (i) the ECAA business person; or”.

ECAA.11. For paragraphs ECAA 4.1 (d) and (e) substitute:

“(d) not fall for refusal under Part 9: grounds for refusal; and  
(e) be relying on a business which meet (s) the requirements under paragraph ECAA 4.2.”

ECAA.12. At ECAA 4.2 after “The Secretary of State must be satisfied” insert “on the balance of probabilities”.

ECAA.13. For paragraph ECAA 4.3 substitute:



“ECAA 4.3. In making the assessment in ECAA 4.2, the Secretary of State may take into account the following factors:”.

ECAA.14. For paragraph ECAA 5.1(i) substitute:

“(i) the applicant must not fall for refusal under Part 9: grounds for refusal;”.

ECAA.15. For paragraph ECAA 6.1(g) substitute:

“(g) the applicant must not fall for refusal under Part 9: grounds for refusal;”.

ECAA.16. For paragraph ECAA 6.1 substitute:

“ECAA 6.1. The applicant must:

- (a) be the spouse, civil partner or unmarried partner of a person [P] who:
  - (i) has indefinite leave to remain as an ECAA worker or business person; or
  - (ii) is, at the same time being granted indefinite leave to remain as an ECAA worker or business person; or
  - (iii) has become a British Citizen where prior to that they held indefinite leave to remain as an ECAA worker or business person; and
- (b) have, or have last been granted, leave as the spouse, civil partner or unmarried partner of the ECAA worker or business person; and
- (c) be in a marriage or civil partnership, or unmarried partnership with [P] which must be genuine and subsisting at the time the application is made; and
- (d) must intend to live permanently with [P] as their spouse or civil partner or unmarried partner; and
- (e) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KOLL; and
- (f) have been living together with [P] in the UK in a marriage or civil partnership, or in an unmarried partnership, for at least the applicable specified period in line with paragraphs ECAA 6.2 and ECAA 6.3; and
- (g) not fall for refusal under Part 9: grounds for refusal.”.

ECAA.17. For paragraph ECAA 6.3 substitute:

“ECAA 6.3. During the specified period the applicant must:

- (a) have been in a relationship with the same ECAA worker or business person for the entire period; and
- (b) have spent the most recent part of the 5 year period with leave as the spouse, civil partner or unmarried partner of that ECAA worker or business person; and
- (c) have spent the remainder of the 5 year period, where applicable, with leave as the spouse or civil partner or unmarried partner of that person at a time when that person had leave under another category of the rules; and
- (d) not have been absent from the UK for more than 180 days during any 12 month period, subject to the following exceptions at ECAA 2:”.

ECAA.18. In ECAA 6.5 after “requirements of” delete “paragraph”.

ECAA.19. For paragraph ECAA 7.1 (a) and (b) substitute:

“ECAA 7.1. The applicant must:

(a) be the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person who:

(i) has been granted indefinite leave to remain in line with the ECAA guidance in force prior to 16 March 2018; or

(ii) has been granted indefinite leave to remain under paragraph ECAA 3.2 or ECAA 4.5 of this Appendix; or

(iii) has British citizenship having previously been granted indefinite leave to remain under either provision specified in (i) or (ii) of this paragraph; and

(b) have last been granted leave to remain as a dependent of an ECAA worker or ECAA business person; or”.

ECAA.20. For paragraph ECAA 7.1 (d) and (e) substitute:

“(d) be living together and in a subsisting relationship with the ECAA worker or business person to whom leave to remain was granted; and

(e) not fall for refusal under Part 9: grounds for refusal ; and”.

ECAA.21. Remove “paragraph” from ECAA 7.2 and 7.3.

## **Changes to Appendix EU**

EU.1 For Appendix EU, substitute:

### **“Appendix EU: EU, other EEA and Swiss citizens and family members”**

#### **Purpose**

EU1. This Appendix sets out the basis on which an **EEA citizen** and their family members, and the family members of a **qualifying British citizen**, will, if they apply under it, be granted indefinite leave to enter or remain or limited leave to enter or remain.

#### **Requirements and procedure**

##### **Requirements for indefinite leave to enter or remain other than as a joining family member of a relevant sponsor**

EU2. The applicant will be granted indefinite leave to enter (where the application is made outside the UK) or indefinite leave to remain (where the application is made within the UK) where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12; and

- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor

EU2A. The applicant will be granted indefinite leave to enter (where the application is made outside the UK) or indefinite leave to remain (where the application is made within the UK) as a **joining family member of a relevant sponsor** where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for limited leave to enter or remain other than as a joining family member of a relevant sponsor

EU3. The applicant will be granted five years' limited leave to enter (where the application is made outside the UK) or five years' limited leave to remain (where the application is made within the UK) where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Requirements for limited leave to enter or remain as a joining family member of a relevant sponsor

EU3A. The applicant will be granted five years' limited leave to enter (where the application is made outside the UK) or five years' limited leave to remain (where the application is made within the UK) as a joining family member of a relevant sponsor where:

- A valid application has been made in accordance with paragraph EU9;
- The applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14A; and
- The application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

Other provisions as to requirements and procedure

EU4. Where a person has been granted limited leave to enter or remain under this Appendix:

- They must continue to meet the eligibility requirements for that leave which they met at the **date of application** (except for any which related to their dependency as a **child, dependent parent or dependent relative**) or meet other eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14 (where they have been granted limited leave to enter or remain under paragraph EU3) or in accordance with paragraph EU14A (where they have been granted limited leave to enter or remain under paragraph EU3A); and
- They remain able to apply for indefinite leave to enter or remain under this Appendix and will be granted this where the requirements in paragraph EU2 (where they have been granted limited leave to enter or remain under paragraph EU3) or paragraph EU2A (where they have been granted limited leave to enter or remain under paragraph EU3A) are met.

EU5. Where a person has been granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix and that person also has a right to enter or reside under the **EEA Regulations**, the leave does not have effect to the person's detriment in so far as the leave is incompatible with that right to enter or reside for as long as that person has that right.

EU6. A valid application made under this Appendix which does not meet the requirements for indefinite leave to enter or remain or limited leave to enter or remain will be refused.

EU7. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.

(2) Paragraphs 18 to 19A of the Immigration Rules (returning residents) do not apply to indefinite leave to enter or remain granted under this Appendix. A person granted such leave may resume their residence in the UK where, having been absent from **the UK and Islands**, that leave has not lapsed under article 13 of the Immigration (Leave to Enter and Remain) Order 2000.

EU8. Annex 2 applies to the consideration by the Secretary of State of a valid application made under this Appendix.

### **Valid application**

EU9. A valid application has been made under this Appendix where:

- (a) It has been made using the **required application process**;
- (b) The **required proof of identity and nationality** has been provided, where the application is made within the UK;
- (c) The **required proof of entitlement** to apply from outside the UK has been provided, where the application is made outside the UK; and
- (d) The **required biometrics** have been provided.

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

(2) In paragraph 34BB of these Rules, sub-paragraphs (3) to (5) do not apply to applications made under this Appendix.

**Eligibility for indefinite leave to enter or remain**

Persons eligible for indefinite leave to enter or remain as a relevant EEA citizen or their family member, or as a person with a derivative right to reside or with a Zambrano right to reside

EU11. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **relevant EEA citizen** or their family member (or as a **person with a derivative right to reside** or a **person with a Zambrano right to reside**) where the Secretary of State is satisfied, including (where applicable) by the **required evidence of family relationship**, that, at the date of application and in an application made by the **required date**, one of conditions 1 to 7 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant: (i) is a relevant EEA citizen; or (ii) is (or, as the case may be, was) a <b>family member of a relevant EEA citizen</b> ; or (iii) is (or, as the case may be, was) a <b>family member who has retained the right of residence</b> by virtue of a relationship with a relevant EEA citizen; and (b) The applicant has a <b>documented right of permanent residence</b> ; and (c) No <b>supervening event</b> has occurred
2.	(a) The applicant is: (i) a relevant EEA citizen; or (ii) a family member of a relevant EEA citizen; or (iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and (b) There is <b>valid evidence of their indefinite leave to enter or remain</b>
3.	(a) The applicant: (i) is a relevant EEA citizen; or (ii) is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen; or (iii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or (iv) is a person with a derivative right to reside; or (v) is a person with a Zambrano right to reside; or (vi) is a <b>person who had a derivative or Zambrano right to reside</b> ; and (b) The applicant has completed a <b>continuous qualifying period</b> of five years in any (or any combination) of those categories; and (c) Since then no supervening event has occurred
4.	(a) The applicant is a relevant EEA citizen who is a <b>person who has ceased activity</b> ; and (b) Since they did so, no supervening event has occurred

5.	<p>(a) The applicant is (or, as the case may be, was) a family member of a relevant EEA citizen; and</p> <p>(b) The relevant EEA citizen is a person who has ceased activity; and</p> <p>(c)(i) Where the date of application by the family member is before 1 July 2021, the relevant EEA citizen:</p> <ul style="list-style-type: none"> <li>(aa) meets the requirements of sub-paragraph (b) of the applicable definition of relevant EEA citizen in Annex 1; or</li> <li>(bb) meets the requirements of sub-paragraph (d)(ii)(bb) of the applicable definition of relevant EEA citizen in Annex 1; or</li> <li>(cc) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or</li> <li>(dd) meets the requirements of sub-paragraph (f)(ii) of the applicable definition of relevant EEA citizen in Annex 1; or</li> <li>(ee) is a <b>relevant naturalised British citizen</b> (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</li> </ul> <p>(ii) Where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1:</p> <ul style="list-style-type: none"> <li>(aa) sub-paragraph (a)(ii)(aa); or</li> <li>(bb) sub-paragraph (b)(ii)(aa); or</li> <li>(cc) sub-paragraph (c)(i); or</li> <li>(dd) sub-paragraph (d)(iii)(aa); or</li> <li>(ee) sub-paragraph (e)(i)(bb)(aaa), (e)(i)(bb)(ccc) or (e)(ii)(bb)(aaa); or</li> <li>(ff) sub-paragraph (f)(ii)(aa); and</li> </ul> <p>(d) Sub-paragraph (a) above was met at the point at which the relevant EEA citizen became a person who has ceased activity; and</p> <p>(e) The applicant was resident in the UK and Islands for a continuous qualifying period immediately before the relevant EEA citizen became a person who has ceased activity; and</p> <p>(f) Since the relevant EEA citizen became a person who has ceased activity, no supervening event has occurred</p>
6.	<p>(a) The applicant is a family member of a relevant EEA citizen; and</p> <p>(b) The relevant EEA citizen has died and was resident in the UK as a <b>worker</b> or <b>self-employed person</b> at the time of their death; and</p> <p>(c) The relevant EEA citizen was resident in the UK and Islands for a continuous qualifying period of at least two years immediately before dying, or the death was the result of an accident at work or an occupational disease; and</p> <p>(d) The applicant was resident in the UK with the relevant EEA citizen immediately before their death; and</p> <p>(e) Since the death of the relevant EEA citizen, no supervening event has occurred</p>
7.	<p>(a) The applicant is a family member of a relevant EEA citizen and is a child under the age of 21 years of a relevant EEA citizen (or of their <b>spouse</b> or <b>civil partner</b>), and either:</p> <ul style="list-style-type: none"> <li>(i) the marriage was contracted or the civil partnership was formed before the <b>specified date</b>; or</li> <li>(ii) the person who is now their spouse or civil partner was the <b>durable partner</b> of the relevant EEA citizen before the specified date (the definition of durable partner in Annex 1 being met before that date</li> </ul>

	<p>rather than at the date of application) and the partnership remained durable at the specified date; and</p> <p>(b)(i) Where the date of application by the family member is before 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner):</p> <p>(aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in <b>the Islands</b>), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(bb) (in the case of an <b>Irish citizen</b> who has not made a valid application under this Appendix) would be granted indefinite leave to enter or remain under paragraph EU2 if they made such an application; or</p> <p>(cc) meets the requirements of sub-paragraph (d)(ii)(bb) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p>(dd) meets the requirements of sub-paragraph (e)(ii) or (e)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p>(ee) meets the requirements of sub-paragraph (f)(ii) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p>(ff) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</p> <p>(ii) Where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner) meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1:</p> <p>(aa) sub-paragraph (a)(ii)(aa); or</p> <p>(bb) sub-paragraph (b)(ii)(aa); or</p> <p>(cc) sub-paragraph (c)(i); or</p> <p>(dd) sub-paragraph (d)(iii)(aa); or</p> <p>(ee) sub-paragraph (e)(i)(bb)(aaa), (e)(i)(bb)(ccc) or (e)(ii)(bb)(aaa); or</p> <p>(ff) sub-paragraph (f)(ii)(aa)</p>
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Persons eligible for indefinite leave to enter or remain as a joining family member of a relevant sponsor

EU11A. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor where (i) (in cases where the application is made within the UK) the applicant is not in the UK as a **visitor** and (ii) the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date and by the required date, one of conditions 1 to 4 set out in the following table is met:

Condition	Is met where:
1.	<p>(a) The applicant:</p> <p>(i) is (or, as the case may be, for the relevant period was) a joining family member of a relevant sponsor; or</p> <p>(ii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a <b>relevant sponsor</b>; and</p>

	<p>(b) The applicant has completed a continuous qualifying period of five years which began after the specified date, in either (or any combination) of those categories; and</p> <p>(c) Since then no supervening event has occurred</p>
2.	<p>(a) The applicant is (or, as the case may be, was) a joining family member of a relevant sponsor; and</p> <p>(b) The relevant sponsor is a person who has ceased activity; and</p> <p>(c)(i) Where the date of application is before 1 July 2021, the relevant sponsor:</p> <ul style="list-style-type: none"> <li>(aa) meets the requirements of sub-paragraph (a)(i)(aa) or (a)(ii)(bb) of the definition of relevant sponsor in Annex 1; or</li> <li>(bb) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or</li> <li>(cc) meets the requirements of sub-paragraph (a)(v)(bb) of the definition of relevant sponsor in Annex 1; or</li> <li>(dd) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</li> </ul> <p>(ii) Where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1:</p> <ul style="list-style-type: none"> <li>(aa) sub-paragraph (b)(i)(aa); or</li> <li>(bb) sub-paragraph (b)(ii)(aa); or</li> <li>(cc) sub-paragraph (b)(iii)(aa); or</li> <li>(dd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb) or (b)(v)(bb)(aaa); or</li> <li>(ee) sub-paragraph (b)(vi)(aa); and</li> </ul> <p>(d) Sub-paragraph (a) above was met at the point at which the relevant sponsor became a person who has ceased activity; and</p> <p>(e) Immediately before the relevant sponsor became a person who has ceased activity, the applicant was resident in the UK and Islands for a continuous qualifying period which began after the specified date; and</p> <p>(f) Since the relevant sponsor became a person who has ceased activity, no supervening event has occurred</p>
3.	<p>(a) The applicant is a joining family member of a relevant sponsor; and</p> <p>(b) The relevant sponsor has died and was resident in the UK as a worker or self-employed person at the time of their death; and</p> <p>(c) The relevant sponsor was resident in the UK and Islands for a continuous qualifying period of at least two years immediately before dying, or the death was the result of an accident at work or an occupational disease; and</p> <p>(d) The applicant was resident in the UK with the relevant sponsor after the specified date and immediately before their death; and</p> <p>(e) Since the death of the relevant sponsor, no supervening event has occurred</p>
4.	<p>(a)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the relevant sponsor; and</p> <p>(ii)(aa) Where the date of application is before 1 July 2021, the relevant sponsor:</p> <ul style="list-style-type: none"> <li>(aaa) meets the requirements of sub-paragraph (a)(i)(aa) of the definition of relevant sponsor in Annex 1; or</li> </ul>



	<p>(bbb) is an Irish citizen who has not made a valid application under this Appendix and who meets the requirements of sub-paragraph (a)(ii)(bb) of the definition of relevant sponsor in Annex 1; or</p> <p>(ccc) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or</p> <p>(ddd) meets the requirements of sub-paragraph (a)(v)(bb) of the definition of relevant sponsor in Annex 1; or</p> <p>(eee) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</p> <p>(bb) Where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1:</p> <p>(aaa) sub-paragraph (b)(i)(aa); or</p> <p>(bbb) sub-paragraph (b)(ii)(aa); or</p> <p>(ccc) sub-paragraph (b)(iii)(aa); or</p> <p>(ddd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb) or (b)(v)(bb)(aaa); or</p> <p>(eee) sub-paragraph (b)(vi)(aa); or</p> <p>(b)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance with sub-paragraph (a) of the definition of family member of a relevant EEA citizen in Annex 1, substituting ‘relevant sponsor’ for each reference in that sub-paragraph to ‘relevant EEA citizen’); and</p> <p>(ii) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix; or</p> <p>(c)(i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance, in respect of the spouse or civil partner, with the first sub-paragraph (a), together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii), of the definition of joining family member of a relevant sponsor in Annex 1); and</p> <p>(ii) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2A of this Appendix</p>
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Persons eligible for indefinite leave to enter or remain as a family member of a qualifying British citizen

EU12. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **family member of a qualifying British citizen**, or as a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen, where the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made by the required date, one of conditions 1 to 4 set out in the following table is met:

Condition	Is met where:
1.	<p>(a) The applicant is (or, as the case may be, was):</p> <p>(i) a family member of a qualifying British citizen; or</p> <p>(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and</p> <p>(b) The applicant has a documented right of permanent residence; and</p>

	(c) No supervening event has occurred
2.	(a) The applicant is: (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) There is valid evidence of their indefinite leave to enter or remain
3.	(a) The applicant is (or, as the case may be, for the relevant period was): (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) The applicant has completed a continuous qualifying period in the UK of five years in either (or any combination) of those categories; and (c) The applicant was, for any period in which they were present in the UK as a family member of a qualifying British citizen relied upon under subparagraph (b), lawfully resident by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen was a qualified person under regulation 6 of the EEA Regulations); and (d) Since completing the continuous qualifying period of five years, no supervening event has occurred
4.	(a) The applicant is a child under the age of 21 years of the spouse or civil partner of the qualifying British citizen, and either: (i) the marriage was contracted or the civil partnership was formed before the <b>date and time of withdrawal</b> ; or (ii) the person who is now their spouse or civil partner was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of durable partner in Annex 1 being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and (b) The applicant is in the UK lawfully by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen is a qualified person under regulation 6 of the EEA Regulations); and (c) The spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix

EU13. The reference to the applicant completing a continuous qualifying period of five years:

- In condition 3 in the table in paragraph EU12 can include a period (or combination of periods) during which the applicant was a relevant EEA citizen, a family member of a relevant EEA citizen, a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, a person with a derivative right to reside or a person with a Zambrano right to reside before becoming the family member of a qualifying British citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen); and
- In condition 3 in the table in paragraph EU11 can include a period during which the applicant was a family member of a qualifying British citizen or a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen before becoming (as the case may be) a relevant EEA citizen, a family

member of a relevant EEA citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen), a person with a derivative right to reside or a person with a Zambrano right to reside.

**Eligibility for limited leave to enter or remain**

**Persons eligible for limited leave to enter or remain as a relevant EEA citizen or their family member, as a person with a derivative right to reside or with a Zambrano right to reside or as a family member of a qualifying British citizen**

EU14. The applicant meets the eligibility requirements for limited leave to enter or remain where the Secretary of State is satisfied, including (where applicable) by the required evidence of family relationship, that, at the date of application and in an application made by the required date, condition 1 or 2 set out in the following table is met:

Condition	Is met where:
1.	(a) The applicant is: (i) a relevant EEA citizen; or (ii) a family member of a relevant EEA citizen; or (iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or (iv) a person with a derivative right to reside; or (v) a person with a Zambrano right to reside; and (b) The applicant is not eligible for indefinite leave to enter or remain under paragraph EU11 of this Appendix solely because they have completed a continuous qualifying period of less than five years
2.	(a) The applicant is: (i) a family member of a qualifying British citizen; or (ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and (b) The applicant was, for any period in which they were present in the UK as a family member of a qualifying British citizen relied upon under sub-paragraph (c), lawfully resident by virtue of regulation 9(1) to (6) of the EEA Regulations (regardless of whether in the UK the qualifying British citizen was a qualified person under regulation 6 of the EEA Regulations); and (c) The applicant is not eligible for indefinite leave to enter or remain under paragraph EU12 of this Appendix solely because they have completed a continuous qualifying period in the UK of less than five years

**Persons eligible for limited leave to enter or remain as a joining family member of a relevant sponsor**

EU14A. The applicant meets the eligibility requirements for limited leave to enter or remain as a joining family member of a relevant sponsor where (i) (in cases where the application is made within the UK) the applicant is not in the UK as a visitor and (ii) the Secretary of State is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date and by the required date, the condition set out in the following table is met:

Condition	Is met where:

	<p>(a) The applicant is:</p> <p>(i) a joining family member of a relevant sponsor; or</p> <p>(ii) a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor; and</p> <p>(b) The applicant is:</p> <p>(i) not eligible for indefinite leave to enter under paragraph EU11A of this Appendix, where the application is made outside the UK; or</p> <p>(ii) not eligible for indefinite leave to remain under paragraph EU11A of this Appendix, where the application is made within the UK, solely because they have completed a continuous qualifying period of less than five years which began after the specified date</p>
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### **Suitability**

EU15. (1) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision:

- (a) The applicant is subject to a **deportation order** or to a decision to make a deportation order; or
- (b) The applicant is subject to an **exclusion order** or **exclusion decision**.

(2) An application made under this Appendix may be refused on grounds of suitability where any of the following apply at the date of decision:

- (a) The applicant is subject to an **Islands deportation order**; or
- (b) The applicant is subject to an **Islands exclusion decision**.

EU16. An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the Secretary of State is satisfied that it is proportionate to refuse the application where:

- (a) In relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the applicant indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or
- (b) The applicant is subject to a removal decision under the EEA Regulations on the grounds of their non-exercise or misuse of rights under Directive 2004/38/EC; or
- (c)(i) The applicant:
  - (aa) Has previously been refused admission to the UK in accordance with regulation 23(1) of the EEA Regulations; or

(bb) Had indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix (or limited leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under Appendix EU (Family Permit) to these Rules) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.1.(a) or A3.1.(b) of Annex 3 to this Appendix or under paragraph A3.1.(a) or A3.1.(b) of Annex 3 to Appendix EU (Family Permit); and

(ii) The refusal of the application is justified either:

(aa) In respect of conduct committed before the specified date, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a decision under paragraph EU16(c) of Appendix EU to the Immigration Rules”); or

(bb) In respect of conduct committed after the specified date, on the ground that the decision is conducive to the public good; or

(d) The applicant is a **relevant excluded person** based on conduct committed before the specified date and the Secretary of State is satisfied that the decision to refuse the application is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a decision under paragraph EU16(d) of Appendix EU to the Immigration Rules”); or

(e) The applicant is a relevant excluded person based on conduct committed after the specified date.

EU17. The references in paragraphs EU15 and EU16 to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or no longer has effect in respect of the applicant.

EU18. Annex 3 applies in respect of the cancellation, curtailment and revocation of leave to enter or remain granted under this Appendix.

### **Annex 1 – Definitions**

<b>Term</b>	<b>Definition</b>
adopted child	a child adopted in accordance with a <b>relevant adoption decision</b>
child	(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a qualifying

	<p>British citizen or of a relevant sponsor) or of their spouse or civil partner; or</p> <p>(b)(i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and</p> <p>(ii) (unless the applicant was previously granted limited leave to enter or remain under this Appendix as a child on the basis that sub-paragraph (a) above applied or under its equivalent in the Islands on that basis) dependent on (as the case may be):</p> <p>(aa) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or</p> <p>(bb) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or</p> <p>(cc) on the relevant sponsor (or on their spouse or civil partner) at the date of application</p> <p>‘dependent’ means here that:</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition:</p> <p>(a) ‘child’ includes:</p> <p>(i) an <b>adopted child</b> of; or</p> <p>(ii) a child born through surrogacy (where recognised in UK law or Islands law) for; or</p> <p>(iii) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989) is in force appointing as their special guardian; or</p> <p>(iv) a child in respect of whom an order has been made under section 5 of the Children Act 1989 appointing as their guardian; or</p> <p>(v) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 vesting parental responsibilities and parental rights in a person who is; or</p>
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	<p>(vi) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995, or who is living with a person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or</p> <p>(vii) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995, or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or</p> <p>(viii) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or</p> <p>(ix) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian; or</p> <p>(x) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001 of Tynwald) has been made appointing as their special guardian; or</p> <p>(xi) a child in respect of whom an order has been made under section 6 or 7 of the Children and Young Persons Act 2001 of Tynwald appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) or their spouse or civil partner, but ‘child’ does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen or by a relevant sponsor) or their spouse or civil partner solely by virtue of a formal or informal fostering arrangement; and</p> <p>(b) ‘direct descendant’ also includes a grandchild or great-grandchild, other than for the purpose of meeting condition 7 in the table in paragraph EU11 of this Appendix, condition 4 in the table in paragraph EU11A or condition 4 in the table in paragraph EU12; and</p> <p>(c) ‘spouse or civil partner’ means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table, in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for ‘joining family member of a relevant sponsor’ in this table</p>
civil partner	<p>(a) the person is, or (as the case may be) for the relevant period was, in a valid civil partnership (which exists or existed under or by virtue of the Civil Partnership Act 2004 or under any equivalent legislation in the Islands); or is, or (as the case may be) for the relevant period was, in a relationship</p>

	<p>registered overseas which is, or was, entitled to be treated as a civil partnership under that Act or under any equivalent legislation in the Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor); and</p> <p>(b) it is, or (as the case may be) for the relevant period was, not a <b>civil partnership of convenience</b>; and</p> <p>(c) neither party has, or (as the case may be) for the relevant period had, another civil partner, a spouse or a durable partner with (in any of those circumstances) <b>immigration status in the UK or the Islands</b> based on that person's relationship with that party</p>
<p>civil partnership of convenience</p> <p>durable partnership of convenience</p> <p>marriage of convenience</p>	<p>a civil partnership, durable partnership or marriage entered into as a means to circumvent:</p> <p>(a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the UK under the EEA Regulations; or</p> <p>(b) any other provision of UK immigration law or any requirement of the Immigration Rules; or</p> <p>(c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the UK under EU law; or</p> <p>(d) any criterion the party would have to meet in order to enjoy a right to enter or reside in the Islands under Islands law</p>
<p>continuous qualifying period</p>	<p>a period of residence in the UK and Islands (save in condition 3 in the table in paragraph EU12 of this Appendix; in condition 2 in the table in paragraph EU14 of this Appendix; in sub-paragraph (a)(ii) or (d)(iii)(aa) of the entry for 'family member who has retained the right of residence' in this table; in sub-paragraph (c) of the entry for 'person who has ceased activity' in this table; and in the entry for 'person with a derivative right to reside' and for 'person with a Zambrano right to reside' in this table, where (in each case) the period of residence must be in the UK and the reference in sub-paragraphs (b)(i) and (ii) below to the UK and Islands is to be read as a reference to the UK):</p> <p>(a) which, unless the person is a joining family member of a relevant sponsor, began before the specified date; and</p> <p>(b) during which none of the following occurred:</p> <p>(i) absence(s) from the UK and Islands which exceeded a total of six months in any 12-month period, except for:</p> <p>(aa) a single period of absence which did not exceed 12 months and was for an important reason (such as pregnancy, childbirth, serious illness, study, vocational training or an overseas posting); or</p> <p>(bb) any period of absence on compulsory military service; or</p> <p>(cc) any period of absence on a posting on <b>Crown service</b> or (as a spouse, civil partner, durable partner or child) any period of absence accompanying a person on a posting on Crown service; or</p>



	<p>(dd) any period spent working in the UK marine area (as defined in section 42 of the Marine and Coastal Access Act 2009); or</p> <p>(ii) the person served or is serving a sentence of imprisonment of any length in the UK and Islands; or</p> <p>(iii) any of the following, unless it has been set aside or no longer has effect in respect of the person:</p> <p>(aa) any decision or order to exclude or remove under regulation 23 or 32 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations of the Isle of Man); or</p> <p>(bb) a decision to which regulation 15(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 24(1) of the EEA Regulations (or the equivalent decision, subject to the equivalent qualification, under the Immigration (European Economic Area) Regulations of the Isle of Man); or</p> <p>(cc) an exclusion decision; or</p> <p>(dd) a deportation order, other than by virtue of the EEA Regulations; or</p> <p>(ee) an Islands deportation order; or</p> <p>(ff) an Islands exclusion decision; and</p> <p>(c) which continues at the date of application, unless:</p> <p>(i) the period is of at least five years' duration; or</p> <p>(ii) the person has acquired the right of permanent residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man; or</p> <p>(iii) the person has valid indefinite leave to enter or remain granted under this Appendix (or under its equivalent in the Islands); or</p> <p>(iv) there is valid evidence of their indefinite leave to enter or remain; or</p> <p>(v) a relevant reference is concerned</p> <p>in addition, 'relevant reference' in sub-paragraph (c)(v) above means the reference to continuous qualifying period in:</p> <ul style="list-style-type: none"> <li>- condition 6 in the table in paragraph EU11 of this Appendix;</li> <li>- condition 3 in the table in paragraph EU11A of this Appendix;</li> <li>- sub-paragraph (d)(iii)(aa) of the entry for 'family member who has retained the right of residence' in this table (as that reference applies to, as the case may be, the relevant EEA citizen, the qualifying British citizen or the relevant sponsor);</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (b)(i) of the applicable entry for 'relevant EEA citizen' in this table, where sub-paragraph (b)(ii)(aa) of that entry applies;</li> </ul>
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	<ul style="list-style-type: none"> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (c) of the applicable entry for ‘relevant EEA citizen’ in this table (in so far as the reference in that sub-paragraph to sub-paragraph (a) of the entry for ‘relevant naturalised British citizen’ in this table is concerned), where sub-paragraph (c)(i) of the applicable entry for ‘relevant EEA citizen’ in this table applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (d)(ii) of the applicable entry for ‘relevant EEA citizen’ in this table, where sub-paragraph (d)(iii)(aa) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (e)(i)(aa) of the applicable entry for ‘relevant EEA citizen’ in this table, where sub-paragraph (e)(i)(bb)(ccc) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (e)(ii)(aa) of the applicable entry for ‘relevant EEA citizen’ in this table, where sub-paragraph (e)(ii)(bb)(aaa) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (f)(i) of the applicable entry for ‘relevant EEA citizen’ in this table, where sub-paragraph (f)(ii)(aa) of that entry applies;</li> <li>- sub-paragraph (b)(ii) of the entry for ‘relevant sponsor’ in this table, where sub-paragraph (b)(ii)(aa) of that entry applies;</li> <li>- sub-paragraph (b)(iii) of the entry for ‘relevant sponsor’ in this table (where the reference to sub-paragraph (a) of the entry for ‘relevant naturalised British citizen’ in this table is concerned), where sub-paragraph (b)(iii)(aa) of the entry for ‘relevant sponsor’ in this table applies;</li> <li>- sub-paragraph (b)(iv)(aa) of the entry for ‘relevant sponsor’ in this table, where sub-paragraph (b)(iv)(bb)(bbb) of that entry applies;</li> <li>- sub-paragraph (b)(v)(aa) of the entry for ‘relevant sponsor’ in this table, where sub-paragraph (b)(v)(bb)(aaa) of that entry applies; and</li> <li>- sub-paragraph (b)(vi) of the entry for ‘relevant sponsor’ in this table, where sub-paragraph (b)(vi)(aa) of that entry applies</li> </ul>
Crown service	<p>service as:</p> <ul style="list-style-type: none"> <li>(a) a member of HM Forces (as defined in the Armed Forces Act 2006); or</li> <li>(b) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government; or</li> <li>(c) a permanent member of the British Council</li> </ul>
custody of a child	<p>the child normally lives with the applicant or does so part of the time, and includes arrangements agreed informally and</p>

	those which are subject to a court order for determining with whom the child is to live and when
date and time of withdrawal	2300 <b>GMT</b> on 31 January 2020
date of application	<p>the date on which the application is submitted under the required application process, which means:</p> <p>(a) (in the case of the relevant on-line application form) the date on which that form is submitted on-line; or</p> <p>(b) (in the case of a paper application form):</p> <p>(i) the date of posting to the Home Office address specified on the form (where one is specified), as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or</p> <p>(ii) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office address specified on the form (where one is specified); or</p> <p>(iii) where the paper application form is sent by e-mail, the date on which it is recorded by Home Office e-mail software as received at the Home Office e-mail address specified on the form (where one is specified)</p>
dependent parent	<p>(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) (unless sub-paragraph (c) immediately below applies) dependent on (as the case may be):</p> <p>(i) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the relevant EEA citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(ii) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(iii) on the relevant sponsor (or on their spouse or civil partner) at the date of application and (unless the relevant sponsor is under the age of 18 years) that dependency is assumed where the date of application is before 1 July 2021; and</p> <p>(c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where:</p>

	<p>(i) the applicant was previously granted limited leave to enter or remain under this Appendix as a dependent parent, and that leave has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ii) the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated</p> <p>‘dependent’ means here that:</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition:</p> <p>(a) ‘direct relative in the ascending line’ includes:</p> <p>(i) a grandparent or great-grandparent; and</p> <p>(ii) an adoptive parent of an adopted child; and</p> <p>(b) ‘spouse or civil partner’ means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table, in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for ‘joining family member of a relevant sponsor’ in this table; and</p> <p>(c) in respect of the reference in sub-paragraph (c)(ii) above to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) ‘spouse’, ‘civil partner’ or ‘durable partner’ in this table applies, except that in the applicable entry ‘applicant’ is to be substituted for ‘relevant EEA citizen’ and sub-paragraph (b) of the entry for ‘durable partner’ in this table is to be disregarded</p>
dependent relative	the person:

	<p>(a)(i)(aa) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of their sponsoring person; and</p> <p>(bb) is, or (as the case may be) for the relevant period was, a dependant of the sponsoring person, a member of their household or in strict need of their personal care on serious health grounds; or</p> <p>(ii) is a <b>person who is subject to a non-adoptive legal guardianship order</b> in favour (solely or jointly with another party) of their sponsoring person; or</p> <p>(iii) is a person under the age of 18 years who:</p> <p>(aa) is the direct descendant of the durable partner of their sponsoring person; or</p> <p>(bb) has been adopted by the durable partner of their sponsoring person, in accordance with a relevant adoption decision; and</p> <p>(b) holds a <b>relevant document</b> as the dependent relative of their sponsoring person for the period of residence relied upon (unless, in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline to which that sub-paragraph refers); for the purposes of this provision, where the person applies for a relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the dependent relative of their sponsoring person before the specified date and their relevant document is issued on that basis after the specified date, they are deemed to have held the relevant document since immediately before the specified date</p> <p>in addition, ‘sponsoring person’ means:</p> <p>(a) (where sub-paragraphs (a)(i) and (b) above apply):</p> <p>(i) a relevant EEA citizen (in accordance with the applicable entry in this table); or</p> <p>(ii) the spouse or civil partner (as described in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table) of a relevant EEA citizen (in accordance with the applicable entry in this table); or</p> <p>(iii) a qualifying British citizen; or</p> <p>(iv) the spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table) of a qualifying British citizen; or</p> <p>(b) (where the first sub-paragraph (a)(ii) in this entry and sub-paragraph (b) above apply or the first sub-paragraph (a)(iii) in this entry and sub-paragraph (b) above apply):</p> <p>(i) a relevant EEA citizen (in accordance with the applicable entry in this table); or</p> <p>(ii) a qualifying British citizen</p>
deportation order	as the case may be:

	<p>(a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 32(3) of the EEA Regulations; or  (b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of:  (i) conduct committed after the specified date; or  (ii) conduct committed before the specified date, where the Secretary of State has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)</p> <p>in addition, for the avoidance of doubt, (b) includes a deportation order made under the Immigration Act 1971 in accordance with section 32 of the UK Borders Act 2007</p>
documented right of permanent residence	<p>the Secretary of State is satisfied from the information available to them that:  (a)(i) the person has been issued by the Secretary of State with a document certifying permanent residence or a permanent residence card (and that permanent residence card was issued or renewed within the last 10 years) under regulation 19 of the EEA Regulations, or with a residence permit or residence document under the Immigration (European Economic Area) Order 1994 endorsed to show permission to remain in the UK indefinitely; and  (ii) this document or card is not invalid under regulation 19(4)(c); and  (iii) this document or card has not been revoked, and its renewal has not been refused, under regulation 24 (except where the revocation or refusal occurred because the person had been absent from the UK for a period of more than two, and no more than five, consecutive years); and  (iv) the person’s right to reside has not been cancelled under regulation 25; or  (b) the person has been given notice in writing under paragraphs 256 to 257A of the Immigration Rules of the Bailiwick of Guernsey showing that they may remain indefinitely, and this notice has not been revoked or otherwise ceased to be effective; or  (c) the person has been issued by the relevant Minister with a document in accordance with paragraphs 255 to 258 of the Immigration Rules of the Bailiwick of Jersey in an appropriate form certifying permanent residence or a</p>

	<p>permanent residence card, and this document or card has not been revoked or otherwise ceased to be effective; or  (d) the person has been issued with a letter certifying permanent residence, or their passport has been stamped to that effect, under the Immigration (European Economic Area) Regulations of the Isle of Man, and this evidence has not been revoked, invalidated or cancelled</p>
<p>durable partner</p>	<p>(a) the person is, or (as the case may be) for the relevant period was, in a durable relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor), with the couple having lived together in a relationship akin to a marriage or civil partnership for at least two years (unless there is other significant evidence of the durable relationship); and  (b)(i) the person holds a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) for the period of residence relied upon; for the purposes of this provision, where the person applies for a relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the durable partner of the relevant EEA citizen or, as the case may be, of the qualifying British citizen before the specified date and their relevant document is issued on that basis after the specified date, they are deemed to have held the relevant document since immediately before the specified date; or  (ii) where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen), or as the spouse or civil partner of a relevant sponsor (as described in sub-paragraph (a)(i)(bb) of the entry for ‘joining family member of a relevant sponsor’ in this table), and does not hold a document of the type to which sub-paragraph (b)(i) above applies, and where:  (aa) the date of application is after the specified date; and  (bb) the person:  (aaa) was not resident in the UK and Islands as the durable partner of a relevant EEA citizen (where that relevant EEA citizen is their relevant sponsor) on a basis which met the definition of ‘family member of a relevant EEA citizen’ in this table, or, as the case may be, as the durable partner of the qualifying British citizen, at (in either case) any time before the specified date, unless the reason why, in the former case, they were not so resident is that they did not hold a relevant document as the durable partner of a relevant EEA citizen for that period (where their relevant sponsor is that relevant EEA citizen) and they did not otherwise have a lawful basis of stay in the UK and Islands for that period; or  (bbb) was resident in the UK and Islands before the specified date, and one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of ‘continuous qualifying period’ in</p>

	<p>this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ccc) was resident in the UK and Islands before the specified date, and the event referred to in sub-paragraph (a) in the definition of ‘supervening event’ in this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date,</p> <p>the Secretary of State is satisfied by evidence provided by the person that the partnership was formed and was durable before (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i)(bb) or (a)(iii) of that entry in this table) the date and time of withdrawal and otherwise before the specified date; and</p> <p>(c) it is, or (as the case may be) for the relevant period was, not a <b>durable partnership of convenience</b>; and</p> <p>(d) neither party has, or (as the case may be) for the relevant period had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person’s relationship with that party</p> <p>in addition, to meet condition 6 in the table in paragraph EU11 of this Appendix (or condition 3 in the table in paragraph EU11A), the above requirements are to be met with reference to the period immediately before the death of the relevant EEA citizen (or, as the case may be, of the relevant sponsor) rather than to the date of application</p>
educational course	a general educational course, apprenticeship or vocational training course, as provided by regulation 10(7) of the EEA Regulations
EEA citizen	<p>a person who is:</p> <p>(a)(i) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(ii) not also a British citizen; or</p> <p>(b) a relevant naturalised British citizen; or</p> <p>(c)(i) a national of a country listed in sub-paragraph (a)(i) above; and</p> <p>(ii) (where the applicant meets the criteria in paragraph 9 of Schedule 6 to the EEA Regulations as the family member (“F”) to whom that paragraph refers) a British citizen within the meaning of the person (“P”) to whom that paragraph refers; or</p> <p>(d) a <b>relevant person of Northern Ireland</b></p>



EEA Regulations	(a) (where relevant to something done before the specified date) the Immigration (European Economic Area) Regulations 2016 (as they have effect immediately before that date); or (b) (where relevant to something done after the specified date) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of regulations made under section 7, 9 or 11 of the European Union (Withdrawal Agreement) Act 2020)
evidence of birth	(a) (in the case of a child) the <b>full birth certificate(s)</b> or other document(s) which the Secretary of State is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table, in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for ‘joining family member of a relevant sponsor’ in this table; or (b) (in the case of a dependent parent) the full birth certificate(s) or other document(s) which the Secretary of State is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described in sub-paragraph (a) above
exclusion decision	a direction given by the Secretary of State that a person must be excluded from the UK: (a) in respect of conduct committed after the specified date; or (b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)
exclusion order	an order made under regulation 23(5) of the EEA Regulations
family member of a qualifying British citizen	a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that: (a) they have (or, as the case may be, had) returned to the UK: (i) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable

	<p>grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and:</p> <p>(aa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or</p> <p>(bb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of 'durable partner' in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; or</p> <p>(ii) (where sub-paragraph (a)(i)(bb) above does not apply) before the specified date (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before the specified date; or</p> <p>(iii) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and:</p> <p>(aa) the partnership was formed and was durable before the date and time of withdrawal; and</p> <p>(bb) the partnership remains durable at the date of application; or</p> <p>(iv) before the specified date (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and:</p> <p>(aa) the partnership was formed and was durable after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the partnership remains durable at the date of application; or</p> <p>(v) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of a qualifying British citizen, and the family relationship existed before the date and time of withdrawal (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(vi) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships existed before the date and time of withdrawal (unless, in the case of a child, the person was born after that date, was adopted after that date in</p>
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	<p>accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(vii) before the specified date (or later where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above), and the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(viii) before the specified date (or later where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the dependent relative of a qualifying British citizen, or (as the case may be) of their spouse or civil partner as described in sub-paragraph (a)(i) or (a)(ii) above, and that family relationship and (in sub-paragraph (a)(i)(bb) of the entry for ‘dependent relative’ in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the applicant returned to the UK with the qualifying British citizen or (where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline of the specified date for returning to the UK) before the specified date, and (in either case) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence in the UK relied upon); and</p> <p>(b) they satisfied the conditions in regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the family member (“F”) to whom those provisions refer) or, as the case may be, the conditions in regulation 9(1A)(b), (2), (3) and (4)(a) of the EEA Regulations (as the extended family member (“EFM”) to whom those provisions refer), in either case doing so:</p> <p>(i) before the specified date; and</p> <p>(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) immediately before returning to the UK with the qualifying British citizen (who is</p>
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	<p>to be treated as the British citizen (“BC”) to whom those provisions refer); and</p> <p>(c) (where the applicant does not rely on having a documented right of permanent residence, on having completed a continuous qualifying period in the UK of five years, or on being a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen) the family relationship continues to exist at the date of application</p>
<p>family member of a relevant EEA citizen</p>	<p>a person who does not meet the definition of ‘joining family member of a relevant sponsor’ in this table, and who has satisfied the Secretary of State, including by the required evidence of family relationship, that they are (and for the relevant period have been), or (as the case may be) for the relevant period (or at the relevant time) they were:</p> <p>(a) the spouse or civil partner of a relevant EEA citizen, and:</p> <p>(i) the marriage was contracted or the civil partnership was formed before the specified date; or</p> <p>(ii) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of ‘durable partner’ in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; or</p> <p>(b) the durable partner of a relevant EEA citizen, and:</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii) the partnership remains durable at the date of application (or it did so for the relevant period or immediately before the death of the relevant EEA citizen); or</p> <p>(c) the child or dependent parent of a relevant EEA citizen, and the family relationship existed before the specified date; or</p> <p>(d) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen (as described in sub-paragraph (a) above), and the family relationship existed before the specified date; or</p> <p>(e) the dependent relative, before the specified date, of a relevant EEA citizen (or of their spouse or civil partner, as described in sub-paragraph (a) above) and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence relied upon)</p> <p>in addition, where the applicant does not rely on meeting condition 1, 3, or 6 of paragraph EU11 of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, the family relationship continues to exist at the date of application</p>

<p>family member who has retained the right of residence</p>	<p>a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that the requirements set out in one of sub-paragraphs (a) to (e) below are met and that since satisfying those requirements the required continuity of residence has been maintained:</p> <p>(a) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who:</p> <p>(i) was, as the case may be, the family member of a relevant EEA citizen (or of a qualifying British citizen), or the joining family member of a relevant sponsor, and that person died; and</p> <p>(ii) was resident, as the case may be, as the family member of a relevant EEA citizen (or of a qualifying British citizen), or as the joining family member of a relevant sponsor, for a continuous qualifying period in the UK of at least a year immediately before the death of that person; or</p> <p>(b) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who:</p> <p>(i) is the child (including where they are a joining family member of a relevant sponsor) of:</p> <p>(aa) a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) who has died or of their spouse or civil partner immediately before their death; or</p> <p>(bb) a person who ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) on ceasing to reside in the UK or of their spouse or civil partner at that point; and</p> <p>(ii) was attending an <b>educational course</b> in the UK immediately before the relevant EEA citizen (or, as the case may be, the qualifying British citizen or the relevant sponsor) died or ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor), and continues to attend such a course; or</p> <p>(c) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who is the parent with <b>custody of a child</b> who meets the requirements of sub-paragraph (b) above and the child is not a joining family member of a relevant sponsor; or</p> <p>(d) the applicant (“A”) is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who:</p> <p>(i) ceased to be, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, on the <b>termination of the marriage or civil partnership</b> of that relevant EEA citizen (or, as the case may be, of that qualifying British citizen or of that relevant sponsor); for the</p>
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	<p>purposes of this provision, where, after the initiation of the proceedings for that termination, that relevant EEA citizen ceased to be a relevant EEA citizen (or, as the case may be, that qualifying British citizen ceased to be a qualifying British citizen, or that relevant sponsor ceased to be a relevant sponsor), they will be deemed to have remained a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) until that termination; and</p> <p>(ii) was resident in the UK at the date of the termination of the marriage or civil partnership; and</p> <p>(iii) one of the following applies:</p> <p>(aa) prior to the initiation of the proceedings for the termination of the marriage or the civil partnership, the marriage or civil partnership had lasted for at least three years and the parties to the marriage or civil partnership had been resident for a continuous qualifying period in the UK of at least one year during its duration; or</p> <p>(bb) A has custody of a child of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor); or</p> <p>(cc) A has the right of access to a child of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor), where the child is under the age of 18 years and where a court has ordered that such access must take place in the UK; or</p> <p>(dd) the continued right of residence in the UK of A is warranted by particularly difficult circumstances, such as where A or another family member has been a victim of domestic violence or abuse whilst the marriage or civil partnership was subsisting; or</p> <p>(e) the applicant (“A”) is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who:</p> <p>(i) provides evidence that a relevant family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) has broken down permanently as a result of domestic violence or abuse; and</p> <p>(ii) was resident in the UK when the relevant family relationship broke down permanently as a result of domestic violence or abuse, and the continued right of residence in the UK of A is warranted where A or another family member has been a victim of domestic violence or abuse before the relevant family relationship broke down permanently</p> <p>in addition:</p> <p>(a) ‘relevant family relationship’ in sub-paragraph (e) above means a family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) such that the applicant is, or (immediately before the relevant family relationship broke down</p>
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	<p>permanently as a result of domestic violence or abuse) was, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor; and</p> <p>(b) where sub-paragraph (e) above applies, then, where, following the permanent breakdown of the relevant family relationship as a result of domestic violence or abuse, the applicant remains, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, they will be deemed to have ceased to be such a family member for the purposes of this Appendix once the permanent breakdown occurred; and</p> <p>(c) ‘required continuity of residence’ means that, where the applicant has not completed a continuous qualifying period of five years (and does not have valid evidence of their indefinite leave to enter or remain, and has not acquired the right of permanent residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man), then, since the point at which (where they do so) they began to rely on being in the UK and Islands as a family member who has retained the right of residence and while they continued to do so, one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of ‘continuous qualifying period’ in this table has not occurred</p>
frontier worker	<p>a person who:</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) satisfies the Secretary of State by relevant evidence of this that they fulfil the relevant conditions of being a frontier worker set out in regulations made under section 8 of the European Union (Withdrawal Agreement) Act 2020, and that they have done so continuously since the specified date; and</p> <p>(d) has not been (and is not to be) refused admission to, or removed from, the UK by virtue of regulations of the type to which sub-paragraph (c) above refers</p>
full birth certificate	a birth certificate recognised in the UK or the Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the UK or the Islands	indefinite or limited leave to enter or remain in the UK or the Islands under or outside the relevant Immigration Rules;

	<p>exemption from immigration control; the entitlement to reside in the UK or the right of permanent residence in the UK under regulations 13 to 15 of the EEA Regulations; or the entitlement to reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man</p>
Irish citizen	a person who is an Irish citizen as a matter of Irish law
Islands deportation order	<p>a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made:</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)</p>
Islands exclusion decision	<p>a direction given by the relevant Minister or other authority in the Islands that a person must be excluded from the Island concerned:</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)</p>
joining family member of a relevant sponsor	<p>a person who has satisfied the Secretary of State, including by the required evidence of family relationship, that they are (and for the relevant period have been), or (as the case may be) for the relevant period (or at the relevant time) they were:</p> <p>(a) the spouse or civil partner of a relevant sponsor, and</p> <p>(i)(aa) the marriage was contracted or the civil partnership was formed before the specified date; or</p> <p>(bb) the applicant was the durable partner of the relevant sponsor before the specified date (the definition of ‘durable partner’ in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; and</p>



	<p>(ii)(aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or</p> <p>(cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor; or</p> <p>(b) the <b>specified spouse or civil partner of a Swiss citizen</b>; or</p> <p>(c) the durable partner of a relevant sponsor, and:</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii)(aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the partnership remains durable at the date of application; or</p> <p>(bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the partnership remained durable for the relevant period; or</p> <p>(cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the partnership remained durable immediately before the death of the relevant sponsor; or</p> <p>(d) the child or dependent parent of a relevant sponsor, and the family relationship:</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) continues to exist at the date of application (or did so for the period of residence relied upon); or</p> <p>(e) the child or dependent parent of the spouse or civil partner of a relevant sponsor, as described in sub-paragraph (a) above, and all the family relationships:</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p>
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	<p>(ii) continue to exist at the date of application (or did so for the period of residence relied upon)</p> <p>in addition, the person meets one of the following requirements:</p> <p>(a) (where sub-paragraph (c) or (d) below does not apply) they were not resident in the UK and Islands on a basis which met the definition of ‘family member of a relevant EEA citizen’ in this table (where that relevant EEA citizen is their relevant sponsor) at any time before the specified date; or</p> <p>(b) (where sub-paragraph (c) or (d) below does not apply) they were resident in the UK and Islands before the specified date, and:</p> <p>(i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of ‘continuous qualifying period’ in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ii) the event referred to in sub-paragraph (a) in the definition of ‘supervening event’ in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(iii) they are the specified spouse or civil partner of a Swiss citizen, and they do not rely on any period of residence in the UK and Islands before the marriage was contracted or the civil partnership was formed; or</p> <p>(c) (where sub-paragraph (d) below does not apply) where the person is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (with the references below to ‘parents’ in this sub-paragraph construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), one of the following requirements is met:</p> <p>(i) both of their parents are a relevant sponsor; or</p> <p>(ii) one of their parents is a relevant sponsor and the other is a British citizen who is not a relevant sponsor; or</p> <p>(iii) one of their parents is a relevant sponsor who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the UK, of the Islands or of a country listed in sub-paragraph (a)(i) of the entry for ‘EEA citizen’ in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognised in the UK, in the Islands or in a country listed in sub-paragraph (a)(i) of the entry for ‘EEA citizen’ in this table, in particular as regards the best interests of the child, and without prejudice to the normal</p>
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	<p>operation of such applicable rules of private international law); or</p> <p>(d) where the person is a child born after the specified date to (or adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for ‘child’ in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant sponsor</p>
non-EEA citizen	a person who is not an EEA citizen and is not a British citizen
person exempt from immigration control	<p>a person who:</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971</p>
person who has ceased activity	<p>the person:</p> <p>(a) has terminated activity as a worker or self-employed person in the UK and either reached the age of entitlement to a state pension on terminating that activity or, in the case of a worker, ceased working to take early retirement; and immediately before that termination, was a worker or self-employed person in the UK for at least 12 months and resided in the UK and Islands for a continuous qualifying period of more than three years; or</p> <p>(b) stopped being a worker or self-employed person in the UK owing to permanent incapacity to work, having resided in the UK and Islands for a continuous qualifying period of more than the preceding two years or the incapacity having resulted from an accident at work or an occupational disease that entitles the person to a pension payable in full or in part by an institution in the UK; or</p> <p>(c) resided for a continuous qualifying period in the UK of at least three years as a worker or self-employed person, immediately before becoming a worker or self-employed person in a country listed in sub-paragraph (a)(i) of the entry for ‘EEA citizen’ in this table, while retaining a place of residence in the UK to which they return, as a rule, at least once a week</p> <p>in addition, the conditions as to length of residence and of employment in sub-paragraphs (a) and (b) above do not apply where the Secretary of State is satisfied, including by the required evidence of family relationship, that the relevant</p>

	EEA citizen (or, as the case may be, the relevant sponsor) is the spouse or civil partner of a British citizen (substituting 'British citizen' for 'relevant EEA citizen' in the entry for, as the case may be, 'spouse' or 'civil partner' in this table)
person who had a derivative or Zambrano right to reside	a person who was a person with a derivative right to reside or, as the case may be, a person with a Zambrano right to reside, immediately before they became, as the case may be, a relevant EEA citizen, a family member of a relevant EEA citizen, a person with a derivative right to reside, a person with a Zambrano right to reside or a family member of a qualifying British citizen, and they have since remained, to the date of application, in any (or any combination) of those categories or as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen or with a qualifying British citizen
person who is subject to a non-adoptive legal guardianship order	a person who has satisfied the Secretary of State that, before the specified date, they: <ul style="list-style-type: none"> <li>(a) are under the age of 18 years; and</li> <li>(b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a relevant EEA citizen or, as the case may be, of a qualifying British citizen (who, in either case, is their 'sponsoring person' in accordance with the second sub-paragraph (b) in the entry for 'dependent relative' in this table) that: <ul style="list-style-type: none"> <li>(i) is recognised under the national law of the state in which it was contracted; and</li> <li>(ii) places parental responsibility on a permanent basis on the relevant EEA citizen or, as the case may be, on the qualifying British citizen (in either case, solely or jointly with another party); and</li> </ul> </li> <li>(c) have lived with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen) since their placement under the guardianship order; and</li> <li>(d) have created family life with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen); and</li> <li>(e) have a personal relationship with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen) that involves dependency on the relevant EEA citizen (or, as the case may be, on the qualifying British citizen) and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen)</li> </ul>
person with a derivative right to reside	a person who has satisfied the Secretary of State, including (where applicable) by the required evidence of family relationship, that, by the specified date, they are (and for the relevant period have been), or (as the case may be) for the relevant period in which they rely on having been a person with a derivative right to reside (before they then became a person who had a derivative or Zambrano right to reside) they

	<p>were, resident for a continuous qualifying period in the UK with a derivative right to reside by virtue of regulation 16(1) of the EEA Regulations:</p> <p>(a) regardless of whether, in respect of the criterion in regulation 16(2)(b)(ii) of the EEA Regulations, the EEA citizen meets, or (as the case may be) met, the requirement in regulation 4(1)(c)(ii) of the EEA Regulations for comprehensive sickness insurance cover in the UK; and</p> <p>(b) regardless (where the person was previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a derivative right to reside and was under the age of 18 years at the date of application for that leave) of whether, in respect of the criterion in regulation 16(2)(b)(i) or regulation 16(6)(a) of the EEA Regulations, they are, or (as the case may be) were, under the age of 18 years; and</p> <p>(c) excluding a person satisfying the criteria in:</p> <p>(i) paragraph (5) of regulation 16 of the EEA Regulations; or</p> <p>(ii) paragraph (6) of that regulation where that person's primary carer is, or (as the case may be) was, entitled to a derivative right to reside in the UK under paragraph (5)</p>
<p>person with a Zambrano right to reside</p>	<p>a person who has satisfied the Secretary of State, including (where applicable) by the required evidence of family relationship, that, by the specified date, they are (and for the relevant period have been), or (as the case may be) for the relevant period in which they rely on having been a person with a Zambrano right to reside (before they then became a person who had a derivative or Zambrano right to reside) they were:</p> <p>(a) resident for a continuous qualifying period in the UK with a derivative right to reside by virtue of regulation 16(1) of the EEA Regulations, by satisfying:</p> <p>(i) the criterion in paragraph (1)(a) of that regulation; and</p> <p>(ii) the criteria in:</p> <p>(aa) paragraph (5) of regulation 16 of the EEA Regulations; or</p> <p>(bb) paragraph (6) of that regulation where that person's primary carer is, or (as the case may be) was, entitled to a derivative right to reside in the UK under paragraph (5), regardless (where the person was previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a Zambrano right to reside and was under the age of 18 years at the date of application for that leave) of whether, in respect of the criterion in regulation 16(6)(a) of the EEA Regulations, they are, or (as the case may be) were, under the age of 18 years; and</p> <p>(b) without leave to enter or remain in the UK, unless this was granted under this Appendix</p>
<p>qualifying British citizen</p>	<p>a British citizen who:</p> <p>(a) has (or, as the case may be, for the relevant period had) returned to the UK with the applicant:</p>

	<p>(i) (where sub-paragraph (a)(ii) below does not apply) before 2300 GMT on 29 March 2022 (or later where the Secretary of State is satisfied that there are reasonable grounds for the person’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) before the specified date (or later where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet that deadline); 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):</p> <p>(i) before the specified date; and</p> <p>(ii) immediately before returning to the UK with the applicant (who is to be treated as the family member (“F”) or, as the case may be, as the extended family member (“EFM”), to whom those provisions refer); and</p> <p>(c) was continuously resident in the UK in accordance with regulation 3 of the EEA Regulations throughout any period on which the applicant relies as being present in the UK by virtue of being a family member of a qualifying British citizen</p>
relevant adoption decision	<p>an adoption decision taken:</p> <p>(a) by the competent administrative authority or court in the UK or the Islands; or</p> <p>(b) by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or the Islands; or</p> <p>(c) in a particular case in which that decision in another country has been recognised in the UK or the Islands as an adoption</p>
relevant document	<p>(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 a durable partner, of a family permit) 1 July 2021 and otherwise before the specified date; or</p> <p>(bb) (where the applicant is a family member of a relevant person of Northern Ireland and is a dependent relative or durable partner) other evidence which satisfies the Secretary of State of the same matters under this Appendix concerning the relationship and (where relevant) dependency as a document to which sub-paragraph (a)(i)(aa) above refers; for the purposes of this provision, where the Secretary of State is so satisfied, such evidence is deemed to be the equivalent of a document to which sub-paragraph (a)(i)(aa) above refers; or</p> <p>(ii) a document or other evidence equivalent to a document to which sub-paragraph (a)(i)(aa) above refers, and issued by the</p>

	<p>Islands under the relevant legislation there evidencing the entitlement to enter or reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man; or</p> <p>(iii) a biometric residence card issued by virtue of having been granted limited leave to enter or remain under this Appendix; or</p> <p>(iv) an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules; and</p> <p>(b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and</p> <p>(c) (subject to sub-paragraph (d) below) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon; and</p> <p>(d) for the purposes of the reference to ‘relevant document’ in the first sub-paragraph (b) of the entry for ‘dependent relative’ in this table, in sub-paragraph (b)(i) of the entry for ‘durable partner’ in this table and in sub-paragraphs (e) and (f) of the entry for ‘required evidence of family relationship’ in this table, the relevant document may have expired, where:</p> <p>(i) before it expired, the applicant applied for a further relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(iii) above) on the basis of the same family relationship as that on which that earlier relevant document was issued; and</p> <p>(ii) the further relevant document to which sub-paragraph (d)(i) above refers was issued by the date of decision on the application under this Appendix</p>
<p>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 before 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above:</p> <p>(i) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(ii) would be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(c) where the applicant is a family member of a relevant naturalised British citizen, an EEA citizen in accordance with sub-paragraph (b) of that entry in this table; or</p>

	<p>(d) where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph, an EEA citizen:</p> <p>(i) in accordance with sub-paragraph (c) of that entry in this table; and</p> <p>(ii)(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii)(aa) above, would, but for the fact that they are a British citizen, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table):</p> <p>(aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(bb) would be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(iii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(f) where the applicant is their family member, a <b>person exempt from immigration control</b>:</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (f)(i) above, would, but for the fact that they are a person exempt from immigration control, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p>
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	(g) where the applicant is their family member, a <b>frontier worker</b>
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)	<p>(a)(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) where the applicant is their family member, the EEA citizen, having been resident in the UK and Islands as described in sub-paragraph (a)(i) above, has been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(b)(i) an Irish citizen resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) where the applicant is their family member, the Irish citizen, having been resident in the UK and Islands as described in sub-paragraph (b)(i) above, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(c) where the applicant is a family member of a person who falls within sub-paragraphs (a), (c) and (d) of the entry for ‘relevant naturalised British citizen’ in this table, the person falling within those sub-paragraphs who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:</p> <p>(i) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ii) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(d) where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph, an EEA citizen:</p>

	<p>(i) in accordance with sub-paragraph (c) of that entry in this table; and</p> <p>(ii) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(iii) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(e) where the applicant is a family member of a relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i)(aa) above:</p> <p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bbb) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ccc) if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table:</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p>
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	<p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (e)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:</p> <p>(aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bbb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(f) where the applicant is their family member, a person exempt from immigration control:</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (f)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a person exempt from immigration control, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(g) where the applicant is their family member, a frontier worker</p>
relevant excluded person	<p>a person:</p> <p>(a) in respect of whom the Secretary of State has made a decision under Article 1F of the Refugee Convention to exclude the person from the Refugee Convention or under paragraph 339D of these Rules to exclude them from humanitarian protection; or</p> <p>(b) in respect of whom the Secretary of State has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because there are reasonable grounds for regarding them as a danger to the security of the UK; or</p> <p>(c) who the Secretary of State considers to be a person in respect of whom sub-paragraph (a) or (b) above would apply except that:</p> <p>(i) the person has not made a protection claim; or</p> <p>(ii) the person made a protection claim which has already been finally determined without reference to Article 1F of the Refugee Convention or paragraph 339D of these Rules; or</p>

	(d) in respect of whom the Secretary of State has previously made a decision that they are a person to whom Article 33(2) of the Refugee Convention applies because, having been convicted by a final judgment of a particularly serious crime, they constitute a danger to the community of the UK
relevant naturalised British citizen	<p>(a) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above, would, but for the fact that they are a British citizen, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under it before 1 July 2021;</p> <p>and in either case the person also:</p> <p>(c) comes within paragraph (b) of the definition of “EEA national” in regulation 2(1) of the EEA Regulations; and</p> <p>(d) meets the criteria contained in regulation 9A(2) or (3) as the dual national (“DN”) to whom those provisions refer (regardless of whether, save in conditions 5 and 6 in the table in paragraph EU11 of this Appendix, they remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship)</p>
relevant person of Northern Ireland	<p>a person who:</p> <p>(a) is:</p> <p>(i) a British citizen; or</p> <p>(ii) an Irish citizen; or</p> <p>(iii) a British citizen and an Irish citizen; and</p> <p>(b) was born in Northern Ireland and, at the time of the person’s birth, at least one of their parents was:</p> <p>(i) a British citizen; or</p> <p>(ii) an Irish citizen; or</p> <p>(iii) a British citizen and an Irish citizen; or</p> <p>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</p>
relevant sponsor	<p>(a) where the date of application by a joining family member of a relevant sponsor is after the specified date and before 1 July 2021:</p> <p>(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p>

	<p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(ii) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table):</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(ii)(aa) above, would be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(iii) an EEA citizen in accordance with sub-paragraph (b) of that entry in this table (a relevant naturalised British citizen, in accordance with sub-paragraph (a) or (b), together with sub-paragraphs (c) and (d), of that entry in this table); or</p> <p>(iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table):</p> <p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(bbb) would be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(cc) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(v) a person exempt from immigration control:</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(v)(aa) above, would, but for the fact that they are a person exempt from immigration control, be granted indefinite leave to enter or remain under</p>
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	<p>paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(vi) a frontier worker; or</p> <p>(b) where the date of application by a joining family member of a relevant sponsor is on or after 1 July 2021:</p> <p>(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ii) an Irish citizen who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(iii) a person who falls within sub-paragraphs (a), (c) and (d) of the entry for ‘relevant naturalised British citizen’ in this table, who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (b)(iv)(aa) above:</p>
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	<p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bbb) if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ccc) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(v) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table:</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (b)(v)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted:</p> <p>(aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bbb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(vi) a person exempt from immigration control who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a person exempt from immigration control, have been granted:</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been</p>
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	<p>cancelled, curtailed or invalidated before the date of application; or (vii) a frontier worker</p> <p>in addition, save for the purposes of condition 3 in paragraph EU11A of this Appendix and of sub-paragraphs (a) and (b) of the entry for ‘family member who has retained the right of residence’ in this table, the relevant sponsor has not died</p>
required application process	<p>(a) (unless sub-paragraph (b) or (c) applies) the relevant on-line application form and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics; or (b) the required paper application form where this is mandated on gov.uk and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics; or (c) a paper application form where this has been issued individually to the applicant by the Secretary of State, via the relevant process for this set out on gov.uk, and a relevant process set out in that form for: (i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK; and (ii) providing the required biometrics</p> <p>in addition, where a paper application form is used under sub-paragraph (b) or (c) above, it must be sent by pre-paid post or courier to the Home Office address specified on the form (where one is specified), or by e-mail to the Home Office e-mail address specified on the form (where one is specified)</p>
required biometrics	<p>(a) a facial photograph of the applicant (within the meaning of “biometric information” in section 15 of the UK Borders Act 2007); and (b) (in the case of a non-EEA citizen without a <b>specified relevant document</b> making an application within the UK) the fingerprints of the applicant (also within that meaning of “biometric information”; unless, in accordance with guidance published by the Secretary of State and in force at the date of application, they are not required to provide these),</p> <p>in both cases provided in accordance with the required application process</p>
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:  (aa) before 1 July 2021; or  (bb) (where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(i)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or  (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:  (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  (bb) (where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(ii)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or  (iii) (in the case of a joining family member of a relevant sponsor as described in sub-paragraph (b) of that entry in this table and that joining family member arrived in the UK on or after 1 April 2021) the date of application is:  (aa) within three months of the date on which they arrived in the UK, and before 1 January 2026; or  (bb) (where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(iii)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or  (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:  (aa) before 2300 GMT on 29 March 2022; or  (bb) (where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the</p>
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	<p>deadline in sub-paragraph (a)(iv)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or (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> <p>(aa) before the date of expiry of that leave; or  (bb) (where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (a)(v)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or (vi) (in the case of an applicant who ceases to be a person exempt from immigration control 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> <p>(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 Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (a)(vi)(aa) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing; or (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 expiry of that leave; or  (ii) (where the Secretary of State is satisfied that there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (b)(i) above) before the end of such further period of time for the person to make an application under this Appendix as the Secretary of State considers reasonable and notifies to the person in writing</p> <p>in addition, for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix</p>
required evidence of being a relevant person of Northern Ireland	(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and

	<p>(b) evidence which satisfies the Secretary of State that, at the time of the person's birth, at least one of their parents was:</p> <ul style="list-style-type: none"> <li>(i) a British citizen; or</li> <li>(ii) an Irish citizen; or</li> <li>(iii) a British citizen and an Irish citizen; or</li> <li>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</li> </ul> <p>in addition:</p> <ul style="list-style-type: none"> <li>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and</li> <li>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix</li> </ul>
<p>required evidence of family relationship</p>	<p>in the case of:</p> <ul style="list-style-type: none"> <li>(a) a spouse without a documented right of permanent residence: <ul style="list-style-type: none"> <li>(i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor), or a valid document of record of a marriage recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and</li> <li>(ii)(aa) where the marriage to the relevant EEA citizen (or, as the case may be, the relevant sponsor) was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is the joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the specified date; or</li> <li>(bb) where the marriage to the qualifying British citizen was contracted after the date and time of withdrawal, evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the date and time of withdrawal; or</li> </ul> </li> <li>(b) a civil partner without a documented right of permanent residence:</li> </ul>

	<p>(i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor); a valid civil partnership certificate recognised under the law of England and Wales, Scotland or Northern Ireland or under any equivalent legislation in the Islands; or the valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2004 or under any equivalent legislation in the Islands; and</p> <p>(ii)(aa) where the civil partnership with the relevant EEA citizen (or, as the case may be, the relevant sponsor) was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is a joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the Secretary of State that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(c) a child without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their <b>evidence of birth</b>, and:</p> <p>(i) where the applicant is aged 21 years or over and was not previously granted limited leave to enter or remain under this Appendix (or under its equivalent in the Islands) as a child, evidence which satisfies the Secretary of State that the requirements in sub-paragraph (b)(ii) of the entry for ‘child’ in this table are met; and</p> <p>(ii) where, in the case of a joining family member of a relevant sponsor, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the Secretary of State that the requirements in the second sub-paragraph (c) (as set out in sub-paragraph (i), (ii) or (iii) of that sub-paragraph) or in the second sub-paragraph (d) of the entry for ‘joining family member of a relevant sponsor’ in this table are met; or</p> <p>(d) a dependent parent without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their evidence of birth, and, where the first sub-paragraph (b) of the entry for ‘dependent parent’ in this table applies, evidence which satisfies the Secretary of State that (where this is not assumed)</p>
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	<p>the requirement as to dependency in that sub-paragraph is met; or</p> <p>(e) a durable partner:</p> <p>(i) a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) and, unless this confirms the right of permanent residence in the UK under regulation 15 of the EEA Regulations (or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man), evidence which satisfies the Secretary of State that the partnership remains durable at the date of application (or did so for the period of residence relied upon); or</p> <p>(ii) (where sub-paragraph (b)(ii) of the entry for ‘durable partner’ in this table applies) the evidence to which that sub-paragraph refers, and evidence which satisfies the Secretary of State that the partnership remains durable at the date of application (or did so for the period of residence relied upon);</p> <p>or</p> <p>(f) a dependent relative:</p> <p>(i) (where sub-paragraph (f)(ii) below does not apply) a relevant document as the dependent relative of their sponsoring person (in the entry for ‘dependent relative’ in this table) and, unless this confirms the right of permanent residence in the UK under regulation 15 of the EEA Regulations (or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man), evidence which satisfies the Secretary of State that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continue to exist at the date of application (or did so for the period of residence relied upon); or</p> <p>(ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, where the Secretary of State is satisfied that there are reasonable grounds for the person’s failure to meet the deadline to which that sub-paragraph refers) evidence which satisfies the Secretary of State that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application (or did so for the period of residence relied upon)</p> <p>in addition:</p> <p>(a) where the eligibility requirements to be met for leave to be granted under this Appendix relate to the death of a person,</p>
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	<p>the required evidence of family relationship must include their death certificate or other evidence which the Secretary of State is satisfied evidences the death; and</p> <p>(b) where the applicant is a non-EEA citizen without a documented right of permanent residence, or is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) without a documented right of permanent residence who relies on being (or, as the case may be, for the relevant period on having been) a family member of a qualifying British citizen (or, as the case may be, a family member of a relevant EEA citizen, a family member who has retained the right of residence or a joining family member of a relevant sponsor), the required evidence of family relationship must include:</p> <p>(i) the following proof of identity and nationality of (as the case may be) the relevant EEA citizen, the qualifying British citizen or the relevant sponsor, of whom the applicant is (or, as the case may be, for the relevant period was) a family member or (as the case may be) a joining family member:</p> <p>(aa) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, in the case of a qualifying British citizen, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid passport; or</p> <p>(bb) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid national identity card or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or</p> <p>(cc) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table, or in the case of a relevant sponsor who is a relevant naturalised British citizen) their valid passport or their valid national identity card as a national of a country listed in sub-paragraph (a)(i) in the entry for 'EEA citizen' in this table, and information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State,</p>
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	<p>which satisfies the Secretary of State that the person is a British citizen; or</p> <p>(dd) (in the case of a relevant EEA citizen or a relevant sponsor who, in either case, is relied on by the applicant as being a relevant person of Northern Ireland) the <b>required evidence of being a relevant person of Northern Ireland</b>, and:</p> <p>(aaa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the Secretary of State, which satisfies the Secretary of State that the person is a British citizen; or</p> <p>(bbb) (where they are an Irish citizen) their valid passport or their valid national identity card as an Irish citizen, or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or</p> <p>(ccc) (where they are a British citizen and an Irish citizen) the evidence required by sub-paragraph (b)(i)(dd)(aaa) or (b)(i)(dd)(bbb) above,</p> <p>unless (in any case) the Secretary of State agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; and</p> <p>(ii) evidence which satisfies the Secretary of State that:</p> <p>(aa) where the applicant is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen, either that EEA citizen is (or, as the case may be, for the relevant period was) a relevant EEA citizen as described in sub-paragraph (a) in the applicable entry for ‘relevant EEA citizen’ in this table (where the date of application is before 1 July 2021), and is (or, as the case may be, was) such a relevant EEA citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a relevant EEA citizen; or that EEA citizen is a relevant EEA citizen as described in sub-paragraph (b), (c), (d), (e), (f) or (g) in the applicable entry for ‘relevant EEA citizen’ in this table (where the date of application is before 1 July 2021); or that EEA citizen is a relevant EEA citizen as described in sub-paragraph (a), (b), (c), (d), (e), (f) or (g) of the applicable entry for ‘relevant EEA citizen’ in this table (where the date of application is on or after 1 July 2021); or</p> <p>(bb) where the applicant is (or, as the case may be, for the relevant period was) a family member of a qualifying British citizen, that British citizen is (or, as the case may be, for the relevant period was) a qualifying British citizen, and is (or, as the case may be, was) a qualifying British citizen throughout</p>
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	<p>any continuous qualifying period on which the applicant relies as being a family member of a qualifying British citizen; or  (cc) where the applicant is (or, as the case may be, for the relevant period was) a joining family member of a relevant sponsor, that relevant sponsor is (or, as the case may be, for the relevant period was) a relevant sponsor, and is (or, as the case may be, was) a relevant sponsor throughout any continuous qualifying period on which the applicant relies as being a joining family member of a relevant sponsor; and  (c) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and  (d) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Secretary of State can require the applicant to submit the original document where the Secretary of State has reasonable doubt as to the authenticity of the copy submitted; and  (e) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Secretary of State can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix</p>
<p>required proof of entitlement to apply from outside the UK</p>	<p>(a) in the case of an EEA citizen (in accordance with subparagraph (a) of that entry in this table):  (i) their valid passport; or  (ii) their valid national identity card, where this contains an interoperable biometric chip,</p> <p>unless the Secretary of State agrees to accept alternative evidence of entitlement to apply from outside the UK where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; or  (b) in the case of a non-EEA citizen, their valid specified relevant document,</p> <p>unless the Secretary of State agrees to accept alternative evidence of entitlement to apply from outside the UK where the applicant is unable to produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p> <p>in addition, ‘valid’ here means that the document is genuine and has not expired or been cancelled or invalidated</p>



<p>required proof of identity and nationality</p>	<p>(a) in the case of an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) making an application within the UK:  (i) their valid passport; or  (ii) their valid national identity card; or  (b) in the case of a non-EEA citizen making an application within the UK:  (i) their valid passport; or  (ii) their valid specified relevant document; or  (iii) their valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007),</p> <p>unless (in the case of (a) or (b)) the Secretary of State agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p> <p>in addition, ‘valid’ here means that the document is genuine and has not expired or been cancelled or invalidated</p>
<p>self-employed person</p>	<p>there is evidence which satisfies the Secretary of State that the person is, or (as the case may be) for the relevant period was, either:  (a) a self-employed person as defined in regulation 4(1) of the EEA Regulations; or  (b) a person who is or was no longer in self-employment but who continues or continued to be treated as a self-employed person within the meaning of “qualified person” under regulation 6 of the EEA Regulations,</p> <p>irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland</p>
<p>specified date</p>	<p>(a) (where sub-paragraph (b) below does not apply) 2300 GMT on 31 December 2020; or  (b) (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) 2300 GMT on 29 March 2022 in the reference to specified date in sub-paragraph (a) of the entry for ‘continuous qualifying period’ in this table, for the purposes of the references to continuous qualifying period in:  - condition 3 in the table in paragraph EU12 of this Appendix;  - condition 2 in the table in paragraph EU14 of this Appendix;  - sub-paragraphs (a) and (d) of the entry for ‘family member who has retained the right of residence’ in this table; and  - sub-paragraph (a) of the entry for ‘supervening event’ in this table</p>

specified relevant document	<p>(a) within the meaning of sub-paragraph (a)(i)(aa) of the entry for ‘relevant document’ in this table, a residence card, permanent residence card or derivative residence card issued by the UK under the EEA Regulations on the basis of an application made on or after 6 April 2015; or</p> <p>(b) a biometric residence card as described in sub-paragraph (a)(iii) of the entry for ‘relevant document’ in this table</p>
specified spouse or civil partner of a Swiss citizen	<p>(a) the person is the spouse or civil partner of a relevant sponsor; and</p> <p>(b) the relevant sponsor is a national of Switzerland and is not also a British citizen; and</p> <p>(c) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and</p> <p>(d)(i) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(ii) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or</p> <p>(iii) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor</p>
spouse	<p>(a) the person is, or (as the case may be) for the relevant period was, party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) and the marriage is recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and</p> <p>(b) it is, or (as the case may be) for the relevant period was, not a <b>marriage of convenience</b>; and</p> <p>(c) neither party has, or (as the case may be) for the relevant period had, another spouse, a civil partner or a durable partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person’s relationship with that party</p>
supervening event	<p>at the date of application:</p> <p>(a) the applicant has been absent from the UK and Islands for a period of more than five consecutive years (at any point since they last acquired the right of permanent residence in the UK under regulation 15 of the EEA Regulations, or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man, or since they last completed a continuous qualifying period of five years); or</p>

	<p>(b) any of the following events has occurred, unless it has been set aside or no longer has effect in respect of the person:</p> <p>(i) any decision or order to exclude or remove under regulation 23 or 32 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations of the Isle of Man); or</p> <p>(ii) a decision to which regulation 15(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 24(1) of the EEA Regulations (or the equivalent decision, subject to the equivalent qualification, under the Immigration (European Economic Area) Regulations of the Isle of Man); or</p> <p>(iii) an exclusion decision; or</p> <p>(iv) a deportation order, other than by virtue of the EEA Regulations; or</p> <p>(v) an Islands deportation order; or</p> <p>(vi) an Islands exclusion decision</p>
termination of the marriage or civil partnership	the date on which the order finally terminating the marriage or civil partnership is made by a court
the Islands	the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man
the UK and Islands	the United Kingdom and the Islands taken together
valid evidence of their indefinite leave to enter or remain	<p>(a) a valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007), a valid stamp or endorsement in a passport (whether or not the passport has expired) or other valid document issued by the Home Office, confirming that the applicant has indefinite leave to enter or remain in the UK, which has not lapsed or been revoked or invalidated; or</p> <p>(b) the Secretary of State is otherwise satisfied from the evidence or information available to them that the applicant has indefinite leave to enter or remain in the UK or the Islands, which has not lapsed or been revoked or invalidated</p>
visitor	<p>a person granted leave under paragraphs 40-56Z, 75A-M or 82-87 of the rules in force before 24 April 2015 or Appendix V on or after 24 April 2015 or Appendix V: Visitor after 9am on 1 December 2020, unless:</p> <p>(a) they are the spouse or civil partner of a relevant sponsor (as described in sub-paragraph (a)(i)(bb) of the entry for ‘joining family member of a relevant sponsor’ in this table) or the specified spouse or civil partner of a Swiss citizen; and</p> <p>(b) their leave permitted them to marry or form a civil partnership in the UK with that relevant sponsor or with that Swiss citizen and they did so</p>
worker	<p>there is evidence which satisfies the Secretary of State that the person is, or (as the case may be) for the relevant period was, either:</p> <p>(a) a worker as defined in regulation 4(1) of the EEA Regulations; or</p>

	<p>(b) a person who is or was no longer working but who continues or continued to be treated as a worker within the meaning of “qualified person” under regulation 6 of the EEA Regulations,</p> <p>irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland</p>
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## **Annex 2 – Consideration of a valid application**

A2.1. A valid application made under this Appendix will be decided on the basis of:

- (a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the Secretary of State; and
- (b) any other information or evidence made available to the Secretary of State (including from other government departments) at the date of decision.

A2.2. (1) For the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain, the Secretary of State may:

- (a) request that the applicant provide further information or evidence that they meet those requirements; or
- (b) invite the applicant to be interviewed by the Secretary of State in person, by telephone, by video-telecommunications link or over the internet.

(2) If the applicant purports to meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the basis of a relationship with another person (“P”), including where P is a qualifying British citizen or a relevant sponsor, the Secretary of State may:

- (a) request that P provide information or evidence about their relationship with the applicant, their residence in the UK or, where P is a qualifying British citizen, their residence in a country listed in sub-paragraph (a)(i) of the entry for ‘EEA citizen’ in the table at Annex 1 to this Appendix; or
- (b) invite P to be interviewed by the Secretary of State in person, by telephone, by video-telecommunications link or over the internet.

(3) If the applicant or (as the case may be) P:

- (a) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or
- (b) on at least two occasions, fails to comply with an invitation to attend an interview in person or with other arrangements to be interviewed,

the Secretary of State may draw any factual inferences about whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain as appear appropriate in the circumstances.

(4) The Secretary of State may decide, following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain.

(5) The Secretary of State must not decide that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the sole basis that the applicant or (as the case may be) P failed on at least two occasions to comply with an invitation to be interviewed.

### **Annex 3 – Cancellation, curtailment and revocation of leave to enter or remain**

A3.1. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the UK where the Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where:

(a) The cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain"; and for "an EEA decision" read "a decision under paragraph A3.1.(a) of Annex 3 to Appendix EU to the Immigration Rules"); or

(b) The cancellation is justified on the ground that it is conducive to the public good, on the basis of the person's conduct committed after the specified date; or

(c) The cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix.

A3.2. A person's limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the UK where the Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where they cease to meet the requirements of this Appendix.

A3.3. A person's limited leave to enter or remain granted under this Appendix may be curtailed where the Secretary of State is satisfied that it is proportionate to curtail that leave where:

(a) Curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or

misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix; or

(b) Curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience; or

(c) The person ceases to meet the requirements of this Appendix.

A3.4. A person's indefinite leave to enter or remain granted under this Appendix may be revoked where the Secretary of State is satisfied that it is proportionate to revoke that leave where:

(a) The person is liable to deportation, but cannot be deported for legal reasons; or

(b) The indefinite leave to enter or remain was obtained by deception.”.

### **Changes to Appendix EU (Family Permit)**

EU(FP).1 For Appendix EU (Family Permit), substitute:

#### **“Appendix EU (Family Permit)**

##### **Purpose**

FP1. This Appendix sets out the basis on which a person will, if they apply under it, be granted an entry clearance:

(a) In the form of an EU Settlement Scheme Family Permit – to join a **relevant EEA citizen** or a **qualifying British citizen** in the UK or to accompany them to the UK; or

(b) In the form of an EU Settlement Scheme Travel Permit – to travel to the UK.

FP2. This Appendix has effect in connection with the granting of entry clearance for the purposes of acquiring leave to enter or remain in the UK by virtue of Appendix EU to these Rules.

##### **Requirements and procedure**

FP3. The applicant will be granted an entry clearance under this Appendix, valid for the **relevant period**, by an entry clearance officer where:

(a) A valid application has been made in accordance with paragraph FP4;

(b) The applicant meets the eligibility requirements in paragraph FP6(1), (2) or (3); and

(c) The application is not to be refused on grounds of suitability in accordance with paragraph FP7.

FP4. A valid application has been made under this Appendix where:

- (a) It has been made using the **required application process**;
- (b) The **required proof of identity and nationality** has been provided; and
- (c) The **required biometrics** have been provided.

FP5. An application will be rejected as invalid where it does not meet the requirements in paragraph FP4(a) and (b), and will not be considered where it does not meet the requirement in paragraph FP4(c).

FP6. (1) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the entry clearance officer is satisfied that at the **date of application**:

- (a) The applicant is a **specified EEA citizen** or a **non-EEA citizen**;
- (b) The applicant is a **family member of a relevant EEA citizen**;
- (c) The relevant EEA citizen is resident in the UK or will be travelling to the UK with the applicant within six months of the date of application;
- (d) The applicant will be accompanying the relevant EEA citizen to the UK (or joining them in the UK) within six months of the date of application; and
- (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, holds a valid EEA family permit issued under regulation 12 of the **EEA Regulations** or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.

(2) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the entry clearance officer is satisfied that at the date of application:

- (a) The applicant is a specified EEA citizen or a non-EEA citizen;
- (b) The applicant is a **family member of a qualifying British citizen**;
- (c) The qualifying British citizen is resident in the UK or will be travelling to the UK with the applicant within six months of the date of application;
- (d) The applicant will be accompanying the qualifying British citizen to the UK (or joining them in the UK) within six months of the date of application; and

(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, holds a valid EEA family permit issued under regulation 12 of the EEA Regulations or has been granted leave to enter or remain in the UK in that capacity under or outside the Immigration Rules.

(3) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Travel Permit, where the entry clearance officer is satisfied that at the date of application:

(a) The applicant is a non-EEA citizen;

(b) The applicant has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave;

(c) The applicant:

(i) Has been issued with a **relevant document** by the UK under the EEA Regulations, or with a biometric residence card by virtue of having been granted leave under Appendix EU to these Rules; and

(ii) Has reported to the Home Office that that document or card has been lost or stolen; and

(d) The applicant will be travelling to the UK within six months of the date of application.

FP7. (1) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision:

(a) The applicant is subject to a **deportation order** or to a decision to make a deportation order; or

(b) The applicant is subject to an **exclusion order** or **exclusion decision**.

(2) An application made under this Appendix may be refused on grounds of suitability where any of the following apply at the date of decision:

(a) The applicant is subject to an **Islands deportation order**; or

(b) The applicant is subject to an **Islands exclusion decision**.

(3) An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the entry clearance officer is satisfied that it is proportionate to refuse the application where:



(a) In relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the applicant an entry clearance under this Appendix; or

(b)(i) The applicant:

(aa) Has previously been refused admission to the UK in accordance with regulation 23(1) of the EEA Regulations; or

(bb) Had indefinite leave to enter or remain or limited leave to enter or remain granted under Appendix EU to these Rules (or limited leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.1.(a) or A3.1.(b) of Annex 3 to this Appendix or under paragraph A3.1.(a) or A3.1.(b) of Annex 3 to Appendix EU; and

(ii) The refusal of the application is justified either:

(aa) In respect of conduct committed before the **specified date**, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for "with a right of permanent residence under regulation 15" and "has a right of permanent residence under regulation 15" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph FP7(3)(b) of Appendix EU (Family Permit) to the Immigration Rules"); or

(bb) In respect of conduct committed after the specified date, on the ground that the decision is conducive to the public good.

(4) The references in this paragraph to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or no longer has effect in respect of the applicant.

FP8. A valid application made under this Appendix which does not meet the requirements for an entry clearance to be granted will be refused.

FP9. Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.

FP10. Annex 2 applies to the consideration by the entry clearance officer of a valid application made under this Appendix.

FP11. Annex 3 applies in respect of the cancellation and curtailment of leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix.

**Annex 1 - Definitions**

<b>Term</b>	<b>Definition</b>
adopted child	a <b>child</b> adopted in accordance with a <b>relevant adoption decision</b>
child	<p>(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; or</p> <p>(b)(i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; and</p> <p>(ii)(aa) dependent on the relevant EEA citizen or on their spouse or civil partner:</p> <p>(aaa) (where sub-paragraph (b)(ii)(aa)(bbb) below does not apply) at the date of application; or</p> <p>(bbb) (where the date of application is after the specified date and where the applicant is not a <b>joining family member</b>) at the specified date; or</p> <p>(bb) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date</p> <p>‘dependent’ means here that:</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition:</p> <p>(a) ‘child’ includes:</p> <p>(i) an <b>adopted child</b> of; or</p> <p>(ii) a child born through surrogacy (where recognised in UK law or Islands law) for; or</p> <p>(iii) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989) is in force appointing as their special guardian; or</p>

	<p>(iv) a child in respect of whom an order has been made under section 5 of the Children Act 1989 appointing as their guardian; or</p> <p>(v) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 vesting parental responsibilities and parental rights in a person who is; or</p> <p>(vi) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995, or who is living with a person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or</p> <p>(vii) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995, or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or</p> <p>(viii) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or</p> <p>(ix) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian; or</p> <p>(x) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001 of Tynwald) has been made appointing as their special guardian; or</p> <p>(xi) a child in respect of whom an order has been made under section 6 or 7 of the Children and Young Persons Act 2001 of Tynwald appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen) or their spouse or civil partner, but ‘child’ does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen) or their spouse or civil partner solely by virtue of a formal or informal fostering arrangement; and</p> <p>(b) ‘direct descendant’ also includes a grandchild or great-grandchild; and</p> <p>(c) ‘spouse or civil partner’ means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table or in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table</p>
civil partner	<p>(a) the person is in a valid civil partnership (which exists under or by virtue of the Civil Partnership Act 2004 or under any equivalent legislation in the Islands); or is in a relationship registered overseas which is entitled to be treated as a civil partnership under that Act or under any</p>

	<p>equivalent legislation in the Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen); and</p> <p>(b) it is not a <b>civil partnership of convenience</b>; and</p> <p>(c) neither party has another civil partner, a spouse or a durable partner with (in any of those circumstances) <b>immigration status in the UK or the Islands</b> based on that person's relationship with that party</p>
<p>civil partnership of convenience</p> <p>durable partnership of convenience</p> <p>marriage of convenience</p>	<p>a civil partnership, durable partnership or marriage entered into as a means to circumvent:</p> <p>(a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the UK under the EEA Regulations; or</p> <p>(b) any other provision of UK immigration law or any requirement of the Immigration Rules; or</p> <p>(c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the UK under EU law; or</p> <p>(d) any criterion the party would have to meet in order to enjoy a right to enter or reside in <b>the Islands</b> under Islands law</p>
date and time of withdrawal	2300 <b>GMT</b> on 31 January 2020
date of application	the date on which the application is submitted under the required application process
dependent parent	<p>(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) (unless sub-paragraph (c) immediately below applies):</p> <p>(i) dependent on the relevant EEA citizen or on their spouse or civil partner:</p> <p>(aa) (where sub-paragraph (b)(i)(bb) or (b)(i)(cc) below does not apply) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed; or</p> <p>(bb) (where the date of application is after the specified date and where the applicant is not a joining family member) at the specified date, and (unless the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(cc) (where the date of application is after the specified date and where the applicant is a joining family member) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed where the date of application is before 1 July 2021; or</p> <p>(ii) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or,</p>

	<p>where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; and</p> <p>(c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted:</p> <p>(i) an entry clearance under this Appendix in the form of an EU Settlement Scheme Family Permit as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, and that entry clearance has not been revoked or otherwise ceased to be valid; or</p> <p>(ii) indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated</p> <p>‘dependent’ means here that:</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition:</p> <p>(a) ‘direct relative in the ascending line’ includes:</p> <p>(i) a grandparent or great-grandparent; and</p> <p>(ii) an adoptive parent of an adopted child; and</p> <p>(b) ‘spouse or civil partner’ means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table or in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table; and</p> <p>(c) in respect of the reference in the first sub-paragraph (c) in this entry to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) ‘spouse’, ‘civil partner’ or ‘durable partner’ in this table applies, except that in the applicable entry ‘applicant’ is to be substituted for ‘relevant EEA citizen’</p>
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dependent relative of a qualifying British citizen	<p>the person:</p> <p>(a)(i) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of a qualifying British citizen or of their spouse or civil partner; and</p> <p>(ii) is a dependant of a qualifying British citizen or of their spouse or civil partner, a member of their household or in strict need of their personal care on serious health grounds;</p> <p>or</p> <p>(b) is a <b>person who is subject to a non-adoptive legal guardianship order</b> in favour (solely or jointly with another party) of a qualifying British citizen; or</p> <p>(c) is a person under the age of 18 years who:</p> <p>(i) is the direct descendant of the durable partner of a qualifying British citizen; or</p> <p>(ii) has been adopted by the durable partner of a qualifying British citizen, in accordance with a relevant adoption decision</p> <p>in addition, ‘spouse or civil partner’ means the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table</p>
deportation order	<p>as the case may be:</p> <p>(a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 32(3) of the EEA Regulations;</p> <p>or</p> <p>(b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of:</p> <p>(i) conduct committed after the specified date; or</p> <p>(ii) conduct committed before the specified date where the Secretary of State has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)</p> <p>in addition, for the avoidance of doubt, (b) includes a deportation order made under the Immigration Act 1971 in accordance with section 32 of the UK Borders Act 2007</p>
durable partner	<p>(a) the person is, or (as the case may be) was, in a durable relationship with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen), with the couple having lived together in a relationship akin to a marriage or</p>

	<p>civil partnership for at least two years (unless there is other significant evidence of the durable relationship); and</p> <p>(b) where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date, the person held a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date (or where the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; and</p> <p>(c) it is, or (as the case may be) was, not a <b>durable partnership of convenience</b>; and</p> <p>(d) neither party has, or (as the case may be) had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person’s relationship with that party</p>
EEA citizen	<p>a person who is:</p> <p>(a) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who (unless they are a <b>relevant naturalised British citizen</b>) is not also a British citizen; or</p> <p>(b)(i) a national of a country listed in sub-paragraph (a) of the entry for ‘specified EEA citizen’ in this table; and</p> <p>(ii) (where the applicant meets the criteria in paragraph 9 of Schedule 6 to the EEA Regulations as the family member (“F”) to whom that paragraph refers) a British citizen within the meaning of the person (“P”) to whom that paragraph refers; or</p> <p>(c) a <b>relevant person of Northern Ireland</b></p>
EEA Regulations	<p>(a) (where relevant to something done before the specified date) the Immigration (European Economic Area) Regulations 2016 (as they have effect immediately before that date); or</p> <p>(b) (where relevant to something done after the specified date) the Immigration (European Economic Area) Regulations 2016 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of regulations made under section 7, 9 or 11 of the European Union (Withdrawal Agreement) Act 2020)</p>

evidence of birth	<p>(a) (in the case of a child) the <b>full birth certificate</b>(s) or other document(s) which the entry clearance officer is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table or in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table; or</p> <p>(b) (in the case of a <b>dependent parent</b>) the full birth certificate(s) or other document(s) which the entry clearance officer is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described in sub-paragraph (a) above</p>
exclusion decision	<p>a direction given by the Secretary of State that a person must be excluded from the UK:</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)</p>
exclusion order	an order made under regulation 23(5) of the EEA Regulations
family member of a qualifying British citizen	<p>a person who has satisfied the entry clearance officer, including by the <b>required evidence of family relationship</b>, that:</p> <p>(a) they will be returning to the UK:</p> <p>(i) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and:</p> <p>(aa)(aaa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or</p> <p>(bbb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the</p>



	<p>definition of ‘durable partner’ in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and</p> <p>(bb)(aaa) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(bbb) the entry clearance officer is satisfied that the marriage will be contracted or the civil partnership will be formed before the couple return to the UK; or</p> <p>(ii) (where sub-paragraph (a)(i)(aa)(bbb) above does not apply) as the spouse or civil partner of a qualifying British citizen, and:</p> <p>(aa) the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the marriage or civil partnership continues to exist at the date of application; and</p> <p>(cc) the entry clearance officer is satisfied that there are reasonable grounds why they did not return to the UK with the qualifying British citizen before the specified date; or</p> <p>(iii) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the durable partner of a qualifying British citizen, and:</p> <p>(aa) the partnership was formed and was durable before the date and time of withdrawal; and</p> <p>(bb) the partnership remains durable at the date of application; or</p> <p>(iv) as the durable partner of a qualifying British citizen, and:</p> <p>(aa) the partnership was formed and was durable after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the partnership remains durable at the date of application; and</p> <p>(cc) the entry clearance officer is satisfied that there are reasonable grounds why they did not return to the UK with the qualifying British citizen before the specified date; or</p> <p>(v) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the child or dependent parent of a qualifying British citizen, and the family relationship:</p> <p>(aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p>
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	<p>(bb) continues to exist at the date of application; or  (vi) before 2300 GMT on 29 March 2022 (or later where the entry clearance officer is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships:  (aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and  (bb) continue to exist at the date of application; or  (vii) as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above), and:  (aa) the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and  (bb) all the family relationships continue to exist at the date of application; and  (cc) the entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the UK with the qualifying British citizen before the specified date; or  (viii) as the <b>dependent relative of a qualifying British citizen</b>, or (as the case may be) of their spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) above), and:  (aa) the family relationship and (in sub-paragraph (a)(ii) of the entry for ‘dependent relative of a qualifying British citizen’ in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application; and  (bb) the entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the UK with the qualifying British citizen before the specified date; and  (b) they satisfied the conditions in regulation 9(2), (3) and (4)(a) of the EEA Regulations (as the family member (“F”) to whom those provisions refer) or, as the case may be, the conditions in regulation 9(1A)(b), (2), (3) and (4)(a) of the</p>
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	<p>EEA Regulations (as the extended family member (“EFM”) to whom those provisions refer), in either case doing so (with the qualifying British citizen being treated as the British citizen (“BC”) to whom those provisions refer):</p> <p>(i) before the specified date; and</p> <p>(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) at the date of application</p>
<p>family member of a relevant EEA citizen</p>	<p>a person who has satisfied the entry clearance officer, including by the required evidence of family relationship, that they are:</p> <p>(a) the spouse or civil partner of a relevant EEA citizen, and:</p> <p>(i)(aa) the marriage was contracted or the civil partnership was formed before the specified date; or</p> <p>(bb) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of ‘durable partner’ in this table being met before that date rather than at the date of application) and the partnership remained durable at the specified date; and</p> <p>(ii) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(b) the <b>specified spouse or civil partner of a Swiss citizen</b>; or</p> <p>(c) the durable partner of a relevant EEA citizen, and:</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii) the partnership remains durable at the date of application; and</p> <p>(iii) the date of application is after the specified date; and</p> <p>(iv) where they were resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date, the definition of ‘durable partner’ in this table was met before that date as well as at the date of application, and the partnership remained durable at the specified date; or</p> <p>(d) the child or dependent parent of a relevant EEA citizen, and the family relationship:</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) continues to exist at the date of application; or</p>

	<p>(e) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen, as described in sub-paragraph (a) above, and:</p> <p>(i) the family relationship of the child or dependent parent to the spouse or civil partner existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) all the family relationships continue to exist at the date of application; or</p> <p>(f) 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 before 1 July 2021, be granted (as the case may be) indefinite leave to enter under paragraph EU2 of that Appendix or limited leave to enter under paragraph EU3 (or that, where the date of application under this Appendix is on or after 1 July 2021, they would have been granted that leave if they had made a valid application under Appendix EU before 1 July 2021 and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix):</p> <p>(i) as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen (as defined in Annex 1 to Appendix EU); or</p> <p>(ii) on the basis that condition 6 of paragraph EU11 of Appendix EU is met</p> <p>in addition, where the person is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date they became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (and with the references to ‘parents’ in sub-paragraph (a) below construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), they meet one of the following requirements:</p> <p>(a) (where sub-paragraph (b) below does not apply), one of the following requirements is met:</p> <p>(i) both of their parents are a relevant EEA citizen; or</p> <p>(ii) one of their parents is a relevant EEA citizen and the other is a British citizen who is not a relevant EEA citizen; or</p> <p>(iii) one of their parents is a relevant EEA citizen who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the UK, of the Islands or of a country listed in sub-paragraph (a) of the entry for</p>
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	<p>‘specified EEA citizen’ in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognised in the UK, in the Islands or in a country listed in sub-paragraph (a) of the entry for ‘specified EEA citizen’ in this table, in particular as regards the best interests of the child, and without prejudice to the normal operation of such applicable rules of private international law); or</p> <p>(b) where they were born after the specified date to (or adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for ‘child’ in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant EEA citizen</p>
frontier worker	<p>a person who:</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) satisfies the Secretary of State by relevant evidence of this that they fulfil the relevant conditions of being a frontier worker set out in regulations made under section 8 of the European Union (Withdrawal Agreement) Act 2020, and that they have done so continuously since the specified date; and</p> <p>(d) has not been (and is not to be) refused admission to, or removed from, the UK by virtue of regulations of the type to which sub-paragraph (c) above refers</p>
full birth certificate	a birth certificate recognised in the UK or the Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the UK or the Islands	indefinite or limited leave to enter or remain in the UK or the Islands under or outside the relevant Immigration Rules; exemption from immigration control; the entitlement to reside in the UK or the right of permanent residence in the UK under regulations 13 to 15 of the EEA Regulations; or the entitlement to reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man
Irish citizen	a person who is an Irish citizen as a matter of Irish law

Islands deportation order	<p>a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made:</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)</p>
Islands exclusion decision	<p>a direction given by the relevant Minister or other authority in the Islands that a person must be excluded from the Island concerned:</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed before the specified date, where the Secretary of State is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 27 for “with a right of permanent residence under regulation 15” and “has a right of permanent residence under regulation 15” read “who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)</p>
joining family member	<p>a person who is a family member of a relevant EEA citizen (in accordance with sub-paragraph (a)(i)(bb), (c), (d) or (e) – together, where applicable, with the second sub-paragraph (a) or the second sub-paragraph (b) – of that entry in this table) and who (save, in the case of a child, where the person was born after the specified date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry):</p> <p>(a) was not resident in the UK and Islands at any time before the specified date; or</p> <p>(b) was resident in the UK and Islands before the specified date, and:</p>

	<p>(i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the entry for ‘continuous qualifying period’ in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ii) the event referred to in sub-paragraph (a) in the entry for ‘supervening event’ in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date</p>
non-EEA citizen	a person who is not an <b>EEA citizen</b> and is not a British citizen
person exempt from immigration control	<p>a person who:</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and</p> <p>(d) the entry clearance officer is satisfied, including by the required evidence of qualification:</p> <p>(i) would (but for the fact that they are a person exempt from immigration control) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(ii) (where the date of application under this Appendix is on or after 1 July 2021) would (but for the fact that they are a person exempt from immigration control) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix</p>
person who is subject to a non-adoptive legal guardianship order	<p>a person who has satisfied the entry clearance officer that, immediately before the specified date, they:</p> <p>(a) are under the age of 18 years; and</p> <p>(b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a qualifying British citizen that:</p> <p>(i) is recognised under the national law of the state in which it was contracted; and</p>

	<p>(ii) places parental responsibility on a permanent basis on the qualifying British citizen (solely or jointly with another party); and</p> <p>(c) have lived with the qualifying British citizen since their placement under the guardianship order; and</p> <p>(d) have created family life with the qualifying British citizen; and</p> <p>(e) have a personal relationship with the qualifying British citizen that involves dependency on the qualifying British citizen and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the qualifying British citizen</p>
qualifying British citizen	<p>a British citizen who:</p> <p>(a)(i) (where sub-paragraph (a)(ii) below does not apply) will be returning to the UK with the applicant before 2300 GMT on 29 March 2022 (or later where the Secretary of State 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 Secretary of State is satisfied that there are reasonable grounds why the British citizen did not do so before the specified date; 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>(i) before the specified date; and</p> <p>(ii) at the date of application</p>
relevant adoption decision	<p>a decision taken:</p> <p>(a) by the competent administrative authority or court in the UK or the Islands; or</p> <p>(b) by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or the Islands; or</p> <p>(c) in a particular case in which that decision in another country has been recognised in the UK or the Islands as an adoption</p>
relevant document	<p>(a) a family permit, residence card or permanent residence card issued by the UK under the EEA Regulations (or the equivalent document or other evidence issued by the Islands under the relevant legislation there evidencing the entitlement to enter or reside in the Islands or the right of permanent residence in the Islands through the application there of section 7(1) of the Immigration Act 1988 or under the Immigration (European Economic Area) Regulations of the Isle of Man); and</p>



	<p>(b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and</p> <p>(c) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon</p>
<p>relevant EEA citizen (where the date of application under this Appendix is before 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who:</p> <p>(i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(iii) the entry clearance officer is satisfied, including by the <b>required evidence of qualification</b>, would be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen (disregarding sub-paragraph (c)(ii) of that entry in this table); or</p> <p>(c) (where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(d) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who:</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p>

	<p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the entry clearance officer is satisfied, including by the required evidence of qualification, would be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(e) a <b>person exempt from immigration control</b>; or</p> <p>(f) a <b>frontier worker</b></p>
<p>relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who:</p> <p>(i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(ii) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p>

	<p>(iii) (in the case of an <b>Irish citizen</b> who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on that person being a relevant person of Northern Ireland) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted such leave under that Appendix, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen (disregarding sub-paragraph (c)(i) of that entry in this table); or</p> <p>(c) (where the applicant is the family member (“F”) to whom paragraph 9 of Schedule 6 to the EEA Regulations refers and meets the criteria as F in that paragraph) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(d) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who:</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table:</p> <p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Home Office reference number for that grant of leave (or by the equivalent evidence in the Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of</p>
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	<p>Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(e) a person exempt from immigration control; or</p> <p>(f) a frontier worker</p>
<p>relevant naturalised British citizen</p>	<p>a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who:</p> <p>(a) comes within paragraph (b) of the definition of “EEA national” in regulation 2(1) of the EEA Regulations; and</p> <p>(b) meets the criteria contained in regulation 9A(2) or (3) as the dual national (“DN”) to whom those provisions refer (regardless of whether they remained a qualified person under regulation 6 of the EEA Regulations after they acquired British citizenship); and</p> <p>(c) the entry clearance officer is satisfied, including by the required evidence of qualification:</p> <p>(i) would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(ii) (where the date of application under this Appendix is on or after 1 July 2021) would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the</p>

	case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix
relevant period	(a) (where sub-paragraph (b) below does not apply) a period of six months from the date of decision; or (b) (where, in the case of an application for an EU Settlement Scheme Family Permit, the applicant indicates as part of the required application process that their intended date of arrival in the UK is on or after 1 April 2021 and that date is more than three months from the date of decision) a period of 4 months from their intended date of arrival in the UK
relevant person of Northern Ireland	a person who: (a) is: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; and (b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
required application process	the relevant on-line application form and a relevant process set out in that form for providing the required proof of identity and nationality and for providing the required biometrics
required biometrics	(a) a facial photograph of the applicant (within the meaning of "biometric information" in section 15 of the UK Borders Act 2007); and (b) the fingerprints of the applicant (also within that meaning of "biometric information"; unless, in accordance with guidance published by the Secretary of State and in force at the date of application, they are not required to provide these),  in both cases provided in accordance with the required application process
required evidence of being a relevant person of Northern Ireland	(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and (b) evidence which satisfies the entry clearance officer that, at the time of the person's birth, at least one of their parents was: (i) a British citizen; or (ii) an Irish citizen; or (iii) a British citizen and an Irish citizen; or

	<p>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</p> <p>in addition:</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
<p>required evidence of family relationship</p>	<p>in the case of:</p> <p>(a) a spouse:</p> <p>(i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen), or a valid document of record of a marriage recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and</p> <p>(ii)(aa) where the marriage to the relevant EEA citizen was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the marriage to the qualifying British citizen was contracted after the date and time of withdrawal, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(b) a civil partner:</p> <p>(i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen); a valid civil partnership certificate</p>

	<p>recognised under the law of England and Wales, Scotland or Northern Ireland or under any equivalent legislation in the Islands; or the valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2004 or under any equivalent legislation in the Islands; and</p> <p>(ii)(aa) where the civil partnership with the relevant EEA citizen was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(c) a child – a relevant document issued on the basis of the relevant family relationship or their <b>evidence of birth</b>, and:</p> <p>(i) where the applicant is aged 21 years or over, evidence which satisfies the entry clearance officer that the requirements in sub-paragraph (b)(ii) of the entry for ‘child’ in this table are met; and</p> <p>(ii) where, in the case of a family member of a relevant EEA citizen, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the entry clearance officer that the requirements in the second sub-paragraph (a) or the second sub-paragraph (b) of the entry for ‘family member of a relevant EEA citizen’ in this table are met; or</p> <p>(d) a dependent parent – a relevant document issued on the basis of the relevant family relationship or their evidence of birth and, where the first sub-paragraph (b) of the entry for ‘dependent parent’ in this table applies, evidence which satisfies the entry clearance officer that (where this is not assumed) the requirement as to dependency in that sub-paragraph is met; or</p> <p>(e) a durable partner:</p>
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	<p>(i)(aa) (where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date and is not a joining family member) a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, evidence which satisfies the entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) (where the applicant was not resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date, or where the applicant is a joining family member, and where sub-paragraph (e)(i)(cc) below does not apply) evidence which satisfies the entry clearance officer that the durable partnership with the relevant EEA citizen was formed and was durable before the specified date; or</p> <p>(cc) evidence which satisfies the entry clearance officer that the durable partnership with the qualifying British citizen was formed and was durable (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(iii) of that entry in this table) before the date and time of withdrawal or (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(iv) of that entry in this table) before the specified date; and</p> <p>(ii) evidence which satisfies the entry clearance officer that the partnership remains durable at the date of application; or</p> <p>(f) a dependent relative of a qualifying British citizen – evidence which satisfies the entry clearance officer that the family relationship and (in sub-paragraph (a)(ii) of the entry for ‘dependent relative of a qualifying British citizen’ in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application</p> <p>in addition:</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English,</p>
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	<p>the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
<p>required evidence of qualification</p>	<p>(a) (in the case of a relevant EEA citizen (or, where the date of application under this Appendix is on or after 1 July 2021, an Irish citizen) who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands, where the applicant does not rely on the relevant EEA citizen (where they are an Irish citizen) being a relevant person of Northern Ireland):</p> <p>(i) their passport or national identity card as an EEA citizen or, where the date of application under this Appendix is on or after 1 July 2021, as an Irish citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which satisfies the entry clearance officer that the person:</p> <p>(aa) would be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(bb) (where the date of application under this Appendix is on or after 1 July 2021) would, as an Irish citizen, have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (c) of the applicable entry for ‘relevant EEA citizen’ in this table):</p> <p>(i) their passport or national identity card as an EEA citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is a British citizen; and</p> <p>(iii) information or evidence which satisfies the entry clearance officer that the person:</p>

	<p>(aa) would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(bb) (where the date of application under this Appendix is on or after 1 July 2021) would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(c) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland, and who, where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table, has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the Islands) the <b>required evidence of being a relevant person of Northern Ireland</b>, and:</p> <p>(i)(aa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the person is a British citizen; or</p> <p>(bb) (where they are an Irish citizen) their passport or national identity card as an Irish citizen, which is:</p> <p>(aaa) valid; and</p> <p>(bbb) the original document and not a copy; or</p> <p>(cc) (where they are a British citizen and an Irish citizen) the evidence required by sub-paragraph (c)(i)(aa) or (c)(i)(bb) above; and</p> <p>(ii) information or evidence which satisfies the entry clearance officer that the person:</p> <p>(aa) would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for ‘relevant person of Northern Ireland’ in this table) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(bb) (where the date of application under this Appendix is on or after 1 July 2021) would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for ‘relevant person of Northern Ireland’ in this table) have</p>
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	<p>been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(d) (in the case of a relevant EEA citizen who is a person exempt from immigration control):</p> <p>(i) their passport or national identity card as an EEA citizen, which is:</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the entry clearance officer that the relevant EEA citizen is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and</p> <p>(iii) information or evidence which satisfies the entry clearance officer that the person:</p> <p>(aa) would (but for the fact that they are a person exempt from immigration control) be granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they made a valid application under it before 1 July 2021; or</p> <p>(bb) (where the date of application under this Appendix is on or after 1 July 2021) would (but for the fact that they are a person exempt from immigration control) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix</p> <p>in addition:</p> <p>(a) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and</p> <p>(b) where, in order to meet the requirements of subparagraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a copy (and not the original) of a document, the entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p>
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	(c) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix
required proof of identity and nationality	(a) in the case of a specified EEA citizen: (i) their valid passport; or (ii) their valid national identity card; or (b) in the case of a non-EEA citizen, their valid passport  in addition, ‘valid’ here means that the document is genuine and has not expired or been cancelled or invalidated
specified date	2300 GMT on 31 December 2020
specified EEA citizen	a person who is: (a) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and (b) not also a British citizen
specified spouse or civil partner of a Swiss citizen	(a) the person is the spouse or civil partner of a relevant EEA citizen (in accordance, where the date of application is before 1 July 2021, with sub-paragraph (a) of the applicable entry for ‘relevant EEA citizen’ in this table or, where the date of application is on or after 1 July 2021, with sub-paragraph (a)(i) or (a)(ii) of the applicable entry for ‘relevant EEA citizen’ in this table), who is a national of Switzerland and who is not also a British citizen; and (b) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and (c) the marriage or civil partnership continues to exist at the date of application
spouse	(a) the person is party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen) and the marriage is recognised under the law of England and Wales, Scotland or Northern Ireland or of the Islands; and (b) it is not a <b>marriage of convenience</b> ; and (c) neither party has another spouse, a civil partner or a durable partner with (in any of those circumstances) immigration status in the UK or the Islands based on that person’s relationship with that party

the Islands	the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man
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## **Annex 2 – Consideration of a valid application**

A2.1. A valid application made under this Appendix will be decided on the basis of:

- (a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the entry clearance officer; and
- (b) any other information or evidence made available to the entry clearance officer (including from other government departments) at the date of decision.

A2.2. (1) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the entry clearance officer may:

- (a) request that the applicant provide further information or evidence that they meet those requirements; or
- (b) invite the applicant to be interviewed by the entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.

(2) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the entry clearance officer may:

- (a) request that the person (“P”) on whom the applicant relies as being the relevant EEA citizen (or, as the case may be, the qualifying British citizen) with whom the applicant is in a family relationship provide information or evidence about their relationship with the applicant, their current or planned residence in the UK or (where P is a qualifying British citizen) their residence in a country listed in sub-paragraph (a) of the entry for ‘specified EEA citizen’ in the table at Annex 1 to this Appendix; or
- (b) invite P to be interviewed by the entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.

(3) If the applicant or (as the case may be) P:

- (a) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or
- (b) on at least two occasions, fails to comply with an invitation to attend an interview in person or with other arrangements to be interviewed,

the entry clearance officer may draw any factual inferences about whether the applicant meets the eligibility requirements for entry clearance as appear appropriate in the circumstances.

(4) The entry clearance officer may decide, following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for entry clearance.

(5) The entry clearance officer must not decide that the applicant does not meet the eligibility requirements for entry clearance on the sole basis that the applicant or (as the case may be) P failed on at least two occasions to comply with an invitation to be interviewed.

### **Annex 3 – Cancellation and curtailment of leave to enter**

A3.1. A person's leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix may be cancelled where the Secretary of State or an Immigration Officer is satisfied that it is proportionate to cancel that leave where:

(a) The cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 27 of the Immigration (European Economic Area) Regulations 2016, irrespective of whether the EEA Regulations apply to that person (except that for "a right of permanent residence under regulation 15" read "indefinite leave to enter or remain"; and for "an EEA decision" read "a decision under paragraph A3.1.(a) of Annex 3 to Appendix EU (Family Permit) to the Immigration Rules"); or

(b) The cancellation is justified on the ground that it is conducive to the public good, on the basis of the person's conduct committed after the specified date; or

(c) The cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or

(d) Since the entry clearance under this Appendix was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their leave to enter ought to be cancelled.

A3.2. A person's leave to enter granted by virtue of having arrived in the UK with an entry clearance that was granted under this Appendix may be curtailed where the Secretary of State is satisfied that it is proportionate to curtail that leave where:

(a) Curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or

(b) Curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience.”.

### **Changes to Appendix FM**

FM.1. In paragraph GEN.1.1., after “is settled in the UK,” delete “or”.

FM.2. In paragraph GEN.1.1., after “(and the applicant cannot seek leave to enter or remain in the UK as their family member under Part 11 of these rules)” insert: “, is in the UK with limited leave under Appendix EU, or is in the UK with limited leave as a worker or business person by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules (or Decision 1/80) that underpinned the European Community Association Agreement (ECAA) with Turkey prior to 1 January 2021.”.

FM.3. For “and” at the end of paragraph GEN.1.3.(b) substitute:

“(c) references to a British Citizen in the UK also include a British Citizen who is coming to the UK with the applicant as their partner or parent;  
(d) references to a person being “in the UK with limited leave under Appendix EU” mean an EEA national in the UK who holds valid limited leave to enter or remain granted under paragraph EU3 of Appendix EU to these Rules on the basis of meeting condition 1 in paragraph EU14 of that Appendix; and  
(e) references to a person being “in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay” mean a person granted such leave by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules (or Decision 1/80) that underpinned the European Community Association Agreement (ECAA) with Turkey prior to 1 January 2021.”.

FM.4. In paragraph GEN.1.6., after “Jamaica;”, insert “Malta;”.

FM.5. For paragraph E-ECP.2.1(c), substitute:

“(c) in the UK with refugee leave or with humanitarian protection; or  
(d) in the UK with limited leave under Appendix EU, in accordance with paragraph GEN 1.3.(d); or  
(e) in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e).”.

FM.6. After paragraph E-ECP.3.1(c), in the paragraph beginning “In this paragraph”, for paragraph (c) substitute:

“(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and”.

FM.7. For “or” at the end of paragraph E-LTRP.1.2.(b) substitute:

“(c) in the UK with refugee leave or with humanitarian protection;

(d) in the UK with limited leave under Appendix EU, in accordance with paragraph GEN.1.3.(d); or  
(e) in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e).”.

FM.8. After paragraph E-LTRP.3.1.(c), in the paragraph beginning “In this paragraph”, for sub-paragraph (c) substitute:

“(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and”.

FM.9. In paragraph E-ILRP.1.3., in sub-paragraph (1A), for “sub-paragraph (c)” substitute “sub-paragraph (c), (d), or (e)”.

FM.10. In paragraph E-ILRP.1.3., in sub-paragraph (1B)(a), for “sub-paragraph (c)” substitute “sub-paragraph (c), (d) or (e)”.

FM.11. For paragraph EX.1.(b) substitute:

“(b) the applicant has a genuine and subsisting relationship with a partner who is in the UK and is a British Citizen, settled in the UK, or in the UK with refugee leave, or humanitarian protection, in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), or in the UK with limited leave as a worker or business person under Appendix ECAA Extension of Stay in accordance with paragraph GEN.1.3.(e), and there are insurmountable obstacles to family life with that partner continuing outside the UK.”.

FM.12. In paragraph E-BPILR.1.2., after “have been” insert “granted under this Appendix”.

FM.13. In paragraph E-BPILR.1.2.(a) for “or a person settled in the UK” substitute “, a person settled in the UK, or a person in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)”.

FM.14. For paragraph E-DVILR.1.2. substitute:

“E-DVILR.1.2. The applicant’s first grant of limited leave under this Appendix must have been as a partner (other than a fiancé(e) or proposed civil partner) of a British Citizen, a person present and settled in the UK, a person with refugee leave, or a person in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., D-LTRP.1.1., or D-LTRP.1.2. of this Appendix, or as a partner of a refugee granted under paragraph 352A, and any subsequent grant of limited leave must have been:

(a) granted as a partner (other than a fiancé(e) or proposed civil partner) of a British Citizen, a person present and settled in the UK, a person with refugee leave, or a person in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., D-LTRP.1.1. or D-LTRP.1.2. of this Appendix; or

(b) granted to enable access to public funds pending an application under DVILR and the preceding grant of leave was granted as a partner (other than a fiancé(e) or



proposed civil partner) of a British Citizen, a person present and settled in the UK, a person with refugee leave, or a person in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., DLTRP.1.1. or D-LTRP.1.2. of this Appendix; or  
(c) granted under paragraph D-DVILR.1.2.”.

FM.15. For paragraph E-DVILR.1.3. substitute:

“E-DVILR.1.3. The applicant must provide evidence that during the last period of limited leave as a partner of a British Citizen, a person present and settled in the UK, a person with refugee leave, or a person in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., DLTRP.1.1 or D-LTRP.1.2 of this Appendix, or during their only period of leave under paragraph 352A, the applicant’s relationship with their partner broke down permanently as a result of domestic abuse.”.

FM.16. After paragraph E-ECC.2.1.(c), in the paragraph beginning “In this paragraph”, for sub-paragraph (c) substitute:

“(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and”.

FM.17. After paragraph E-LTRC.2.1.(c), in the paragraph beginning “In this paragraph”, for sub-paragraph (c) substitute:

“(c) not a British Citizen, settled in the UK, or in the UK with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules; and”.

FM.18. For paragraph E-ECPT.2.2. (c) substitute:

“(c) a British Citizen, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d).”.

FM.19. In paragraph E-ECPT.2.3.(b)(i), for “or settled in the UK” substitute “, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)”.

FM.20. In paragraph E-LTRPT.2.2.(c), for “or settled in the UK” substitute “, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)”.

FM.21. In paragraph E-LTRPT.2.3.(a), for “or settled in the UK” substitute “, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)”.

FM.22. In paragraph E-LTRPT.2.3.(b)(i), for “or settled in the UK” substitute “, settled in the UK, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d).”.

FM.23. For paragraph E-ILRPT.1.3.(1A) substitute:

“(1A) In respect of an application falling within sub-paragraph (1)(a) 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)).”.

FM.24. For paragraph E-ILRPT.1.3.(1B) substitute:

“(1B) In respect of an application falling within sub-paragraph (1)(b) above:  
(a) the applicant must meet all of the requirements of paragraphs E-LTRPT.2.2.- 2.4. (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)) and E-LTRPT.3.1.- 3.2.; and

FM.25. In paragraph E-ECDR.2.3.(b)(iii), after “humanitarian protection”, insert:

“; or  
(iv) in the UK with limited leave under Appendix EU, in accordance with paragraph GEN.1.3.(d)”.

FM.26. For paragraph E-ILRDR.1.3. substitute:

“E-ILRDR.1.3. The applicant’s sponsor must at the date of application be:  
(a) present and settled in the UK; or  
(b) in the UK with refugee leave or as a person with humanitarian protection, or in the UK with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), and have made an application for indefinite leave to remain.”.

### **Changes to Appendix FM-SE**

FMSE.1. In sub-paragraph 1(a)(i) for “be from a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating.” substitute “be from a financial institution to which Appendix Finance applies.”.

FMSE.2. Delete sub-paragraph 1(a)(ii).

FMSE.3. In paragraph 26A.(b), for “Department for International Development” substitute “Foreign, Commonwealth and Development Office”.

FMSE.4. In paragraph 32 insert “Malta” in the list after “USA”.

### **Changes to Appendix J**

J.1. Delete Appendix J.

### **Changes to Appendix K**

K.1. Delete Appendix K.

### **Changes to Appendix KOLL**

- KOLL.1. In paragraph 2.2(a)(i), insert “Malta” after “USA”.
- KOLL.2. In paragraph 2.2(a)(iii)(2), insert “Malta;” after “USA”.
- KOLL.3. In paragraph 3.2(a)(i), after “paragraph 196D” insert “, as a dependent partner under Appendix UK Ancestry or Appendix Representative of an Overseas Business”.
- KOLL.4. In paragraph 3.2(a)(ii), after “paragraph 199” insert “, as a dependent child under Appendix UK Ancestry or Appendix Representative of an Overseas Business”.
- KOLL.5. In paragraph 3.2(a)(ix), after “paragraph 319E” insert “, a dependent partner under Appendix Skilled Worker, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, or Appendix T2 Sportsperson”.
- KOLL.6. In paragraph 3.2(a)(x), after “paragraph 319J” insert “, a dependent child under Appendix Skilled Worker, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, or Appendix T2 Sportsperson”.
- KOLL.7. In paragraph 3.2(d), insert “Malta” after “USA”.
- KOLL.8. In paragraph 4.12, insert “Malta” after “USA”.

### **Changes to Appendix P**

P.1. Delete Appendix P.

### **Changes to Appendix ST**

ST.1. Delete Appendix ST.

### **Changes to Appendix CS**

CS.1. Delete Appendix CS.

### **Changes to Appendix U**

U.1. Delete Appendix U.

### **Insertion of new Appendices**

V.1. Delete Appendix V and insert:

**“Appendix V: Visitor**

*This route is for a person who wants to visit the UK for a temporary period, (usually for up to 6 months), for purposes such as tourism, visiting friends or family, carrying out a business activity, or undertaking a short course of study.*

*Each visitor must meet the requirements of the Visitor route, even if they are travelling as, for example, a family group, a tour group or a school party.*

*A visa national as defined in Appendix Visitor: Visa National list must obtain entry clearance as a visitor (visit visa) before arrival in the UK.*

*A non-visa national can normally seek entry on arrival in the UK.*

*There are 4 types of visitor:*

- *Standard visitor: for those seeking to undertake the activities set out in Appendix Visitor: Permitted Activities, for example tourism and visiting family, usually for up to 6 months.*
- *Marriage and Civil Partnership visitor: for those seeking to come to the UK to marry or form a civil partnership, or give notice of marriage or civil partnership.*
- *Permitted Paid Engagement visitor: for experts in their field coming to the UK to undertake specific paid engagements for up to one month.*
- *Transit visitor: for those who want to transit the UK on route to another country outside the Common Travel Area and who will enter the UK for up to 48 hours by crossing the UK border unless Appendix Visitor: Transit Without Visa Scheme applies.*

*Visitors cannot work in the UK unless this is expressly allowed under the permitted activities set out in Appendix Visitor: Permitted Activities.*

*Further information of how long each visitor can stay and what they can and cannot do in the UK is set out at V 17.2 and Appendix Visitor: Permitted Activities.*

*A Standard visitor may apply for a visit visa of 6 months, 2, 5 or 10 years validity. This allows multiple visits to the UK within the period of validity (unless the visit visa is endorsed as single or dual-entry), but each stay in the UK must not exceed the permitted length of stay endorsed on the visit visa (usually 6 months).*

## **Entry requirements for visitors**

V 1.1. A person seeking to come to the UK as a visitor must apply for and obtain entry clearance before they arrive in the UK if they are:

- (a) a visa national, unless V 1.3. (b) applies; or
- (b) seeking to marry or form a civil partnership, or give notice of marriage or civil partnership, in the UK unless they are a “relevant national” as defined in section 62 of the Immigration Act 2014; or
- (c) seeking to come to the UK as a visitor for more than 6 months.

V 1.2. A person to whom V 1.1. applies will be refused permission to enter if they do not hold entry clearance as a visitor (a visit visa) on arrival in the UK.

V 1.3. A person seeking to come to the UK as a visitor may apply for permission to enter on

arrival in the UK where they are:

- (a) a non-visa national, unless V 1.1. (b) or (c) apply; or
- (b) a visa national and an exception applies as set out in Appendix Visitor: Visa National list or Appendix Visitor: Transit Without Visa Scheme.

V 1.4. A child who holds entry clearance (visit visa) as a visitor on arrival in the UK must either:

- (a) hold a valid entry clearance that states they are accompanied and will be travelling with an adult identified on that entry clearance; or
- (b) hold an entry clearance which states they are unaccompanied;

otherwise the child may be refused entry to the UK, unless they meet the requirements of V 5.1. and V 5.2.

### **Validity requirements for entry clearance or permission to stay as a visitor**

V 2.1. A person applying for entry clearance as a visitor must apply online on the gov.uk website on the specified form “Apply for a UK visit visa”.

V 2.2. A person applying for permission to stay as a visitor must apply online on the gov.uk website on the specified form “Application to extend stay in the UK: FLR(IR)”.

V 2.3. An application for entry clearance or permission to stay as a visitor 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.

V 2.4. An application for entry clearance as a visitor must be made while the applicant is outside the UK and to a post designated to accept such applications.

V 2.5. An application for permission to stay as a visitor must be made by a person:

- (a) in the UK; and
- (b) with permission as a Standard visitor or Marriage/Civil Partnership visitor.

V 2.6. An application which does not meet all the validity requirements for a visitor is invalid and may be rejected and not considered.

### **Suitability requirements for all visitors**

V 3.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

V 3.2. 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 visitors**

V 4.1. The decision maker must be satisfied that the applicant (unless they are applying for

entry clearance or permission to enter as a Transit visitor) meets all of the eligibility requirements in V 4.2. to V 4.6. and that they meet the specified additional eligibility requirements where the applicant:

- (a) is a child at the date of application, they must also meet the additional requirements at V 5.1. and V 5.2; or
- (b) is coming to the UK under the Approved Destination Status Agreement, they must also meet the requirements at V 6.1; or
- (c) is coming to the UK to receive private medical treatment, they must also meet the additional requirements at V 7.1. to V 7.3; or
- (d) is coming to the UK as an organ donor, they must also meet the additional requirements at V 8.1. to V 8.4; or
- (e) is coming to the UK to study as a visitor, they must also meet the additional requirements at V 9.1. and V 9.2; or
- (f) is an academic seeking a 12-month entry clearance, they must also meet the additional requirements at V 10.1; or
- (g) is coming to the UK to undertake work related training, they must also meet the additional requirements at V 11.1. to V 11.3; or
- (h) is coming to the UK to marry or form a civil partnership, or give notice of intention to marry or form a civil partnership, they must also meet the additional requirements at V 12.1. and V 12.2; or
- (i) is coming to the UK to undertake permitted paid engagements, they must also meet the additional requirements in V 13.1. to V 13.3; or
- (j) is applying for permission to stay as a visitor, they must also meet the additional requirements at V 15.1. to V 15.5.

### **Genuine visitor requirement**

V 4.2. The applicant must satisfy the decision maker that they are a genuine visitor, which means the applicant:

- (a) will leave the UK at the end of their visit; and
- (b) will not live in the UK for extended periods through frequent or successive visits, or make the UK their main home; and
- (c) is genuinely seeking entry or stay for a purpose that is permitted under the visitor route; and
- (d) will not undertake any of the prohibited activities set out in V 4.4. to V 4.6; and
- (e) must have sufficient funds to cover all reasonable costs in relation to their visit without working or accessing public funds, including the cost of the return or onward journey, any costs relating to their dependants, and the cost of planned activities, such as private medical treatment (and the applicant must show that any funds they rely upon are held in a financial institution permitted under FIN 2.1. in Appendix Finance).

V 4.3. In assessing whether an applicant has sufficient funds under V 4.2.(e), the applicant's travel, maintenance and accommodation may be provided by a third party only if that third party:

- (a) has a genuine professional or personal relationship with the applicant; and
- (b) is not, or will not be, in breach of immigration laws at the time of the decision or the applicant's entry to the UK as a visitor; and
- (c) can and will provide support to the applicant for the intended duration of the applicant's stay as a visitor.

### **Prohibited activities and payment requirements for visitors**

V 4.4. The applicant must not intend to:

- (a) work in the UK, which includes:
  - (i) taking employment in the UK; and
  - (ii) doing work for an organisation or business in the UK; and
  - (iii) establishing or running a business as a self-employed person; and
  - (iv) doing a work placement or internship; and
  - (v) direct selling to the public; and
  - (vi) providing goods and services,unless expressly allowed by the permitted activities in Appendix Visitor: Permitted Activities, Appendix Visitor: Permit Free Festivals or the Permitted Paid Engagements in V 13.3; or
- (b) study in the UK, except as permitted by Appendix Visitor: Permitted Activities (and provided they meet the relevant additional requirements for study); or
- (c) access medical treatment, other than private medical treatment or to donate an organ (for either of these activities they must meet the relevant additional eligibility requirements); or
- (d) get married or form a civil partnership, or give notice of intention to marry or form a civil partnership, unless they are applying for entry clearance endorsed for a marriage or civil partnership visit.

V 4.5. Permitted activities must not amount to the visitor undertaking employment, or work which amounts to them filling a role or providing short-term cover for a role within a UK based organisation and where the visitor is already paid and employed outside of the UK they must remain so.

V 4.6. The visitor must not receive payment from a UK source for any activities undertaken in the UK, except for the following:

- (a) reasonable expenses to cover the cost of their travel and subsistence, including fees for directors attending board-level meetings; or
- (b) prize money; or
- (c) billing a UK client for their time in the UK, where the applicant's overseas employer is contracted to provide services to a UK company, and the majority of the contract work is carried out overseas (payment must be lower than the amount of the applicant's salary); or
- (d) multi-national companies who, for administrative reasons, handle payment of their employees' salaries from the UK; or
- (e) paid performances at a permit free festival as listed in Appendix Visitor: Permit Free Festivals, where the applicant is an artist, entertainer or musician; or
- (f) Permitted Paid Engagements, where the requirements of V 13.1. to V 13.3. are met.

### **Additional eligibility requirements for child visitors**

V 5.1. Adequate arrangements must have been made for a child's travel to, reception and care in the UK.

V 5.2. If the child is not travelling with a parent or legal guardian, based in their home country or country of ordinary residence, who is responsible for their care, that parent or legal guardian must consent to the child's travel to, reception and care in the UK and, where requested, this consent must be given in writing.

### **Additional eligibility requirement for visitors under the Approved Destination Status Agreement**

V 6.1. A person applying for entry clearance as a visitor under the Approved Destination Status Agreement must:

- (a) be a national of the People's Republic of China; and
- (b) intend to enter, leave and travel within the UK as a member of a tourist group under the Approved Destination Status Agreement.

### **Additional eligibility requirements for visitors coming to the UK to receive private medical treatment**

V 7.1. If the applicant is suffering from a communicable disease they must have satisfied the medical inspector that they are not a danger to public health.

V 7.2. The applicant must have arranged their private medical treatment before they travel to the UK, and must provide a letter from their doctor or consultant in the UK detailing:

- (a) the medical condition requiring consultation or treatment; and
- (b) the estimated costs and likely duration of any treatment, which must be of a finite duration; and
- (c) where the consultation or treatment will take place.

V 7.3. If the applicant is applying for an 11-month entry clearance for the purposes of private medical treatment they must also:

- (a) provide evidence from their doctor or consultant in the UK that the proposed treatment is likely to exceed 6 months, but not more than 11 months; and
- (b) provide a valid medical certificate if paragraph A39 and Appendix T of these rules apply.

### **Additional eligibility requirements for visitors coming to the UK to donate an organ**

V 8.1. The applicant must satisfy the decision maker that they genuinely intend to donate an organ to, or be assessed as a potential organ donor for, an identified recipient in the UK with whom they have a genetic or close personal relationship.

V 8.2. The applicant must provide written confirmation of medical tests to show that they are a donor match to the identified recipient, or that they are undergoing further tests to be assessed as a potential donor to the identified recipient.

V 8.3. The applicant must provide a letter, dated no more than 3 months before the applicant's intended date of arrival in the UK from either:

- (a) the lead nurse or coordinator of the UK NHS Trust's Living Donor Kidney Transplant team; or
- (b) a UK registered medical practitioner who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council;

which confirms that the applicant meets the requirements in V 8.1. and V 8.2. and confirms when and where the planned organ transplant or medical tests will take place.

V 8.4. The applicant must be able to show, if required to do so, that the identified recipient is lawfully present in the UK, or will be at the time of the planned organ transplant.

### **Additional eligibility requirements for visitors coming to the UK to study for up to six months**



V 9.1. Where the applicant is seeking to come to the UK to study, where applicable, before commencing a course to which it applies, they must at the date of application meet the ATAS requirement in Appendix ATAS.

V 9.2. Where the applicant is seeking to come to the UK to undertake research or be taught about research at a UK institution, their overseas course provider must confirm that:

- (a) the research or research tuition is relevant to the course of study that they are enrolled on overseas; and
- (b) the applicant will not be employed at the UK institution, either as a sponsored researcher under Appendix Tier 5 (Temporary Worker) Government Authorised Exchange Scheme Worker, or otherwise.

**Additional eligibility requirements for academics seeking to come to the UK for more than 6 months**

V 10.1. An academic applying for a 12-month entry clearance must:

- (a) intend to undertake one of the permitted activities in Appendix Visitor: Permitted Activities at PA 11.2. for up to 12 months; and
- (b) be highly qualified within their own field of expertise; and
- (c) be currently be working in their field of expertise at an academic institution or institution of higher education overseas; and
- (d) provide a valid medical certificate if paragraph A39 and Appendix T of these rules apply.

**Additional eligibility requirements for visitors coming to the UK for work related training**

V 11.1. Where the applicant is seeking to come to the UK to undertake a clinical attachment or dental observer post as an overseas graduate from medical, dental or nursing schools, they must provide written confirmation of their offer to take up this post and confirm they have not previously undertaken this activity in the UK.

V 11.2. Where the applicant is seeking to come to the UK to take the Professional and Linguistic Assessment Board test, they must provide written confirmation of this from the General Medical Council.

V 11.3. Where the applicant is seeking to come to the UK to take the Objective Structured Clinical Examinations for overseas, they must provide written confirmation of this from the Nursing and Midwifery Council.

**Additional eligibility requirement for visitors coming to UK for purpose of marriage or civil partnership**

V 12.1. The applicant must be aged 18 or over on the date of application.

V 12.2. Unless the applicant is a “relevant national” as defined in section 62 of the Immigration Act 2014, they must, within the period for which they are seeking permission as a visitor:

- (a) intend to give notice of marriage or civil partnership in the UK; or
  - (b) intend to marry or form a civil partnership in the UK;
- which is not a sham marriage or sham civil partnership.

**Additional eligibility requirement for visitors coming to UK for Permitted Paid**

## **Engagements**

V 13.1. An applicant as a permitted paid engagements visitor must be aged 18 or over on the date of application.

V 13.2. The applicant must intend to do one (or more) of the permitted paid engagements set out in V 13.3. which must be:

- (a) arranged before the applicant travels to the UK; and
- (b) declared as part of the application for entry clearance or permission to enter the UK; and
- (c) evidenced by a formal invitation; and
- (d) relate to the applicant's area of expertise and occupation overseas.

V 13.3. The following are permitted paid engagements:

- (a) an academic who is highly qualified within their field of expertise, coming to examine students and/or participate in or chair selection panels, and have been invited by a UK higher education institution, or a UK-based research or arts organisation as part of that institution or organisation's quality assurance processes; and
- (b) an expert coming to give lectures in their subject area, where they have been invited by a higher education institution; or a UK-based research or arts organisation, and this does not amount to filling a teaching position for the host organisation; and
- (c) an overseas designated pilot examiner coming to assess UK-based pilots to ensure they meet the national aviation regulatory requirements of other countries, where they have been invited by an approved training organisation based in the UK that is regulated by the UK Civil Aviation Authority for that purpose; and
- (d) a qualified lawyer coming to provide advocacy for a court or tribunal hearing, arbitration or other form of dispute resolution for legal proceedings within the UK, where they have been invited by a client; and
- (e) a professional artist, entertainer, or musician coming to carry out an activity directly relating to their profession, where they have been invited by a creative (arts or entertainment) organisation, agent or broadcaster based in the UK; and
- (f) a professional sports person coming to carry out an activity directly relating to their profession, where they have been invited by a sports organisation, agent, or broadcaster based in the UK.

## **Eligibility requirement for visitors coming to UK to transit**

V 14.1. A visa national must either hold entry clearance as a Standard visitor, Marriage or Civil Partnership visitor or Transit visitor, unless they meet the requirements for admission under Appendix Visitor: Transit Without a Visa Scheme, in which case they may apply for permission to enter on arrival in the UK.

V 14.2. An applicant applying for entry clearance or permission to enter as a Transit visitor must satisfy the decision maker that they:

- (a) are genuinely in transit to another country outside the Common Travel Area, meaning the main purpose of their visit is to transit the UK (passing through immigration control) and that the applicant is taking a reasonable transit route; and
- (b) will not access public funds or medical treatment, work or study in the UK; and
- (c) genuinely intend and are able to leave the UK within 48 hours after their arrival; and
- (d) are assured entry to their country of destination and any other countries they are transiting on their way there.

### **Additional eligibility requirements for permission to stay as a visitor**

V 15.1. The applicant must be in the UK with permission as a visitor.

V 15.2. Where the applicant is applying for permission to stay as a visitor for the purpose of receiving private medical treatment they must also:

- (a) satisfy the decision maker that they have met the costs of any medical treatment received so far; and
- (b) provide a letter from a registered medical practitioner, at a private practice or NHS hospital, who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council, detailing the medical condition requiring further treatment.

V 15.3. Where the applicant applying for permission to stay is an academic visitor (or the accompanying partner or child of such an academic) the academic must:

- (a) continue to intend to do one (or more) of the activities at Appendix Visitor: Permitted Activities at PA 11.2; and
- (b) be highly qualified within their own field of expertise; and
- (c) have been working in that field at an academic institution or institution of higher education overseas prior to their arrival in the UK.

V 15.4. Where an applicant is applying for permission to stay as a visitor to resit the Professional and Linguistic Assessment Board Test, they must provide written confirmation of this from the General Medical Council.

V 15.5. Where the applicant is applying for permission to stay as a visitor and they are an overseas graduate of a medical, dental or nursing school intending to undertake an unpaid clinical attachment or dental observer post, they must have been successful in the Professional and Linguistic Assessment Board test.

### **Decision**

V 16.1. If the decision maker is satisfied that all the suitability requirements are met, and that the relevant eligibility requirements for a visitor are met, the application will be granted, otherwise the application will be refused.

### **Period and conditions of grant for visitors**

V 17.1. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) no work (which does not prohibit the permitted activities in Appendix Visitor: Permitted Activities, Appendix Visitor: Permit Free Festivals or the Permitted Paid Engagements in V 13.3.); and
- (c) no study except where permitted by Appendix Visitor: Permitted Activities at PA 2. and PA 17.1. to PA 17.3.

V 17.2. Entry clearance and permission to enter as a visitor will be granted for the periods set out in the following table:

	<b>Visitor type</b>	<b>Maximum initial length of stay in UK</b>
(a)	Standard visitor	up to 6 months, except: <ul style="list-style-type: none"><li>(i) a visitor who is coming to the UK for private medical treatment may be granted entry clearance for up to 11</li></ul>

		months; (ii) an academic (or the accompanying partner or child of an academic), who is employed by an overseas institution and is carrying out the specific permitted activities at paragraph PA.11.2., may be granted entry clearance for up to 12 months; (iii) a visitor under the Approved Destination Status Agreement may be granted entry clearance for up to 30 days.
(b)	Marriage / civil partnership visitor	up to 6 months
(c)	Permitted Paid Engagements (PPE) visitor	up to 1 month
(d)	Transit visitor	up to 48 hours, except for permission to enter as a Transit visitor under the Transit Without a Visa Scheme which may be granted until 23:59 hours on the next day after the day the applicant arrived in the UK.

V 17.3. Permission to stay will be granted for the following periods:

- (a) a Standard visitor or a Marriage or civil partnership visitor, who was granted permission for less than 6 months may be granted permission to stay for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 6 months; and
- (b) a Standard visitor who is in the UK for private medical treatment may be granted permission to stay as a visitor for a further 6 months, provided the purpose is for private medical treatment; and
- (c) a Standard visitor who is in the UK to undertake the activities in Appendix Visitor: Permitted Activities at PA 11.2. or the accompanying partner or child of such a Standard visitor, may be granted permission to stay for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 12 months; and
- (d) a Standard visitor may be granted permission to stay as a visitor for up to 6 months in order to resit the Professional and Linguistic Assessment Board Test; and
- (e) a Standard visitor who is successful in the Professional and Linguistic Assessment Board Test may be granted permission to stay as a visitor to undertake an unpaid clinical attachment for a period which results in the total period they can remain in the UK (including both the original grant and the extension) not exceeding 18 months.

### **Appendix Visitor: Visa national list**

VN 1.1. A person who meets one or more of the criteria below needs entry clearance (also referred to as visa) in advance of travel to the UK as a visitor, or for any other purpose for less than six months, unless they meet one of the exceptions set out in VN 2.1. VN 2.2 (subject to VN 2.3.) or VN 3.1.

- (a) Nationals or citizens of the following countries or territorial entities (a “\*” indicates there are exceptions in VN 2.2 to VN 6.5):

Afghanistan  
Albania

Algeria  
Angola  
Armenia  
Azerbaijan  
Bahrain\*  
Bangladesh  
Belarus  
Benin  
Bhutan  
Bolivia  
Bosnia Herzegovina  
Burkina Faso  
Burundi  
Cambodia  
Cameroon  
Cape Verde  
Central African Republic  
Chad  
People's Republic of China\*  
Colombia  
Comoros  
Congo  
Côte d'Ivoire (formally Ivory Coast)  
Cuba  
Democratic Republic of the Congo  
Djibouti  
Dominican Republic  
Ecuador  
Egypt  
Equatorial Guinea  
Eritrea  
Eswatini (formally Swaziland)  
Ethiopia  
Fiji  
Gabon  
Gambia  
Georgia  
Ghana  
Guinea  
Guinea Bissau  
Guyana  
Haiti  
India  
Indonesia\*  
Iran  
Iraq  
Jamaica  
Jordan  
Kazakhstan  
Kenya

Korea (North)  
Kosovo  
Kuwait \*  
Kyrgyzstan  
Laos  
Lebanon  
Lesotho  
Liberia  
Libya  
Madagascar  
Malawi  
Mali  
Mauritania  
Moldova  
Mongolia  
Montenegro  
Morocco  
Mozambique  
Myanmar (formally Burma)  
Nepal  
Niger  
Nigeria  
North Macedonia (formally Macedonia)  
Oman\*  
Pakistan  
Peru  
Philippines  
Qatar\*  
Russia  
Rwanda  
São Tomé and Príncipe  
Saudi Arabia  
Senegal  
Serbia  
Sierra Leone  
Somalia  
South Africa\*  
South Sudan  
Sri Lanka  
Sudan  
Suriname  
Syria  
Taiwan\*  
Tajikistan  
Tanzania  
Thailand  
Togo  
Tunisia  
Turkey \*  
Turkmenistan

Uganda  
Ukraine  
United Arab Emirates\*  
Uzbekistan  
Venezuela  
Vietnam\*  
Yemen  
Zambia  
Zimbabwe

- (b) stateless people; and
- (c) people travelling on any document other than a national passport, or, in the case of an EEA Citizen, a national identity card, regardless of whether the document is issued by or evidences nationality of a state not listed in VN 1.1. (a), except where that document has been issued by the UK.

### **Exceptions to the list of visa nationals**

#### **Holders of specified travel documents**

VN 2.1. It is not necessary for a transit visitor to hold a visa before they travel to the UK if they are travelling on an emergency travel document issued by, and evidencing the nationality of, a country not listed in paragraph VN 1.1.(a) and the purpose of their transit is to travel to the country in which they are ordinarily resident.

VN 2.2. The following people do not need a visit visa before they travel to the UK as a visitor, other than where VN 2.3. applies:

- (a) nationals or citizens of the People's Republic of China who hold a passport issued by the Hong Kong Special Administrative Region; or
- (b) nationals or citizens of the People's Republic of China who hold a passport issued by the Macao Special Administrative Region; or
- (c) nationals or citizens of Taiwan who hold a passport issued by Taiwan that includes in it the number of the identification card issued by the competent authority in Taiwan; or
- (d) people who hold a Service, Temporary Service or Diplomatic passport issued by the Holy See; or
- (e) nationals or citizens of Oman who hold a diplomatic or special passport issued by Oman; or
- (f) nationals or citizens of Qatar who hold a diplomatic or special passport issued by Qatar; or
- (g) nationals or citizens of the United Arab Emirates who hold a diplomatic or special passport issued by the United Arab Emirates; or
- (h) nationals or citizens of Turkey who hold a diplomatic passport issued by Turkey; or
- (i) nationals or citizens of Kuwait who hold a diplomatic or special passport issued by Kuwait; or
- (j) nationals or citizens of Bahrain who hold a diplomatic or special passport issued by Bahrain; or
- (k) nationals or citizens of South Africa who hold a diplomatic passport issued by South Africa; or
- (l) nationals or citizens of Vietnam who hold a diplomatic passport issued by Vietnam; or
- (m) nationals or citizens of Indonesia who hold a diplomatic passport issued by Indonesia.

VN 2.3. VN 2.2. does not apply where the person is:

- (a) visiting the UK to marry or to form a civil partnership, or to give notice of marriage or civil partnership, unless they are a “relevant national” as defined in section 62 of the Immigration Act 2014; or
- (b) seeking to visit the UK for more than 6 months.

**Exception where the applicant holds an Electronic Visa Waiver (EVW) Document (Kuwait, Oman, Qatar and United Arab Emirates nationals or citizens only)**

VN 3.1. The holder of a valid Electronic Visa Waiver (EVW) Document does not need to obtain a visit visa, or a visa for entry for six months or less where there is no mandatory entry clearance requirement, in advance of arrival in the UK, but can instead apply for permission to enter at the UK border.

VN 3.2. VN 3.1. will not apply (meaning that the person will normally be refused permission to enter the UK) unless the EVW Document is used in the manner specified in VN 6.1. to VN 6.5.

VN 3.3. An EVW Document relates to one person and may only be used for one application for permission to enter the UK or, where applicable, one crossing of the land border from the Republic of Ireland to the UK.

**Obtaining an Electronic Visa Waiver Document**

VN 4.1. Only passport holders who are nationals or citizens of Kuwait, Oman, Qatar or the United Arab Emirates can obtain and use an EVW document.

VN 4.2. To obtain an EVW Document, a person must provide the required biographic and travel information at the website established by the UK Government at <https://www.electronic-visa-waiver.service.gov.uk/>.

VN 4.3. EVW Documents are issued to the applicant in electronic form.

**Validity Requirements for an Electronic Visa Waiver Document**

VN 5.1. To be valid the biographic details on the EVW Document must match those of the holder’s passport, except where:

- (a) an apostrophe, space or hyphen is present in the holder’s name on their EVW Document but is not present in the holder’s name on their passport; or
- (b) an apostrophe, space or hyphen is present in the holder’s name on their passport but is not present in the holder’s name on their EVW Document.

VN 5.2. To be valid an EVW Document must be able to be presented by the holder:

- (a) in clear, legible format; and
- (b) in English; and
- (c) electronically or in printed form.

VN 5.3. To be valid the EVW Document must specify the flight, train or ship on which the holder intends to arrive in the UK, including the port of departure and arrival, and the scheduled date and time of departure and arrival, unless VN 5.4. or VN 5.5. applies.

VN 5.4. Where the holder of an EVW Document is seeking to arrive in the UK by entering a



control zone in France or Belgium or supplementary control zone in France, the EVW must specify the train or ship on which the holder intends to arrive in the UK, including:

- (a) the railway station or port where the holder intends to enter the control zone or supplementary control zone and from which the holder intends to depart for the UK; and
- (b) the railway station or port at which the holder intends to leave the train or ship after arrival in the UK; and
- (c) the scheduled date and time of departure from, and arrival at, the specified railway stations or ports.

VN 5.5. Where the holder of an EVW Document intends to cross the land border from the Republic of Ireland to the UK by train, car or any other means, the EVW must specify the place at which it is intended to cross the border and the intended date and time of arrival in the UK.

VN 5.6. For the EVW to be valid the required information must be submitted at least 48 hours before the holder departs on a flight, train or ship to the UK or crosses the UK land border from the Republic of Ireland by train, car or any other means.

VN 5.7. To be valid the EVW Document must not have been issued more than 3 months before the date of the holder's scheduled departure to the UK as specified on the EVW Document or, where the holder intends to cross the land border with the Republic of Ireland, before the intended date of the holder's arrival in the UK as specified on the EVW Document.

#### **Use of the Electronic Visa Waiver Document**

VN 6.1. The holder must present the EVW Document to an Immigration Officer on request upon the holder's arrival at the UK Border or, where the holder is seeking to arrive in the UK by entering a control zone in France or Belgium or a supplementary control zone in France, upon arrival in that zone.

VN 6.2. Where the holder has presented a printed copy of the EVW Document, it must be surrendered to an Immigration Officer upon request.

VN 6.3. The holder must travel on the flight, train or ship specified on the EVW Document unless VN 6.4. or VN 6.5. applies.

VN 6.4. If the holder travels on a different flight, train or ship from that specified in the EVW Document it must depart from the same port or railway station and arrive at the same UK port or railway station as specified on the EVW Document and either:

- (a) depart after the departure time specified on the EVW Document and arrive in the UK no more than 8 hours after the arrival time specified on the EVW Document; or
- (b) if the holder is seeking to arrive in the UK by entering a control zone in France or Belgium or a supplementary control zone in France, arrive no more than 8 hours after the departure time specified on the EVW Document.

VN 6.5. If the holder is seeking to arrive in the UK by crossing the land border from the Republic of Ireland, the holder must cross at the time specified on the EVW Document, or no more than 8 hours after the time specified on the EVW Document.

#### **Appendix Visitor: Permitted Activities**

PA 1. Visitors are permitted to undertake the following activities:

	Visitor type	Visitors of this type can:
(a)	Standard visitor	do all permitted activities in Appendix Visitor: Permitted Activities, except visitors under the Approved Destination Status Agreement may only do the activities in PA 2(a).
(b)	Marriage / civil partnership visitor	marry or form a civil partnership, or give notice of marriage or civil partnership and do all permitted activities in Appendix Visitor: Permitted Activities, other than study as described in PA 17.1. to PA 17.3.
(c)	Permitted Paid Engagements (PPE) visitor	do the permitted paid engagements in Appendix V: Visitor at V 13.3. and all permitted activities in Appendix Visitor: Permitted Activities other than study as described in PA 17.1. to PA 17.3. and transit as described in PA 18.
(d)	Transit visitor	transit the UK as described in PA 18.

### **Tourism and Leisure**

PA 2. A visitor may:

- (a) visit friends and family and / or come to the UK for a holiday; and
- (b) take part in educational exchanges or visits with a state funded school or academy or independent school; and
- (c) attend recreational courses (not English Language training) for a maximum of 30 days.

### **Volunteering**

PA 3. A visitor may undertake volunteering provided it lasts no more than 30 days in total and is for a charity that is registered with either the Charity Commission for England and Wales; the Charity Commission for Northern Ireland; or the Office of the Scottish Charity Regulator.

### **General Business Activities**

PA 4. A visitor may:

- (a) attend meetings, conferences, seminars, interviews; and
- (b) give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser; and
- (c) negotiate and sign deals and contracts; and
- (d) attend trade fairs, for promotional work only, provided the visitor is not directly selling; and
- (e) carry out site visits and inspections; and
- (f) gather information for their employment overseas; and
- (g) be briefed on the requirements of a UK based customer, provided any work for the customer is done outside of the UK.

### **Intra-corporate Activities**

PA 5. An employee of an overseas based company may:

- (a) advise and consult; and
- (b) trouble-shoot; and
- (c) provide training; and
- (d) share skills and knowledge;

on a specific internal project with UK employees of the same corporate group, provided no work is carried out directly with clients.

PA 6. An internal auditor may carry out regulatory or financial audits at a UK branch of the same group of companies as the visitor's employer overseas.

### **Manufacture and supply of goods to the UK**

PA 7. An employee of a foreign manufacturer may install, dismantle, repair, service or advise on equipment, computer software or hardware, where such manufacturer has a contract of purchase or supply or lease with a UK company or organisation.

### **Clients of UK export companies**

PA 8. A client of a UK export company may be seconded to the UK company in order to oversee the requirements for goods and services that are being provided under contract by the UK company or its subsidiary company, provided the two companies are not part of the same group. Employees may exceptionally make multiple visits to cover the duration of the contract.

### **Overseas roles requiring specific activities in the UK**

PA 9. Individuals employed outside the UK may visit the UK to take part in the following activities in relation to their employment overseas:

- (a) a translator and/or interpreter may support a business person in the UK, provided they will attend the same event(s) as the business person and are employed by that business person outside of the UK; or
- (b) personal assistants and bodyguards may support an overseas business person in carrying out permitted activities, provided they will attend the same event(s) as the business person and are employed by them outside the UK. They must not be providing personal care or domestic work for the business person; or
- (c) a driver on a genuine international route delivering or collecting goods or passengers between the UK and overseas; or
- (d) a tour group courier, contracted to a company with its headquarters outside the UK, who is entering and departing the UK with a tour group organised by their company; or
- (e) a journalist, correspondent, producer or cameraman gathering information for an overseas publication, programme or film; or
- (f) archaeologists taking part in a one-off archaeological excavation; or
- (g) a professor from an overseas academic institution accompanying students to the UK as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation (however this must not amount to filling a permanent teaching role for that institution).

### **Work-related training**

PA 10.1. Overseas graduates from medical, dental or nursing schools may:

- (a) undertake clinical attachments or dental observer posts provided these are unpaid and involve no treatment of patients, where the additional requirements of Appendix V: Visitor at V 11.1. are also met; and
- (b) take the following test/examination in the UK:
  - (i) the Professional and Linguistic Assessment Board test, where the additional requirements of Appendix V: Visitor at V 11.2. are also met; or
  - (ii) the Objective Structured Clinical Examinations for overseas, where the

additional requirements of Appendix V: Visitor at V 11.3. are also met.

PA 10.2. Employees of an overseas company or organisation may receive training from a UK based company or organisation in work practices and techniques which are required for the visitor's employment overseas and not available in their home country.

PA 10.3. An employee of an overseas based training company may deliver a short series of training to employees of a UK based company, where the trainer is employed by an overseas business contracted to deliver global training to the international corporate group to which the UK based company belongs.

### **Science and academia**

PA 11.1. Scientists and researchers may:

- (a) gather information and facts for a specific project which directly relates to their employment overseas; and
- (b) share knowledge or advise on an international project that is being led from the UK, provided the visitor is not carrying out research in the UK.

PA 11.2. Academics may:

- (a) take part in formal exchange arrangements with UK counterparts (including doctors); and
- (b) carry out research for their own purposes if they are on sabbatical leave from their home institution; and
- (c) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice provided this does not amount to filling a permanent teaching post.

### **Legal**

PA 12.1. An expert witness may visit the UK to give evidence in a UK court; other witnesses may attend a court hearing in the UK if summoned in person by a UK court.

PA 12.2. An overseas lawyer may advise a UK based client on specific international litigation and/or an international transaction.

### **Religion**

PA 13. Religious workers overseas may visit the UK to preach or do pastoral work.

### **Creative**

PA 14.1. An artist, entertainer, or musician may:

- (a) give performances as an individual or as part of a group; and
- (b) take part in competitions or auditions; and
- (c) make personal appearances and take part in promotional activities; and
- (d) take part in one or more cultural events or festivals on the list of permit free festivals in Appendix Visitor: Permit Free Festival List.

PA 14.2. Personal or technical staff or members of the production team of an artist, entertainer or musician may support the activities in PA 14.1. or Appendix V: Visitor at V 13.3. (e) provided they are attending the same event as the artist, entertainer or musician, and are employed to work for them outside of the UK.

PA.14.3. Film crew (actor, producer, director or technician) employed by an overseas

company may visit the UK to take part in a location shoot for a film or programme or other media content that is produced and financed overseas.

### **Sports**

PA 15.1. A sports person may:

- (a) take part in a sports tournament or sports event as an individual or part of a team; and
- (b) make personal appearances and take part in promotional activities; and
- (c) take part in trials provided they are not in front of a paying audience; and
- (d) take part in short periods of training provided they are not being paid by a UK sporting body; and
- (e) join an amateur team or club to gain experience in a particular sport if they are an amateur in that sport.

PA 15.2. Personal or technical staff of the sports person, or sports officials, may support the activities in PA 15.1. or in Appendix V: Visitor at V 13.3.(f), if they are attending the same event as the sports person, and personal or technical staff of the sports person must be employed to work for the sports person outside the UK.

### **Medical treatment and organ donation**

PA 16.1. A visitor may receive private medical treatment provided the additional requirements at Appendix V: Visitor at V 7.1. to V 7.3. are also met.

PA.16.2. A visitor may act as an organ donor or be assessed as a potential organ donor to an identified recipient in the UK, provided the additional requirements at Appendix V: Visitor at V 8.1. to V 8.4. are also met.

### **Study as a Visitor**

PA 17.1. A visitor may study for up to six months at an accredited institution, provided the study is not at a state funded school or academy and provided the additional requirements of V.9.1. are also met.

PA 17.2. A visitor may undertake research or be taught about research (research tuition) at a UK institution, where they are aged 16 years or over and enrolled on a course of study abroad equivalent to at least degree level study in the UK, providing the additional requirements of V 9.1. and V 9.2. are also met.

PA 17.3. Providing the additional requirements of Appendix V: Visitor at V 9.1. are met, a visitor who has been accepted by a higher education provider may undertake electives relevant to their course of study overseas, providing these are unpaid, involve no treatment of patients, and the visitor is:

- (a) aged 16 years or over; and
- (b) enrolled on a course of study abroad equivalent to at least degree level study in the UK; and
- (c) studying medicine, veterinary medicine and science, or dentistry as their principle course of study.

### **Transit**

PA 18. A visitor may transit the UK, provided they meet the requirements of Appendix V: Visitor at V 14.1. and V 14.2.

## **Appendix Visitor: Permit Free Festival List**

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:

Africa Utopia (Southbank Centre)  
Aldeburgh Festival  
Barbican Festivals (Only Connect, Summer Festival, Autumn 1, Autumn 2)  
Belfast International Arts Festival  
Billingham International Folklore Festival of World Dance  
Boomtown Festival  
Breakin' Convention  
Brighton Festival  
Brighton Fringe  
Brouhaha International Street Festival  
BST Hyde Park  
Cambridge Folk Festival  
Camp Bestival  
Celtic Connections  
Cheltenham Festivals (Jazz/Science/Music/Literature)  
Cornwall International Male Choral Festival  
Dance Umbrella  
Download  
Edinburgh Festival Fringe  
Edinburgh International Festival  
Edinburgh Jazz and Blues Festival  
Glasgow International Jazz Festival  
Glastonbury  
Glyndebourne  
Greenbelt  
Harrogate International Festivals  
Hay Festival  
Huddersfield Contemporary Music Festival  
Isle of Wight Festival  
Latitude  
Leeds Festival  
Llangollen International Musical Eisteddfod  
London Jazz Festival (EFG)  
Manchester International Festival  
Meltdown (Southbank Centre)  
Norfolk & Norwich Festival  
Reading Festival  
Snape Proms  
The Royal Edinburgh Military Tattoo  
Wireless  
WOMAD  
WWE Live.

## **Appendix Visitor: Transit Without Visa Scheme**

TWOV 1. To be granted permission to enter as a transit visitor under the transit without visa

scheme a visa national must meet all the requirements at TWOV 2. and one of the requirements at TWOV 3.

TWOV 2. The applicant must:

- (a) have arrived in the UK by air and will be departing by air; and
- (b) be genuinely in transit to another country, meaning the purpose of their visit is to transit the UK and that the applicant is taking a reasonable transit route; and
- (c) not access public funds or medical treatment, work or study in the UK; and
- (d) genuinely intend and be able to leave the UK before 23:59 hours on the day after the day when they arrived; and
- (e) have a confirmed booking on a flight departing the UK before 23:59 hours on the day after the day when they arrived; and
- (f) be assured entry to their country of destination and any other countries they are transiting through on their way there.

TWOV 3. The applicant must also:

- (a) be travelling to or from (or on part of a reasonable journey to or from) Australia, Canada, New Zealand or the USA and have a valid visa for that country; or
- (b) be travelling from (or on part of a reasonable journey from) Australia, Canada, New Zealand or the USA and it is less than 6 months since he last entered that country with a valid entry visa; or
- (c) hold a valid permanent residence permit issued by either:
  - (i) Australia; or
  - (ii) Canada, issued after 28 June 2002; or
  - (iii) New Zealand; or
- (d) hold a valid USA, I-551 permanent resident card issued on or after 21 April 1998; or
- (e) hold a valid USA I-551 temporary immigrant visa (a wet-ink stamp version will not be accepted); or
- (f) hold an expired USA I-551 permanent resident card issued on or after 21 April 1998, provided it is accompanied by a valid I-797 letter authorising extension of the period of permanent residency; or
- (g) hold a valid standalone US immigration form 155A/155B attached to a sealed brown envelope; or
- (h) hold a valid common format residence permit issued by an EEA state (pursuant to Council Regulation (EC) No. 1030/2002) or Switzerland; or
- (i) hold a valid uniform format category D visa for entry to a state in the European Economic Area (EEA) or Switzerland; or
- (j) be travelling on to the Republic of Ireland and have a valid Irish biometric visa; or
- (k) be travelling from the Republic of Ireland and it is less than three months since the applicant was last given permission to land or be in the Republic by the Irish authorities with a valid Irish biometric visa.

TWOV 4. Paragraph TWOV 3.(a) and (b) do not apply where the transit passenger is a citizen or national of Syria holding a B1 or B2 category visa for entry to the United States of America.

TWOV 5. Electronic versions of any documents listed in paragraph TWOV 3, such as electronic visas (including printed versions), will not be accepted.

## **Appendix S2 Healthcare Visitor**

*This route relates to the UK's exit from the European Union. It is for a person who, before the end of the transition period (11pm on 31 December 2020), had requested authorisation to receive a course of planned healthcare treatment under the S2 route, pursuant to Regulation (EC) No 883/2004.*

*The person seeking healthcare treatment may be accompanied on this route by another person who is providing care or support during the planned healthcare treatment.*

### **Validity requirements for entry clearance or permission to stay as an S2 Healthcare Visitor**

HV 1.1. A person applying for entry clearance as an S2 Healthcare Visitor must apply online on the specified form on the gov.uk website “Apply for an exempt, diplomatic or official visit vignette or S2 Healthcare Visitor visa”.

HV 1.2. An application for entry clearance as an S2 Healthcare Visitor must be made while the applicant is outside the UK and to a post designated to accept such applications.

HV 1.3. A person applying for permission to stay as an S2 Healthcare Visitor must apply on form “Application to extend stay in the UK: FLR(IR)” and must have, or have last held, permission as an S2 Healthcare Visitor.

HV 1.4. An application for entry clearance or permission to stay as an S2 Healthcare Visitor must meet all the following requirements:

- (a) the applicant must have provided any required biometrics; and
- (b) if the applicant is an EEA citizen they must have provided a passport or valid national identity card which satisfactorily establishes their identity and nationality; and
- (c) if the applicant is a non-EEA citizen they must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

HV 1.5. A person to whom article 5 of the Immigration (Control of Entry Through Republic of Ireland) 1972 Order (“the 1972 Order”) applies, may only apply for permission to stay under this Appendix where that permission is to commence after the end of the 6 month period set out in article 5 of the 1972 Order.

HV 1.6. An application for permission to stay as an S2 Healthcare Visitor must be made by a person:

- (a) in the UK; and
- (b) who has, or who last had, permission as an S2 Healthcare Visitor.

HV 1.7. An application which does not meet all the validity requirements for an S2 Healthcare Visitor is invalid and may be rejected and not considered.

### **Suitability requirements for an S2 Healthcare Visitor**

HV 2.1. Subject to HV 2.2, an application must be refused on grounds of suitability where either of the following apply at the date of the decision:

- (a) the applicant is subject to a deportation order or a decision to make a deportation order; or
- (b) the applicant is subject to an exclusion order or exclusion decision.



HV 2.2. Where a decision under HV 2.1 relates to conduct committed before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for “an EEA decision” read “a decision under HV 2.1 of Appendix S2 Healthcare Visitor”).

HV 2.3. An application may be refused on grounds of suitability if, at the date of decision, the decision maker is satisfied that it is proportionate to refuse the application where:

- (a) in relation to the application and whether or not to the applicant’s knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the application; or
- (b) in respect of conduct committed on or before 11pm on 31 December 2020, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for “an EEA decision” read “a decision under paragraph HV 2.3 of Appendix S2 Healthcare Visitor”.); or
- (c) in respect of conduct committed after 11pm on 31 December 2020, on the grounds that the presence of the applicant in the UK is not conducive to the public good; or
- (d) subject to HV 2.4, the applicant is the subject of an Islands deportation order as defined by paragraph 3(6) of Schedule 4 to the Immigration Act 1971; or
- (e) subject to HV 2.4, the applicant is the subject of an Islands exclusion decision which is a direction given by the relevant Minister or other authority in the Islands concerned that the applicant must be refused entry to the Island concerned on the grounds that their presence there would not be conducive to the public good..

HV 2.4. Where a decision under HV 2.3(d) or (e) relates to conduct at or before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for “an EEA decision” read “a decision under HV 2.3 of Appendix S2 Healthcare Visitor”).

### **Eligibility requirements for an S2 Healthcare Visitor**

#### **Entry requirements for an S2 Healthcare Visitor**

HV 3.1. A person seeking to come to or stay in the UK as an S2 Healthcare Visitor must be a person to whom one of the following applies:

- (a) Article 32(1)(b) of the withdrawal agreement; or
- (b) Article 31(1)(b) of the EEA EFTA separation agreement; or
- (c) Article 26a(1)(b) of the Swiss citizens’ rights agreement.

HV 3.2. A person seeking to come to the UK as an S2 Healthcare Visitor and who is a visa national must apply for and obtain entry clearance as an S2 Healthcare Visitor before they arrive in the UK.

HV 3.3. A person to whom HV 3.2. applies will be refused permission to enter if they do not

hold entry clearance as an S2 Healthcare Visitor on arrival in the UK.

HV 3.4. A person who is a non-visa national seeking to come to the UK as an S2 Healthcare Visitor may apply for permission to enter on arrival in the UK.

#### **Financial requirement for an S2 Healthcare Visitor**

HV 4.1. The applicant must have access to sufficient funds to cover all reasonable costs in relation to their visit without working or accessing public funds, including the cost of the return or onward journey.

HV 4.2. The applicant must show funds as specified in Appendix Finance.

HV 4.3. A S2 Healthcare Visitor's travel, maintenance and accommodation may be provided by a third party where the decision maker is satisfied that they can and will provide support to the S2 Healthcare Visitor for the intended duration of their stay.

#### **Treatment requirement for an S2 Healthcare Visitor**

HV 5.1. The course of planned healthcare treatment must have been arranged prior to the applicant's travel to the UK.

#### **Patient (P) requirement**

HV 6.1. Where the applicant is the patient (P) they must provide their valid S2 certificate of entitlement to scheduled treatment.

HV 6.2. Where P is applying for permission to stay for the purpose of completing the course of planned healthcare treatment detailed on their valid S2 certificate of entitlement to scheduled treatment they must provide documentation in accordance with one of the following;

- (a) the valid S2 certificate of entitlement to scheduled treatment specified in HV 6.1 which demonstrates that the length of treatment extends beyond the entry clearance granted.
- (b) a renewed or extended S2 certificate of entitlement to scheduled treatment which covers the period of the extension sought; or
- (c) the valid S2 certificate of entitlement to scheduled treatment specified in HV 6.1. and a letter from the doctor or other health professional providing the treatment in the UK detailing the further treatment required.

#### **Accompanying person (AP) requirement**

HV 7.1. Where the applicant is an accompanying person (AP) they must meet one of the following requirements:

- (a) AP is, or will be, accompanying the patient (P) to the UK at the time of their entry into the UK, and P is, or will be, an S2 Healthcare Visitor on arrival in the UK; or
- (b) P is in the UK as an S2 Healthcare Visitor and AP will be joining P in the UK.

HV 7.2. AP must provide one of the following to demonstrate their relationship with the P:

- (a) evidence of P's permission to enter or permission to stay as an S2 Healthcare Visitor; or
- (b) P's S2 certificate of entitlement to scheduled treatment; and
- (c) if P is an EEA citizen, P's valid national identity card or passport issued by an EEA State and if P is a non-EEA citizen, P's passport.

HV 7.3. AP must provide evidence that they reside in an EEA State or Switzerland.

HV 7.4. Where AP is applying for permission to stay they must also provide the relevant evidence required in HV 6.2.

HV 7.5. Where, in order to meet the requirements of HV 7.2. to HV 7.4., AP submits a copy (and not the original) of a document, the decision maker can require the applicant to submit the original document where the decision maker has reasonable doubt as to the genuineness of the copy submitted.

### **Consent requirement for child S2 Healthcare Visitor**

HV 8.1. If the applicant is a child at the date of application and is not applying or travelling with a parent or legal guardian who is responsible for their care, the applicant must have consent from:

- (a) a parent; or
- (b) their legal guardian.

HV 8.2. The consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance or permission to enter, the applicant's travel to, and reception arrangements in, the UK.

HV 8.3. If requested, the consent in HV 8.1. must be given in writing.

### **Decision on application as an S2 Healthcare Visitor**

HV 9.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements are met for an S2 Healthcare Visitor, the application will be granted, otherwise the application will be refused.

### **Period and condition of grant for an S2 Healthcare Visitor**

HV 10.1. An S2 Healthcare Visitor will be granted permission to enter for up to 6 months.

HV 10.2. An S2 Healthcare Visitor will be granted permission to stay for up to 6 months.

HV 10.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) no work; and
- (c) no study; and
- (d) if Part 10 applies, the person will be required to register with the police.

### **Cancellation and curtailment**

HV 11.1. An S2 Healthcare Visitor's entry clearance, permission to enter or permission to stay may be cancelled where the decision maker is satisfied that it is proportionate to cancel that entry clearance or permission where:

- (a) the cancellation is justified on grounds of public policy, public security or public health, on the basis of the person's conduct on or before 11pm on 31 December 2020, in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for an

“EEA decision” read “a decision under paragraph HV 11.1 of Appendix S2 Healthcare Visitor”); or

- (b) the cancellation is justified on the ground that it is conducive to the public good, on the basis of the person’s conduct after 11pm on 31 December 2020; or
- (c) the cancellation is justified on grounds that, in relation to an application made under this Appendix, and whether or not to the applicant’s knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application) and the information, representation or documentation was material to the decision to grant the applicant entry clearance, permission to enter or permission to stay under this Appendix; or
- (d) they cease to meet the requirements of Appendix S2 Healthcare Visitor; or
- (e) they have breached a condition of their permission as set out in HV 10.3. unless entry clearance or further permission was granted in the knowledge of the breach.

### **Appendix Student**

*This route is for a person aged 16 or over who wants to study with a sponsor on a course of further or higher education, a pre-sessional English course, a recognised foundation programme, or on the Doctorate Extension Scheme or to take an elected post as a Student Union Sabbatical Officer.*

*The register of licensed student sponsors can be found at:*

[www.gov.uk/government/publications/register-of-licensed-sponsors-students](http://www.gov.uk/government/publications/register-of-licensed-sponsors-students)

*A person who is aged 16 or 17 and wants to study with a sponsor that is an Independent School on a course at Regulated Qualifications Framework 3 or Scottish Credit and Qualifications Framework 6 and above can apply as either a Student or as a Child Student (see Appendix Child Student).*

*A person who wants to study a course for 6 months or less without a student sponsor but with an accredited provider should apply under Appendix V: Visitor. A person aged 16 or over who wants to study an English Language course of 11 months or less without a student sponsor but with an accredited provider, should apply under Appendix Short-term Student.*

*Some Students can bring a dependent partner and dependent children to the UK, for example if they are studying at postgraduate level or on a government sponsored scheme.*

*The Student route is not a route to settlement.*

### **Validity requirements for a Student**

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

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Student using the UK Immigration: ID Check app; or</li> </ul>

	<ul style="list-style-type: none"> <li>the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Student visa
Applicants inside the UK	Student

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

- any fee and Immigration Health Charge must have been paid; and
- the applicant must have provided any required biometrics; and
- the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- the applicant must provide a Confirmation of Acceptance for Studies reference number that was issued to them no more than 6 months before the date of application.

ST 1.3. If the applicant has, in the last 12 months before the date of application, completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent in relation to the application from that Government or agency.

ST 1.4. An applicant who is in the UK on the date of application must not have, or have last been granted, permission:

- as a Visitor; or
- as a Short-term Student; or
- as a Parent of a Child Student; or
- as a Seasonal Worker; or
- as a Domestic Worker in a Private Household; or
- outside the Immigration Rules.

ST 1.5. The applicant must be at least 16 years old on the date of application.

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

### **Suitability requirements for a Student**

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

ST 2.2. If the applicant is applying for permission to stay, they must not be:

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

### **Eligibility requirements for a Student**

#### **Entry requirements for a Student**

ST 3.1. A person seeking to come to the UK as a Student must apply for and obtain entry clearance as a Student before they arrive in the UK.

ST 3.2. A person applying for entry clearance as a Student 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.

**Date of application requirement for a Student**

ST 4.1. An application for entry clearance must be made no more than 6 months before the start date of the course stated on the Confirmation of Acceptance for Studies.

ST 4.2. An application for permission to stay must be made no more than 3 months before the start date of the course on the Confirmation of Acceptance for Studies.

ST 4.3. An application for permission to stay must be for study on a course with a start date no more than 28 days after the expiry date of the applicant’s previous permission.

**Genuine Student requirement**

ST 5.1. The applicant must be a genuine student.

**Points requirement for a Student**

ST 6.1. The applicant must be awarded a total of 70 points based on the table below.

Points type	Relevant requirements to be met	Number of points
Study (must meet all)	<ul style="list-style-type: none"> <li>• Confirmation of Acceptance for Studies requirement</li> <li>• Course requirement</li> <li>• Approved qualification requirement</li> <li>• Level of study requirement</li> <li>• Place of study requirement</li> </ul>	50
Financial	<ul style="list-style-type: none"> <li>• Financial requirement</li> </ul>	10
English language	<ul style="list-style-type: none"> <li>• English language requirement</li> </ul>	10

**Confirmation of Acceptance for Studies requirement**

ST 7.1. The Confirmation of Acceptance for Studies must have been issued by a student sponsor whose licence is still valid on the date on which the application is decided.

ST 7.2. The Confirmation of Acceptance for Studies must not have been used in a previous application which was either granted or refused (but could have been relied on in a previous application which was rejected as invalid, made void or withdrawn).

ST 7.3. The student sponsor must not have withdrawn the offer to the applicant after the date that the Confirmation of Acceptance for Studies was issued.

ST 7.4. The Confirmation of Acceptance for Studies must contain the necessary information to confirm all the following requirements are met:

- (a) the course requirement; and
- (b) the approved qualification requirement; and
- (c) the level of study requirement; and
- (d) the place of study requirement.

ST 7.5. The Confirmation of Acceptance for Studies must state the cost of accommodation and fees (and any payment already made) so that the financial requirement can be assessed.

ST 7.6. The Confirmation of Acceptance for Studies must show how the English language requirement has been met, and where the sponsor has assessed the applicant's English language ability, must include the information in ST 13.3. and ST 13.4.

### **Course requirement for a Student**

ST 8.1. The application must be for a single course of study that meets the requirements in

ST 8.2. unless it is one of the following:

- (a) a combined pre-sessional course which meets the requirements in ST 15.1. to 15.3;  
or
- (b) a full-time, salaried, elected executive position as a Student Union Sabbatical Officer, where the applicant is either part-way through their studies or will fill the position in the academic year immediately after their graduation; or
- (c) to enable the applicant to stay in the UK on the Doctorate Extension Scheme and the Confirmation of Acceptance for Studies has been assigned by a higher education provider with a track record of compliance and issued within 60 days of the expected end date of a course leading to the award of a PhD to the applicant.

ST 8.3. The application must be for a course which is one of the following:

- (a) a full-time course at degree level or above that leads to an approved qualification; or
- (b) a full-time course below degree level involving a minimum of 15 hours per week of classroom-based daytime study (08:00 to 18:00, Monday to Friday) that leads to an approved qualification; or
- (c) a full-time course involving a minimum of 15 hours per week of classroom-based daytime study that is a pre-sessional course; or
- (d) a part-time course above degree level that leads to an approved qualification where the Confirmation of Acceptance for Studies has been issued by a higher education provider with a track record of compliance; or
- (e) a full-time course at degree level or above that is recognised by UK NARIC as being equivalent to a UK higher education course where the Confirmation of Acceptance for Studies has been assigned by an overseas higher education institution or a higher education provider with a track record of compliance.

ST 8.4. If the course is an Association of Certified Chartered Accountants (ACCA) qualification or an ACCA Foundations in Accountancy qualification, the student sponsor must be an ACCA approved learning partner – student tuition at either Gold or Platinum level.

ST 8.5. If the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies, the applicant must have a valid ATAS certificate and provide it with the application.

### **Approved qualification requirement for a Student**

ST 9.1. The course of study, unless it is a pre-sessional course, must lead to an approved qualification which is one of the following:

- (a) validated by Royal Charter; or
- (b) awarded by a UK recognised body; or
- (c) covered by a legal agreement between a UK recognised body and another education provider or awarding body, which confirms both:
  - (i) the UK recognised body's independent assessment of the level of the student sponsor's or awarding body's programme compared to the Regulated Qualifications Framework or its equivalents; and
  - (ii) that the UK recognised body would admit any student who successfully completes the education provider's or the awarding body's named course onto a specific or a range of degree-level courses it provides; or
- (d) recognised by one or more recognised bodies through a formal articulation agreement with the awarding body; or
- (e) in England, Wales and Northern Ireland, is at Regulated Qualifications Framework level 3 or above; or in Scotland is accredited at Scottish Credit and Qualifications Framework level 6 or above; or
- (f) an overseas qualification that UK NARIC assesses as valid and equivalent to Regulated Qualifications Framework level 3 or above; or
- (g) an aviation licence, rating or certificate issued by the UK's Civil Aviation Authority.

#### **Level of study requirement for a Student**

ST 10.1. If the Confirmation of Acceptance for Studies has been assigned by a probationary sponsor, the course must meet one of the following requirements unless it is a pre-sessional course:

- (a) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged under 18, and the course is at Regulated Qualifications Framework level 3 or above; or
- (b) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged 18 or over, and the course is at Regulated Qualifications Framework level 4 or above; or
- (c) the course will be studied in Scotland, and the applicant is aged under 18, and the course is at Scottish Credit and Qualifications Framework level 6 or above; or
- (d) the course will be studied in Scotland, and the applicant is aged 18 or over and the course is at Scottish Credit and Qualifications Framework level 7 or above.

ST 10.2. If the Confirmation of Acceptance for Studies has been assigned by a student sponsor, the course must meet one of the following requirements:

- (a) the course will be studied in England, Wales or Northern Ireland and it is at Regulated Qualifications Framework level 3 or above; or
- (b) the course will be studied in Scotland and it is at Scottish Credit and Qualifications Framework level 6 or above; or
- (c) the course is a short-term study abroad programme in the UK as part of the applicant's qualification at an overseas higher education institution outside of the UK, and that qualification is recognised as being at UK bachelor's degree level or above by UK NARIC; or
- (d) the course is a pre-sessional course in English language at level B2 or above of the Common European Framework of Reference for Languages; or
- (e) the course is a recognised Foundation Programme for postgraduate doctors or dentists; or



- (f) the course is being delivered under a partnership between a higher education institution and a research institute and is accredited at Regulated Qualifications Framework level 7 or above, or at Scottish Credit and Qualifications Framework Level 11 or above.

### **Place of study requirement for a Student**

ST 11.1. All study that forms part of the course of study must take place on the premises of the student sponsor or a partner institution unless the applicant is on a course-related work placement, a study abroad programme overseas, or a pre-sessional course.

### **Financial requirement for a Student**

ST 12.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement and do not need to show funds.

ST 12.2. If the applicant is applying for entry clearance or permission to stay and is applying as a Student Union Sabbatical Officer or to study on a recognised foundation programme as a doctor or dentist in training, they will meet the financial requirement and do not need to show funds.

ST 12.3. If ST 12.2. does not apply, and the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK with permission for less than 12 months, the applicant must have the following funds:

#### (a) Studying in London

<b>Type of Study</b>	<b>Funds required</b>
Residential Independent School	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
Doctorate Extension Scheme	£2668
All other cases	Sufficient funds to pay any outstanding course fees as stated on the Confirmation of Acceptance for Studies, and £1334 for each month of the course (up to a maximum of 9 months)

#### (b) Studying outside London

<b>Type of Study</b>	<b>Funds required</b>
Residential Independent School	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
Doctorate Extension Scheme	£2046
All other cases	Sufficient funds to pay any outstanding course fees as stated on the Confirmation of Acceptance for Studies, and £1023 for each month of the course (up to a maximum of 9 months)

If the length of the applicant's course includes a part of a month, the time period will be rounded up to the next full month.

ST 12.4. If the applicant has paid a deposit to the student sponsor for accommodation arranged by the sponsor, this deposit (up to a maximum of £1334) can be offset against the funds required in ST 12.3.

ST 12.5. If the applicant has paid all or part of their course fees to their student sponsor this must be confirmed on the Confirmation of Acceptance for Studies, or the applicant must provide a receipt issued by the student sponsor confirming the amount of fees paid.

ST 12.6. Unless the applicant is relying on a student loan or on official financial sponsorship such as an award from a Government or international scholarship agency, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **English language requirement for a Student**

ST 13.1. 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:

- (a) level B2, where the applicant is studying a course at UK bachelor's degree level or above; or
- (b) level B1, where the applicant is studying a pre-sessional course or a course below UK bachelor's degree level.

ST 13.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

ST 13.3. Where the student sponsor has assessed that the applicant meets the English language requirement, they must state this and the method of assessment on the Confirmation of Acceptance for Studies.

ST 13.4. Where a Secure English Language Test is required, the name of the test provider, the unique reference number for the test and the score for each component tested (reading, writing, listening, speaking) must be included on the Confirmation of Acceptance for Studies.

### **Academic Progress requirement for a Student**

ST 14.1. An applicant who has, or previously had, permission as a Student and is applying for permission to stay as a Student must have successfully completed the course of study for which they were last granted permission as a Student, unless one of the exceptions in ST 14.4. applies, or they are applying to progress to a higher level course as specified in ST 14.3.(a) or (b).

ST 14.2. An applicant who has, or previously had, permission on the Student route and is applying for permission to stay as a Student must show academic progress from the previous courses of study unless one of the exceptions in ST 14.4. applies.

ST 14.3. An applicant will show academic progress if they are applying for any of the following:

- (a) to progress from a bachelor's to master's level course which is part of an integrated master's course, where the applicant has been offered a place on a higher-level course by the student sponsor after an assessment of their academic ability; or
- (b) to progress from a master's degree to a PhD which is part of an integrated master's and PhD programme, where the applicant has been offered a place on a higher-level course by the student sponsor after an assessment of their academic ability; or
- (c) a course which is above the level of the previous course of study for which they were last granted permission unless:
  - (i) the student sponsor is a higher education provider with a track record of compliance; and
  - (ii) the course is at degree level or above; and
  - (iii) the new course is at the same level as the previous course of study; and
  - (iv) the student sponsor confirms that either:
    - (a) the new course of study is related to the applicant's previous course of study (meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation); or
    - (b) the combination of the previous course of study and the new course of study support the applicant's genuine career aspirations.

ST 14.4. An applicant does not need to show academic progress where they:

- (a) are applying to re-sit examinations or repeat modules under ST 14.5.; or
- (b) have previously re-sat examinations or repeated modules under ST 14.5. and are applying to complete the course for which those examinations were re-sat or modules repeated; or
- (c) are applying to continue studying with their current student sponsor for the purpose of completing the PhD or other doctoral qualification for which study was undertaken during their last period of permission as a Student; or
- (d) are making an application to move to a new student sponsor to complete a course of study begun at a student sponsor that has subsequently had its licence revoked; or
- (e) are applying to undertake a role as a Student Union Sabbatical Officer; or
- (f) after undertaking a period as a Student Union Sabbatical Officer are applying to complete the qualification for which the Confirmation of Acceptance for Studies was assigned before that period; or
- (g) are applying for permission to stay under the Doctorate Extension Scheme or as a postgraduate doctor or dentist on a recognised Foundation Programme; or
- (h) are applying to undertake an intercalated bachelor's or master's degree course or PhD where they are studying medicine, veterinary medicine and science, or dentistry as their principal course of study, or to complete their principal course, having completed a period of intercalation; or
- (i) are applying to undertake a study abroad programme or work placement which is both integral to and assessed as part of the course, or to complete their course, having completed a study abroad programme or work placement.

ST 14.5. If the applicant is re-sitting examinations or repeating a module of a course, the applicant must not previously have re-sat the same examination or repeated the same module, more than once (they can only do so twice), unless the sponsor is a student sponsor (and is not a probationary sponsor).

### **Combined Pre-sessional Course requirement for a Student**

ST 15.1. A single Confirmation of Acceptance for Studies can be assigned for a combined pre-session course and a main course at degree level or above by a higher education provider with a track record of compliance if:

- (a) the pre-session course lasts no longer than 3 months; and
- (b) the main course will begin no more than 1 month after the pre-session course ends.

ST 15.2. If the applicant has been assessed as having language ability of at least level B2 in order to meet the English language requirement at ST 13.1., the Confirmation of Acceptance for Studies must confirm that the applicant has an unconditional offer of a place on the main course.

ST 15.3. If the applicant has been assessed (which must be by a method other than assessment by the student sponsor) as having language ability of at least level B1 in order to meet the English language requirement at ST 13.1., the Confirmation of Acceptance for Studies must confirm that the student sponsor is satisfied that the applicant will have at least level B2 at the end of the pre-session course.

### **Postgraduate Doctor or Dentist requirement**

ST 16.1. If the applicant is applying to be a postgraduate doctor or dentist on a recognised Foundation Programme, they must have both:

- (a) successfully completed a recognised UK bachelor's degree or above in medicine or dentistry; and
- (b) previously been granted permission as a Student, for at least two academic years, which must include the final year, of their UK bachelor's degree or above in medicine or dentistry.

### **Work Placement requirement**

ST 17.1. A course that includes a work placement must lead to an approved qualification and the Confirmation of Acceptance for Studies must be assigned by a student sponsor (who is not a probationary sponsor) if the course of study is below degree level.

ST 17.2. A work placement must be assessed as an integral part of the course and must not be longer than one third of the total length of the course, except when there is a statutory requirement that it must be so, or where ST 17.3. applies.

ST 17.3. A work placement on a course that is at degree level or above at a higher education provider with a track record of compliance or at an overseas higher education institution must not be longer than half of the total length of the course.

### **Doctorate Extension Scheme requirement**

ST 18.1. Where the applicant is applying for permission to stay on the Doctorate Extension Scheme, the date of application must not be more than 60 days before the expected end date of a course leading to the award of the PhD to the applicant, as shown on the Confirmation of Acceptance for Studies.

ST 18.2. Where the applicant is applying for permission to stay on the Doctorate Extension Scheme:

- (a) the applicant must not have had previous permission on the Doctorate Extension Scheme; and

- (b) the applicant must have permission as a Student and must be following a course leading to the award of a PhD; and
- (c) the applicant must be sponsored by a higher education provider with a track record of compliance and that student sponsor must be the body awarding the PhD; and
- (d) the date of application must not be more than 60 days before the expected end date of a course leading to the award of a PhD for which the student sponsor issued the applicant's previous Confirmation of Acceptance for Studies.

**Maximum period of study requirement for a Student**

ST 19.1. If the course is below degree level, the grant of permission must not lead to the applicant being granted more than two years' permission as a Student to study courses below degree level from the age of 18 unless ST 19.2. applies.

ST 19.2. If the course is below degree level but is subject to a regulatory requirement by the Maritime and Coastguard Agency that the applicant must spend at least 12 months at sea as a part of that course, the grant of permission must not lead to the applicant being granted more than 3 years' permission as a Student from the age of 18 to study courses below degree level.

ST 19.3. If the course is at degree level, the grant of permission must not lead to the applicant being granted more than five years' permission as a Student from the age of 18 to study courses at degree level unless the course of study is one of those listed at ST 19.4.

ST 19.4. The five-year maximum period of study at degree level in ST 19.3. will not apply if the applicant has a Confirmation of Acceptance for Studies that has been assigned for a course of study in one of the following subjects:

- (a) architecture; or
- (b) medicine; or
- (c) dentistry; or
- (d) veterinary medicine and science; or
- (e) music at a music college that is a member of Conservatoires UK; or
- (f) law, where the applicant has completed a course at degree level or above and is applying for a course of study which is:
  - (i) a law conversion course validated by the Solicitors Regulation Authority and the Bar Standards Board in England and Wales; or
  - (ii) a Masters in Law (MLaw) in Northern Ireland; or
  - (iii) an accelerated graduate LLB in Scotland.

ST 19.5. If the applicant has previously been granted permission as a postgraduate doctor or dentist, the grant of permission to the applicant must not lead to the applicant having been granted more than 3 years' permission as a postgraduate doctor or dentist.

ST 19.6. When calculating the period of permission granted under ST 19.1. to ST 19.5., any period of permission as a Student extended under section 3C of the Immigration Act 1971 will count towards the period of permission granted.

**Documents used to obtain an offer requirement for a Student**

ST 20.1. The applicant must provide evidence of the qualifications or references they used to obtain the offer of a place on the course of study from the student sponsor, unless either:

- (a) the applicant is applying for a course of study at degree level or above and is sponsored by a higher education provider with a track record of compliance; or
- (b) ST 22.1. applies.

ST 20.2. The evidence of each qualification must be one of the following:

- (a) the certificate(s) of qualification; or
- (b) the transcript of results; or
- (c) a print out of the qualification or transcript results from the awarding body's online checking service.

ST 20.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

### **Parental consent requirement for a Student**

ST 21.1. If the applicant is aged 16 or 17, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

ST 21.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Differential evidence requirement for a Student**

ST 22.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide documents used to obtain an offer does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

- (a) holds a passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (which includes the number of the identification card issued by the competent authority in Taiwan); or
- (b) is a national of any of the following:
  - Australia
  - Austria
  - Bahrain
  - Barbados
  - Belgium
  - Botswana
  - Brazil
  - Brunei
  - Bulgaria
  - Cambodia
  - Canada
  - Chile
  - China

Croatia  
Republic of Cyprus  
Czech Republic  
Denmark  
The Dominican Republic  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Iceland  
Indonesia  
Ireland  
Italy  
Japan  
Kazakhstan  
Kuwait  
Latvia  
Liechtenstein  
Lithuania  
Luxembourg  
Malaysia  
Malta  
Mauritius  
Mexico  
Netherlands  
New Zealand  
Norway  
Oman  
Peru  
Poland  
Portugal  
Qatar  
Romania  
Serbia  
Singapore  
Slovakia  
Slovenia  
South Korea  
Spain  
Sweden  
Switzerland  
Thailand  
Tunisia  
United Arab Emirates  
United States of America

**Information on the Confirmation of Acceptance for Studies requirement**

ST 23.1. The student sponsor must provide all the following information about the course of study on the Confirmation of Acceptance for Studies:

- (a) title of course; and
- (b) academic level of course; and
- (c) course start and end dates; and
- (d) hours of study per week, including confirmation on whether the course is part-time or full-time; and
- (e) the address of the main place of study; and
- (f) the cost of accommodation and fees; and
- (g) if the student sponsor has assessed the applicant by use of one or more references, details of the references assessed; and
- (h) if the course involves a work placement, details of any work placement relating to the course; and
- (i) if the course will be provided by an education provider which is not the student sponsor, details of the partner institution; and
- (j) whether the ATAS requirement in Annex ATAS applies; and
- (k) confirmation if the course is a recognised Foundation Programme for postgraduate doctors or dentists, and requires a certificate from the Postgraduate Dean; and
- (l) a statement of how the student sponsor has assessed the applicant's English language ability including, where relevant, the applicant's English language test scores in all 4 components (reading, writing, speaking and listening); and
- (m) if the course is part of a study abroad programme, the name and address of the partner institution; and
- (n) if the applicant is applying for a full-time, salaried, elected executive position as a Student Union Sabbatical Officer and is part-way through their studies or being sponsored to fill the position in the academic year immediately after their graduation; and
- (o) if the Confirmation of Acceptance for Studies was issued for the Doctorate Extension Scheme, that it was issued within 60 days of the expected end date of a course leading to the award of a PhD and the applicant is sponsored by a higher education provider with a track record of compliance; and
- (p) if the applicant has previously been granted permission as a Student, confirmation that the new course meets the academic progress requirement from the previous course as required by ST 14.1. to ST 14.5.

### **Decision on application for a Student**

ST 24.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Student are met, the application will be granted; otherwise, the application will be refused.

ST 24.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR.

### **Period and conditions of grant for a Student**

ST 25.1. The grant of permission will be subject to the following conditions:

- (a) no access to public funds; and
- (b) no work, except as specified in ST 26; and
- (c) no study, except as specified in ST 27; and
- (d) if Part 10 applies, the person will be required to register with the police.



ST 25.2. The applicant will be granted permission for the duration of the course as specified on the Confirmation of Acceptance for Studies plus the relevant periods specified in ST 25.3.

ST 25.3. The period of permission granted to an applicant before the start of the course who is applying for entry clearance will be either:

- (a) the relevant period before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course; or
- (b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
- (c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted a period of permission dependent on the type and length of course as in the table below:

<b>Type of Course</b>	<b>Period granted before course start date</b>	<b>Period granted after course end date</b>
A course of 12 months or longer	1 Month	4 Months
A course of 6 months or longer but shorter than 12 months	1 Month	2 Months
A pre-session course of less than 6 months	1 Month	1 Month
A course as a Postgraduate doctor or dentist	1 Month	1 Month
A course of less than 6 months in length which is not a pre-session course	7 Days	7 Days

Permission to stay on the doctorate extension scheme will be granted for 12 months from the expected end date of the course shown on the Confirmation of Acceptance for Studies.

### **Work Conditions for a Student**

ST 26.1. The applicant will be granted permission with the following employment conditions:

<b>Type of study</b>	<b>Employment conditions</b>
Student following a full-time course of degree level or above study: <ul style="list-style-type: none"> <li>• sponsored by a higher education provider with a track record of compliance; or</li> <li>• sponsored by an overseas higher education institution to undertake a short-term study abroad programme in the UK</li> </ul>	20 hours per week during term-time (full-time employment permitted outside of term-time)

Student undertaking a full-time course below degree level study sponsored by a higher education provider with a track record of compliance	10 hours per week during term-time (full-time employment permitted outside of term-time)
All other study, including all part-time study	No employment permitted

ST 26.2. Students are permitted to undertake work related to a work placement, assessed as an integral part of the course, that meets the requirements at ST 17.1. to ST 17.3.

ST 26.3. Employment as an elected Student Union Sabbatical Officer or elected National Union of Students (NUS) position is permitted for up to 2 years if the Confirmation of Acceptance for Studies was assigned for this purpose.

ST 26.4. Where a Student has successfully completed a PhD at a higher education provider with a track record of compliance, and has been granted permission to stay as a Student on the Doctorate Extension Scheme or has made a valid application for permission to stay as a Student on the Doctorate Extension Scheme but has not yet received a decision on that application, the Student is permitted to work in any role, except for employment as a professional sportsperson (including as a sports coach).

ST 26.5. A Student is not allowed to do any of the following:

- (a) be self-employed or engage in business activity unless ST 26.4. or ST 26.8 apply; or
- (b) work as a professional sportsperson (including as a sports coach); or
- (c) work as an entertainer unless ST 26.4. applies; or
- (d) work in a position which would fill a permanent full-time vacancy unless ST 26.4. or ST 26.6. applies.

ST 26.6. If a Student has permission and makes an application for permission to stay under the Skilled Worker route, supported by a Certificate of Sponsorship assigned by a licensed sponsor, the Student can start the employment for which the Certificate of Sponsorship was assigned, for up to 3 months prior to the course completion date, provided:

- (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 was made when the applicant had permission as a Student; and
- (c) a decision has not been made on the Skilled Worker application, or where a decision has been made, any Administrative Review against a refusal has not been finally determined.

ST 26.7. A Student may be employed as a postgraduate doctor or dentist if they are on a recognised Foundation Programme.

ST 26.8. A Student may be self-employed, if:

- (a) they have applied for permission on the Start-up route; and
- (b) that application is supported by an endorsement from a Start-up route endorsing body which is a higher education provider with a track record of compliance; and
- (c) the application was made when the applicant had permission as a Student; and

- (d) a decision has not been made on the application, or where the application has been refused, any Administrative Review against a refusal has not been finally determined.

### **Study Conditions**

ST 27.1. A Student must only study with the student sponsor which assigned the Confirmation of Acceptance for Studies unless either:

- (a) the Student is studying at a partner institution of their student sponsor; or
- (b) the Student has made an application for permission to stay while they have permission as a Student:
  - (i) which is supported by a valid Confirmation of Acceptance for Studies assigned by a student sponsor; and
  - (ii) the application has not yet been decided, or any Administrative Review against that decision has not been determined; and
  - (iii) the Student will be studying at the student sponsor that assigned the Confirmation of Acceptance for Studies.

ST 27.2. A Student must only study on the course of study, or courses where a combined pre-session course is being taken, for which the Confirmation of Acceptance for Studies was assigned unless ST 27.3. applies.

ST 27.3. A Student may begin studying on a new course with their current student sponsor if:

- (a) the student sponsor is a higher education provider with a track record of compliance; and
- (b) the Student has not completed the course that the Confirmation of Acceptance for Studies was assigned for; and
- (c) the new course is not at a lower qualification level than the course the Confirmation of Acceptance for Studies was assigned for; and
- (d) the course is at degree level or above; and
- (e) any new course at degree level can be completed within the current period of permission; and
- (f) the student sponsor confirms that new course is related to the course for which the Confirmation of Acceptance for Studies was assigned or supports the Student's genuine career aspirations.

ST 27.4. The Student may study on a study abroad programme overseas that is an integral and assessed part of the course of study named on the Confirmation of Acceptance for Studies.

ST 27.5. Supplementary study is permitted.

ST 27.6. Study is subject to the ATAS condition in Appendix ATAS.

ST 27.7. The Student must not study at a State School or Academy (except for a voluntary grammar school with boarding in Northern Ireland) but if the Student has been granted permission to study at a student sponsor which becomes a State School or Academy during that period of permission the Student may complete the course for which the Confirmation of Acceptance for Studies was assigned.

### **Dependants of a Student**

## Validity requirements for a dependent partner or dependent child of a Student

ST 28.1. A person applying for entry clearance or permission to stay as a partner or child of a Student must apply on the specified form on the gov.uk website as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Student, they can be included in the form Student where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

<b>Location of partner or child</b>	<b>Nationality and document</b>	<b>Specified form</b>
Outside the UK	EEA nationals with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or Dependant partner visa</li> <li>• Dependant child or Dependant child visa</li> </ul>
	Other applicants	Dependant partner visa Dependant child visa
Inside the UK	All applicants	If the dependant is applying at the same time as the Student applicant, they can be included in the form Student where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

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.

ST 28.3. If the applicant has in the 12 months before the date of application been awarded a scholarship or sponsorship by 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.

ST 28.4. An applicant who is in the UK on the date of application 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.

ST 28.5. An application which does not meet the validity requirements for a partner or child on the Student route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child of a Student**

ST 29.1. The suitability requirements for a partner or child on the Student route are that they must not fall for refusal under Part 9: grounds for refusal.

ST 29.2. A person applying for permission to stay must not be:

- (a) in the UK 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 Student**

#### **Entry requirement for a dependent partner or dependent child of a Student**

ST 30.1. A person seeking to come to the UK as a partner or child of a Student must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

ST 30.2. A person applying for entry clearance as a partner or child of a Student 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.

#### **Student course requirement for a dependent partner or dependent child of a Student**

ST 31.1. Unless they are a child who meets the requirements in ST 31.2., the applicant must be the partner or child of a person who is:

- (a) a Student who has received an award from a Government and has, or is applying for, permission to study on a full-time course of 6 months or longer; or
- (b) a full-time Student who has, or is applying for, permission to study a postgraduate level course of 9 months or longer at a higher education provider with a track record of compliance; or
- (c) a Student who has permission on the Doctorate Extension Scheme; or

- (d) a Student who has, or had within the last 3 months before the date of application, permission to study on a full-time course of 6 months or longer, and is now applying for permission to study a full-time course of 6 months or longer where either:
  - (i) the partner or child already has, or had within the last 3 months before the date of application, permission as a dependent partner or dependent child of the Student; or
  - (ii) the child was born since the last grant of permission to the Student, where the Student and partner or child are applying at the same time.

ST 31.2. If the applicant is a child who does not meet the requirement at ST.31.1., they must instead meet one of the following requirements:

- (a) the applicant must have been born during the Student's current period of permission to study a full-time course of 6 months or longer and they are applying for permission during that period; or
- (b) where the Student has permission to re-sit examinations or repeat a module of a full-time course of 6 months or longer, the applicant must have been born either:
  - (i) during the Student's original period of permission; or
  - (ii) during the period of permission granted for re-sitting examinations or to repeat a module; or
- (c) the applicant must have been born no more than 3 months after the expiry of the Student's most recent permission and must be making an application for entry clearance within 6 months of the expiry of their parent's most recent permission.

### **Relationship requirement for dependent partner of a Student**

ST 32.1. The applicant must be the partner of a Student, or the partner of a person applying at the same time as a Student.

ST 32.2. Both the applicant and their partner must be aged 18 or over at the date of application.

ST 32.3. If the applicant and their partner (who must be a Student, or applying at the same time as a Student) are not married or in a civil partnership, all 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 2 years before the date of application; and
- (b) any previous relationship of the applicant and their partner with another person must have permanently broken down; and
- (c) the applicant and their partner must not be so closely related that they would not have been allowed to marry in the UK.

ST 32.4. The relationship between the applicant and their partner must be genuine and subsisting.

ST 32.5. The applicant and their partner (who must be a Student, or applying at the same time as a Student) must intend to live together throughout the applicant's stay in the UK.

ST 32.6. The applicant must not intend to stay in the UK beyond any permission granted to their partner (who must be a Student or applying at the same time as a Student).

### **Financial requirement for dependent partner of a Student**

ST 33.1. 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.

ST 33.2. If the applicant is applying for entry clearance or permission to stay, where they have been in the UK less than 12 months, the applicant or their partner (who must be a Student or applying at the same time as a Student) must have the funds specified in the table below, for a total of 9 months, or for the period of permission applied for by the applicant, whichever is the shorter.

<b>Place of Student's study</b>	<b>Funds required by a dependent partner</b>
Studying in London	£845 per month
Studying outside London	£680 per month

ST 33.3. The funds must be in addition to the funds required for the Student to meet the financial requirement, and the funds required to meet the financial requirement for any dependent child who is applying at the same time, or is already in the UK as a dependent child of the Student.

ST 33.4. Unless the applicant is relying on financial sponsorship from a Government or international scholarship agency that covers the living costs of the applicant and the Student, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Relationship requirement for dependent child of a Student**

ST 34.1. The applicant must be the child of a parent who has, or is at the same time being granted permission as:

- (a) a Student; or
- (b) the partner of a Student.

ST 34.2. 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 with permission as a Student or as the partner of a Student is the sole surviving parent; or
- (b) the parent with permission as a Student or as the partner of a Student has sole responsibility for the child's upbringing; or
- (c) 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 has permission as a Student or as the partner of a Student.

ST 34.3. If the applicant is a child born in the UK to a Student or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

### **Care requirement for dependent child of a Student**

ST 35.1. 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 legislation and regulations.

### **Age requirement for a dependent child of a Student**

ST 36.1. The child must be under the age of 18 at the date of application, unless they were last granted permission as a dependent child of the parent (P) who has or is applying for entry clearance or permission to stay as a Student or as a partner of a Student (regardless of the route under which the parent (P) had permission at the time the child's last permission was granted).

ST 36.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

### **Financial requirement for dependent child of a Student**

ST 37.1. 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.

ST 37.2. Where the applicant is applying for entry clearance, or permission to stay and they have been in the UK less than 12 months on the date of application, the applicant or their parent must have the funds specified in the table below, for a total of 9 months, or for the period of permission applied for by the applicant, whichever is the shorter.

<b>Place of Student's study</b>	<b>Funds required for a dependent child</b>
Studying in London	£845 per month
Studying outside London	£680 per month

ST 37.3. The funds must be in addition to the funds required for the Student to meet the financial requirement, and the funds required for any dependant of the Student, who is applying at the same time as the applicant or is already in the UK as a dependant of the Student.

ST 37.4. Where ST 37.2. applies, unless the applicant is relying on financial sponsorship from a Government or international scholarship agency that covers the living costs of the Student and the applicant, the required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a dependent partner or dependent child of a Student**

ST 38.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependent partner or dependent child of a Student are met, the application will be granted, otherwise the application will be refused.

ST 38.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR.

### **Period and conditions of grant for a dependent partner or dependent child of a Student**

ST 39.1. A dependent partner will be granted permission which ends on the same date as the Student's permission.

ST 39.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

ST 39.3. 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:
  - (i) where the dependant meets the requirement at ST 31.1.(d) and the Student has been granted less than 9 months' permission, unless that is to continue a course of study where they had previously been granted at least 9 months' permission; or
  - (ii) where the dependant meets the requirement at ST 31.1.(d) and the Student is studying a course below degree level; or
  - (iii) no employment 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 partner or child is aged over 18); and
- (d) if Part 10 applies the person will be required to register with the police.

### **Appendix Short-term Student (English language)**

*This route is for a person aged 16 and over who wants to study an English language course in the UK for between 6 and 11 months at an accredited institution.*

*An application can only be made by a person outside the UK.*

*Short-term Study (English language) is an unsponsored route, sponsored study for persons aged 16 and over is covered in Appendix Student.*

*A visitor under Appendix V: Visitors can study an English language course of less than 6 months with an accredited institution.*

### **Validity requirements for a Short-term Student**

STS 1.1. A person applying for entry clearance as a Short-term Student must apply online on gov.uk website on the specified form "Short-term Student visa".

STS 1.2. An application for entry clearance as a Short-term 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 outside the UK.

STS 1.3. The applicant must be aged 16 or over on the date of application.

STS 1.4. An application which does not meet all the validity requirements for a Short-term Student is invalid and may be rejected and not considered.

### **Suitability requirements for a Short-term Student**

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

### **Eligibility requirements for a Short-term Student**

### **Entry requirements for a Short-term Student**

STS 3.1. A person seeking to come to the UK as a Short-term Student must obtain entry clearance as a Short-term Student before they arrive in the UK.

STS 3.2. A person applying for entry clearance as a Short-term Student for more than 6 months 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.

### **Course requirements for a Short-term Student**

STS 4.1. The course provider must be an accredited institution.

STS 4.2. The applicant must provide written evidence from the course provider that the applicant has been accepted onto an English language course (that does not include any other subject) that lasts no longer than 11 months.

### **Study requirement for a Short-term Student**

STS 5.1. The applicant must not intend to do any of the following during their time in the UK as a Short-term Student:

- (a) undertake a course of study of longer than 11 months; or
- (b) study at an academy or state-funded school; or
- (c) make the UK their main home; or
- (d) work in the UK; or
- (e) engage in any business or professional activities in the UK.

STS 5.2. The applicant must intend to leave the UK within 30 days of the end of their English language course, or at the end of 11 months, whichever is sooner.

### **Financial requirements for a Short-term Student**

STS 6.1. The applicant must be able to maintain and accommodate themselves adequately without receiving public funds.

STS 6.2. The applicant must have enough funds to meet the cost of their return or onward journey from the UK.

STS 6.3. At the date of application, the applicant must have paid their course fees or have enough funds to pay their course fees.

STS 6.4. Funds must be shown as specified in Appendix Finance.

### **Parental consent requirement for a Short-term Student aged 16 or 17**

STS 7.1. If the applicant is aged 16 or 17 on the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

STS 7.2. The written consent must confirm support for all of the following:

- (a) the application; and

- (b) the applicant’s living and care arrangements in the UK; and
- (c) the applicant’s travel to, and reception arrangements in, the UK.

**Decision on application as a Short-term Student**

STS 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Short-term Student are met the application will be granted, otherwise the application will be refused.

STS 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 Short-term Student**

STS 9.1. The applicant will be granted permission for 11 months.

STS 9.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) no work; and
- (c) study only on the course for which the applicant was granted permission.

**Appendix Child Student**

*The Child Student route is for a person aged between 4 and 17 who wants to study at an independent school in the UK, which is a student sponsor.*

*A person aged 16 or 17 who wants to study a course at or above Regulated Qualifications Framework level 3 or Scottish Credit and Qualifications Framework level 6, can choose either to apply as a Child Student at an independent school or as a Student under Appendix Student.*

**Validity requirements for a Child Student**

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

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Child Student using the UK Immigration: ID Check app; or</li> <li>• The forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Child Student visa
Applicants inside the UK	Child Student

CS 1.2. An application for entry clearance or permission to stay as a Child 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 on the date of application have a Confirmation of Acceptance for Studies reference number that was issued to the applicant no more than 6 months before the date of application.

CS 1.3. The applicant must be between 4 and 17 years old at the date of application.

CS 1.4. If the applicant has, in the last 12 months before the date of application, completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or international scholarship agency covering both fees and living costs for study in the UK, they must provide written consent in relation to the application from that Government or agency.

CS 1.5. An applicant who is in the UK on the date of application must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) outside the Immigration Rules.

CS 1.6. An application which does not meet all the validity requirements for a Child Student is invalid and may be rejected and not considered.

### **Suitability requirements for a Child Student**

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

CS 2.2. A person applying for permission to stay must not be:

- (a) in the UK 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 Child Student**

#### **Entry requirements for a Child Student**

CS 3.1. A person seeking to come to the UK as a Child Student must apply for and obtain entry clearance as a Child Student before they arrive in the UK.

CS 3.2. A person applying for entry clearance as a Child Student 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.

#### **Date of application requirement for a Child Student**

CS 4.1. An application for entry clearance as a Child Student must be made no more than 6 months before the start date of the course as stated on the Confirmation of Acceptance for Studies.

CS 4.2. An application for permission to stay must be made no more than 3 months before the start date of the course on the Confirmation of Acceptance for Studies.

CS 4.3. An application for permission to stay must be for a course with a start date no more than 28 days after the expiry date of the previous permission to stay.

### **Genuine Child Student Requirement**

CS 5.1. An applicant aged 16 or 17 years old must be a genuine student.

### **Points Requirement for a Child Student**

CS 6.1. The applicant must be awarded a total of 70 points based on the table below:

<b>Points type</b>	<b>Relevant requirements to be met</b>	<b>Number of points</b>
Study (must meet all)	<ul style="list-style-type: none"> <li>• Confirmation of Acceptance for Studies requirement</li> <li>• Course requirement</li> <li>• Study at an independent school</li> <li>• Aged between 4 and 17 when applying</li> <li>• Parental consent</li> </ul>	50
Financial	<ul style="list-style-type: none"> <li>• Financial requirement</li> </ul>	20

### **Confirmation of Acceptance for Studies requirement for a Child Student**

CS 7.1. The Confirmation of Acceptance for Studies must have been issued by a student sponsor which is an independent school whose sponsor licence is still valid on the date on which the application is decided.

CS 7.2. The Confirmation of Acceptance for Studies must not have been used in a previous application which was either granted or refused (but could have been relied upon in a previous application which was rejected as invalid, made void or withdrawn).

CS 7.3. The student sponsor must not have withdrawn the offer since the Confirmation of Acceptance for Studies was issued.

CS 7.4. The Confirmation of Acceptance for Studies must contain the necessary information to confirm that the course requirement is met.

CS 7.5. The Confirmation of Acceptance for Studies must state the cost of accommodation and fees (and any payment already made) so that the financial requirement can be assessed.

### **Course requirement for a Child Student**

CS 8.1. The application must be for a single course of study that meets the requirements at CS 8.2, unless it is for a combined pre-sessional course that meets the requirement at CS 11.1.

CS 8.2. The course for which the Confirmation of Acceptance for Studies has been assigned must be one of the following:

- (a) taught in accordance with the National Curriculum; or
- (b) taught in accordance with the Recognised Qualification Framework (RQF), and is not a foundation course intended to prepare the Child Student for entry to a course provided by a higher education provider; or

- (c) accepted as being of equivalent academic status to (a) or (b) above by Ofsted (England), the Education and Training Inspectorate (Northern Ireland), Education Scotland (Scotland) or Estyn (Wales); or
- (d) provided in accordance with prevailing Independent School education inspection standards.

### **Parental consent requirement for a Child Student**

CS 9.1. The applicant must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

CS 9.2. The written consent must confirm support for all the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

CS 9.3. If the applicant will be living with a close relative or private foster carer, that close relative or foster carer must be:

- (a) a British citizen; or
- (b) settled in the UK.

CS 9.4. The close relative or private foster carer (the intended carer) must provide a letter of undertaking which contains the following information:

- (a) the name, current address and contact details of the intended carer; and
- (b) the address where the intended carer and the applicant will be living in the UK, if different from the intended carer's current address; and
- (c) confirmation that the accommodation offered to the applicant is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel; and
- (d) the nature of the relationship between the applicant's parent(s) or legal guardian and the intended carer; and
- (e) that the intended carer agrees to the care arrangements for the applicant; and
- (f) that the intended carer has at least £570 per month available to look after and accommodate the applicant, for each month of the course up to a maximum of 9 months; and
- (g) a list of any other people that the intended carer has offered to support; and
- (h) the intended carer's signature and date of the letter of undertaking.

CS 9.5. If the applicant is staying in a private foster care arrangement and is aged under 16 years, the applicant must also provide:

- (a) a copy of the letter of notification from their parent, legal guardian or intended carer to the UK local authority, confirming that the applicant will be in the care of a private foster carer while in the UK; and
- (b) the UK local authority's confirmation of receipt, confirming that the local authority has received notification of the private foster care arrangement and have given permission to the arrangement.

### **Financial requirement for a Child Student**

CS 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.

CS 10.2. If the applicant is applying for entry clearance, or permission to stay where they have been in the UK for less than 12 months on the date of application, the applicant must show the following funds:

<b>Living arrangements</b>	<b>Funds required</b>
Boarding at a residential independent school	Sufficient funds to pay the outstanding course fees and boarding fees for one academic year
Living during term-time with a private foster carer or close relative who is a British Citizen or settled in the UK	Sufficient funds to pay the outstanding course fees for one academic year. The private foster carer or close relative must have funds of at least £570 per month for each month of the course up to the maximum of 9 months.
Living with a parent or legal guardian who has permission as a Parent of a Child Student.	Sufficient funds to pay the outstanding course fees for one academic year and: a. if no other children are or will be under the parent's care in the UK at the same time as the applicant, £1,560 per month for each month of the course up to maximum of 9 months; and b. if there are other children who are or will be under the parent's care in the UK at the same time as the applicant, £625 per month for each month of the course up to a maximum of 9 months for each child, other than the applicant, being cared for by the parent.
Aged 16 or 17 and living independently	Sufficient funds to pay the outstanding course fees for one academic year and either: a. £1334 for each month of the course up to a maximum of 9 months where studying in London; or b. £1023 for each month of the course up to a maximum of 9 months where studying outside London.

If the length of the applicant's course includes a part of a month, the period of time will be rounded up to the next full month.

CS 10.3. Unless the applicant is relying on a student loan or an award from a Government or international scholarship agency, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

CS 10.4. The applicant must not be financially responsible for anyone else.

### **Combined pre-sessional course requirement for a Child Student**

CS 11.1. A single Confirmation of Acceptance for Studies can be assigned by an independent school for a combined pre-sessional course and a main course if:

- (a) the applicant has an unconditional offer of a place at the independent school; and

- (b) the duration of the pre-session course and period of study at the independent school does not exceed the maximum period of permission granted as set out at CS 15.2.

### **Evidence of qualifications requirement for a Child Student**

CS 12.1. The applicant must provide evidence of the qualifications they used to obtain the offer of a place on the course from the student sponsor.

CS 12.2. The evidence of each qualification must be one of the following:

- (a) the certificate(s) of qualification; or
- (b) the transcript of results; or
- (c) a print out of the qualification or transcript results from the awarding body's online checking service.

CS 12.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

### **Differential evidence requirement for a Child Student**

CS 13.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide evidence of qualifications does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

- (a) holds a valid passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (that includes the number of the identification card issued by the competent authority in Taiwan); or
- (b) is a national of any of the following:

- Australia
- Austria
- Bahrain
- Barbados
- Belgium
- Botswana
- Brazil
- Brunei
- Bulgaria
- Cambodia
- Canada
- Chile
- China
- Croatia
- Republic of Cyprus
- Czech Republic
- Denmark
- The Dominican Republic
- Estonia
- Finland
- France
- Germany



Greece  
Hungary  
Iceland  
Indonesia  
Ireland  
Italy  
Japan  
Kazakhstan  
Kuwait  
Latvia  
Liechtenstein  
Lithuania  
Luxembourg  
Malaysia  
Malta  
Mauritius  
Mexico  
Netherlands  
New Zealand  
Norway  
Oman  
Peru  
Poland  
Portugal  
Qatar  
Romania  
Serbia  
Singapore  
Slovakia  
Slovenia  
South Korea  
Spain  
Sweden  
Switzerland  
Thailand  
Tunisia  
United Arab Emirates  
United States of America

### **Decision for a Child Student**

CS 14.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a Child Student are met, the application will be granted, otherwise the application will be refused.

CS 14.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions grant for a Child Student**

CS 15.1. The grant will subject to the following conditions:

- (a) no access to public funds; and

- (b) no work until the Child Student is aged over 16 years, then work allowed as specified in CS 16.1; and
- (c) no study except as specified in CS 17; and
- (d) if Part 10 applies the person will be required to register with the police.

CS 15.2. The period of grant before the start of the course for an applicant applying for entry clearance will be:

- (a) the relevant period of permission granted before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course or; or
- (b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
- (c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted permission for the duration of the course as specified on the Confirmation of Acceptance for Studies and the relevant additional periods dependant on their age as specified in the table below:

Age	Period of granted before course start date	Period granted for study	Period granted after course end date
Under 16 years	1 month	The shortest of: <ul style="list-style-type: none"> <li>• the period requested by the applicant; or</li> <li>• the duration of the course of study; or</li> <li>• 6 years</li> </ul>	4 months
16 or 17 years	1 month	The shortest of: <ul style="list-style-type: none"> <li>• the period requested by the applicant; or</li> <li>• the duration of the course of study; or</li> <li>• 3 years</li> </ul>	4 months

### Work Conditions for a Child Student

CS 16.1. A Child Student who is aged 16 or over may work:

- (a) for no more than 10 hours per week during term time; and
- (b) for any duration during vacation (including before the course starts); and
- (c) on a course-related work placement which forms an assessed part of the Child Student's course; provided that any period that the Child Student spends on that placement does not exceed half of the total length of the course undertaken in the UK, unless it is a UK statutory requirement that the placement should exceed half the total length of the course.

CS 16.2. A Child Student will not be allowed to do any of the following work:

- (a) be self-employed or engage in business activity; or
- (b) work as a professional sports person (including as a sports coach); or
- (c) work as an entertainer, or

- (d) work in a position which would fill a permanent full-time vacancy.

### **Study Conditions for a Child Student**

CS 17.1. A Child Student must study on the course or courses for which the Confirmation of Acceptance for Studies was assigned, unless:

- (a) they have yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and
- (b) they begin study on a new course at the student sponsor institution and the new course is at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned and is not a foundation course intended to prepare the student for entry to a higher education provider.

CS 17.2. A Child Student must study with the student sponsor which issued their Confirmation of Acceptance for Studies, unless:

- (a) they are studying at an institution which is a partner institution of their student sponsor; or
- (b) they have made an application for permission to stay while they have permission as a Child Student which is supported by a valid Confirmation of Acceptance for Studies assigned by a student sponsor, the application has not yet been decided, or any Administrative Review against refusal of that decision has not been determined, and the Child Student will be studying at the student sponsor that assigned the Confirmation of Acceptance for Studies.

CS 17.3. Supplementary study is permitted.

CS 17.4. A Child Student must not study at a state school or academy except for:

- (a) a voluntary grammar school with boarding in Northern Ireland; or
- (b) if the Child Student has been granted permission to study at a student sponsor which becomes a state school or academy during that period of permission, in which case the Child Student may complete the course for which the Confirmation of Acceptance for Studies was assigned.

### **Appendix Parent of a Child Student**

*This route is for a Parent of a Child Student to come to or stay in the UK to care for their child, where the child is in the UK under Appendix Child Student, is aged between 4 and 11 and is attending an independent fee-paying school (which must not be a state school or academy).*

*Only one of the child's parents can be in the UK under this route.*

### **Validity requirements for the Parent of a Child Student**

PC 1.1. A person applying for entry clearance or permission to stay as a Parent of a Child Student must apply online on the gov.uk website on the specified form as follows:

<b>Location of applicant</b>	<b>Specified form</b>
Outside the UK	Parent of a Child Student
Inside the UK	Application to extend stay in the UK: FLR(IR)

PC 1.2. An application for entry clearance or permission to stay as a Parent of a Child 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.

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

PC 1.4. 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) outside the Immigration Rules.

PC 1.5. An application which does not meet all the validity requirements for the Parent of a Child Student is invalid and may be rejected and not considered.

### **Suitability requirements for the Parent of a Child Student**

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

PC 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 Parent of a Child Student**

#### **Entry requirements for Parent of a Child Student**

PC 3.1. A person seeking to come to the UK as a Parent of a Child Student must apply for and obtain entry clearance as a Parent of a Child Student before they arrive in the UK.

PC 3.2. A person applying for entry clearance as the Parent of a Child Student 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 Parent of a Child Student**

PC 4.1. The applicant must be the parent of a child who has, or is at the same time applying for, entry clearance or permission to stay as a Child Student.

PC 4.2. The Child Student's other parent must not be in the UK or seeking to come to the UK.

#### **Child Student requirements for Parent of a Child Student**

PC 5.1. The Child Student must be aged between 4 and 11 years on the date of application and have, or at the same time be applying for, entry clearance or permission to stay, under Appendix Child Student.

### **Care requirement for Parent of a Child Student**

PC 6.1. The applicant must intend to live with the Child Student during the applicant's stay in the UK.

### **Financial requirement for Parent of a Child Student**

PC 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.

PC 7.2. If both the applicant and the Child Student are applying at the same time for either entry clearance, or permission to stay where they have both lived in the UK for less than 12 months on the date of application, the applicant will meet the financial requirement if the Child Student shows the level of funds required under CS 10.2.

PC 7.3. If neither PC 7.1 or PC 7.2 apply the applicant must:

- (a) have funds of £1,560 for each month of their intended stay in the UK up to a maximum of 9 months; and
- (b) have funds of £625 for each month of their intended stay up to a maximum of 9 months for any child other than the Child Student who will be under their care in the UK.

PC 7.4. The applicant must not intend to make the UK their main home and must have sufficient funds to maintain their main home outside the UK, in addition to any other funds required by these rules.

PC 7.5. The applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on application for Parent of a Child Student**

PC 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for the Parent of a Child Student the application will be granted, otherwise, the application will be refused.

PC 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 Parent of a Child Student**

PC 9.1. The Parent of a Child Student will be granted permission for a period which ends at the same time as the Child Student's permission, or on the date the Child Student reaches the age of 12 years, whichever is sooner.

PC 9.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) no work; and
- (c) no study; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

### **Appendix Skilled Worker**

*The Skilled Worker route is for employers to recruit people to work in the UK in a specific job. A Skilled Worker must have a job offer in an eligible skilled occupation from a Home Office-approved sponsor.*

*A dependent partner and dependent children can apply on this route.*

*Skilled Worker is a route to settlement.*

### **Validity requirements for a Skilled Worker**

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

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Skilled Worker using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Skilled Worker visa
Applicants inside the UK	Skilled Worker

SW 1.2. An application for entry clearance or permission to stay as 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 have a certificate of sponsorship that was issued to them by their sponsor no more than 3 months before the date of application.

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

SW 1.4. An applicant applying for entry clearance or permission to stay, 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.

SW 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.

SW 1.6. An application which does not meet the validity requirements for a Skilled Worker is invalid and may be rejected and not considered.

## Suitability requirements for a Skilled Worker

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

SW 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 Skilled Worker

### Entry requirement for a Skilled Worker

SW 3.1. A person seeking to come to the UK as a Skilled Worker must apply for and obtain entry clearance as a Skilled Worker before they arrive in the UK.

SW 3.2. A person applying for entry clearance as a Skilled 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 Skilled Worker

SW 4.1. The applicant must be awarded 50 mandatory points from the table below. Details of how these points are awarded are set out in SW 5.1. to SW 7.4.

<b>Mandatory points requirements</b>	<b>Relevant rules</b>	<b>Points</b>
Sponsorship	SW 5.1. to SW 5.7.	20
Job at an appropriate skill level	SW 6.1. to SW 6.5.	20
English language skills at level B1 (intermediate)	SW 7.1. to SW 7.3.	10

SW 4.2. An applicant must be awarded 20 tradeable points from the table below. An applicant may only be awarded points from one entry in the table. Details of how these points are awarded are set out in SW 8.1. to SW 14.5.

<b>Option</b>	<b>Tradeable points requirements for each option</b>	<b>Relevant rules</b>	<b>Points</b>
A	The applicant's salary equals or exceeds both: <ul style="list-style-type: none"><li>• £25,600 per year; and</li><li>• the going rate for the occupation code.</li></ul>	SW 8.1. to SW 8.5. and SW 14.1. to SW 14.5.	20
B	Educational qualification: PhD in a subject relevant to the job and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"><li>• £23,040 per year; and</li><li>• 90% of the going rate for the occupation code.</li></ul> In this entry, 10 points will be awarded for the educational qualification and 10 points will be awarded for the applicant's salary.	SW 9.1. to SW 9.10. and SW 14.1. to SW 14.5.	20

<b>Option</b>	<b>Tradeable points requirements for each option</b>	<b>Relevant rules</b>	<b>Points</b>
C	Educational qualification: PhD in a STEM subject relevant to the job and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> <li>• £20,480 per year; and</li> <li>• 80% of the going rate for the occupation code.</li> </ul>	SW 10.1. to SW 10.6. and SW 14.1. to SW 14.5.	20
D	Job in a shortage occupation and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> <li>• £20,480 per year; and</li> <li>• 80% of the going rate for the occupation code.</li> </ul>	SW 11.1. to SW 11.6. and SW 14.1. to SW 14.5.	20
E	Applicant is a new entrant to the labour market and their salary equals or exceeds both: <ul style="list-style-type: none"> <li>• £20,480 per year; and</li> <li>• 70% of the going rate for the occupation code.</li> </ul>	SW 12.1. to SW 12.7. and SW 14.1. to SW 14.5.	20
F	Job in a listed health or education occupation and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> <li>• £20,480 per year; and</li> <li>• the going rate for the occupation code.</li> </ul> An applicant with a job in a listed health or education occupation can only be awarded tradeable points from option F.	SW 13.1. to SW 13.7. and SW 14.1 to SW 14.5.	20

### **Points for sponsorship (mandatory)**

SW 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 Skilled Worker, details of the job and salary the sponsor is offering them 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) if the application is for entry clearance, have been allocated by the Home Office to that sponsor for the specific job and salary details shown; and
- (c) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; 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.

SW 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Skilled Worker route.

SW 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 Skilled Worker and is applying to continue working for the same sponsor as in their last permission.



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

SW 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.

SW 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.

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

**Points for a job at the appropriate skill level (mandatory)**

SW 6.1. The applicant must be sponsored for a job in an eligible occupation code listed in Appendix Skilled Occupations, subject to SW 6.2.

SW 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 for any of the following reasons:

- (a) the most appropriate occupation code is not eligible under the Skilled Worker route; or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary; or
- (c) the most appropriate occupation code is not a shortage occupation and the applicant is claiming points for a job in a shortage occupation; or
- (d) the most appropriate occupation code is not listed as “eligible for PhD points” in Table 1 of Appendix Skilled Occupations and the applicant is claiming points for an educational qualification.

SW 6.3. To support the assessment in SW 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.

SW 6.4. If the requirements in SW 6.1. to SW 6.3. are met, an applicant will be awarded 20 mandatory points for a job at the appropriate skill level, subject to SW 6.5.

SW 6.5. No points will be awarded for a job at the appropriate skill level if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7.

**Points for the English language requirement (mandatory)**

SW 7.1. An 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 (intermediate).

SW 7.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

SW 7.3. If the requirements in SW 7.1. to SW 7.2. are met, the applicant will be awarded 10 mandatory points for meeting the English language requirement.

**Tradeable points option A**

SW 8.1. The applicant must be sponsored for a job in an appropriate eligible occupation code listed in Table 1 of Appendix Skilled Occupations.

SW 8.2. The salary for the job for which the applicant is being sponsored must equal or exceed both:

- (a) £25,600 per year; and
- (b) the going rate for the occupation code.

SW 8.3. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 8.4. If the requirements in SW 8.1. to SW 8.3. are met, the applicant will be awarded 20 tradeable points for their salary, subject to SW 8.5.

SW 8.5. No points will be awarded for salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

**Tradeable points option B**

SW 9.1. The applicant must be sponsored for a job in an appropriate occupation code listed as being “eligible for PhD points” in Table 1 of Appendix Skilled Occupations.

SW 9.2. The applicant must have a UK PhD or other academic doctoral qualification, or an overseas academic qualification which UK NARIC confirms meets the recognised standard of a UK PhD.

SW 9.3. The applicant’s sponsor must provide a credible explanation of how the qualification is relevant to the job for which the applicant is being sponsored.

SW 9.4. If the applicant has been correctly awarded points for an educational qualification in a previous grant of permission as a Skilled Worker, the applicant does not need to provide evidence of the qualification again, but the sponsor must still provide the explanation in SW 9.3.

SW 9.5. The applicant may only be awarded points for one qualification.

SW 9.6. The salary for the job the applicant is being sponsored for must equal or exceed both:

- (a) £23,040 per year; and
- (b) 90% of the going rate for the occupation code.

SW 9.7. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 9.8. If the requirements in SW 9.1. to SW 9.5. are met, the applicant will be awarded 10 tradeable points for a relevant educational qualification, subject to SW 9.10.

SW 9.9. If the requirements SW 9.6. to SW 9.7. are met and the occupation code is listed in Table 1 of Appendix Skilled Occupations, the applicant will be awarded 10 tradeable points for their salary, subject to SW 9.10.

SW 9.10. No points will be awarded for a relevant educational qualification or salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

### **Tradeable points option C**

SW 10.1. The applicant must meet the requirements in SW 9.1. to SW 9.5.

SW 10.2. The applicant's sponsor must provide a credible explanation that the qualification in question is in a Science, Technology, Engineering or Mathematics (STEM) subject.

SW 10.3. The salary for the job the applicant is being sponsored for must equal or exceed both:

- (a) £20,480 per year; and
- (b) 80% of the going rate for the occupation code.

SW 10.4. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 10.5. If the requirements in SW 10.1. to SW 10.4. are met, the applicant will be awarded 20 tradeable points for a relevant educational qualification in a STEM subject and their salary, subject to SW 10.6.

SW 10.6. No points will be awarded for a relevant educational qualification and salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

### **Tradeable points option D**

SW 11.1. The applicant must be sponsored for a job in an appropriate eligible occupation code listed in Appendix Shortage Occupation List as being a shortage occupation in the nation of the UK where that job is based, unless SW 11.2. applies.

SW 11.2. If, on or before the date the sponsor assigned the Certificate of Sponsorship to the applicant, the applicant's job was removed from Appendix Shortage Occupation List, both of the following conditions must be met:

- (a) the applicant's most recent permission was as a Skilled Worker in which they were sponsored to work in a shortage occupation under the applicable rules at that time; and

- (b) the applicant is being sponsored to continue working in the same job for the same sponsor as in their previous permission.

SW 11.3. The salary for the job the applicant is being sponsored for must equal or exceed both:

- (a) £20,480 per year; and  
(b) 80% of the going rate for the occupation code.

SW 11.4. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 11.5. If the requirements in SW 11.1. to SW 11.4. are met, the applicant will be awarded 20 tradeable points for a job in a shortage occupation and their salary, subject to SW 11.6.

SW 11.6. No points will be awarded for a job in a shortage occupation and salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

### **Tradeable points option E**

SW 12.1. The applicant must be sponsored for a job in an appropriate eligible occupation code listed in Table 1 of Appendix Skilled Occupations.

SW 12.2. The applicant must meet one or more of the following requirements:

- (a) the applicant must be under the age of 26 on the date of application; or  
(b) the job offer must be for a postdoctoral position in any 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
  - 2311 Higher education teaching professionals; or
- (c) the job offer must be in a UK regulated profession and the applicant must be working towards a recognised professional qualification for that profession; or  
(d) the applicant must be working towards full registration or chartered status with the relevant professional body for the job they are being sponsored for; or  
(e) the application must be for permission to stay and the applicant's most recent permission must have been as a Tier 1 (Graduate Entrepreneur) Migrant; or  
(f) all of the following conditions apply:
- (i) the applicant's most recent permission was as a Student: and  
(ii) that permission expired less than 2 years before the date of application; and  
(iii) in that permission or any previous permission as a Student, the applicant was sponsored to study one of the following courses (not any other qualifications of an equivalent level):
- a UK bachelor's degree; or
  - a UK master's degree; or
  - a UK PhD or other doctoral qualification; or
  - a Postgraduate Certificate in Education; or
  - a Professional Graduate Diploma of Education; and

- (iv) the applicant has completed (or is applying no more than 3 months before they are expected to complete) the course in (iii) above, or the applicant is studying a PhD and has completed at least 12 months study in the UK towards the PhD.

SW 12.3. Granting the application must not mean the applicant's combined permission as a Skilled Worker and/or Tier 2 Migrant would be more than 4 years in total, whether or not the permission is for a continuous period.

SW 12.4. The salary for the job the applicant is being sponsored for must equal or exceed both:

- (a) £20,480 per year; and
- (b) 70% of the going rate for the occupation code.

SW 12.5. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 12.6. If the requirements in SW 12.1. to SW 12.5. are met, the applicant will be awarded 20 tradeable points for being a new entrant to the labour market and their salary, subject to SW 12.7.

SW 12.7. No points will be awarded for being a new entrant to the labour market and salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

### **Tradeable points option F**

SW 13.1. The applicant must be sponsored for a job in an appropriate eligible occupation code listed in Table 2 of Appendix Skilled Occupations.

SW 13.2. The salary for the job for which the applicant is being sponsored must equal or exceed both:

- (a) £20,480 per year; and
- (b) the going rate for the occupation code.

SW 13.3. The salary will be considered as set out in SW 14.1. to SW 14.5.

SW 13.4. If the applicant is being sponsored for a job in the occupation code "2231 Nurses" or "2232 Midwives", their salary may be temporarily (for up to 8 months) less than the £20,480 per year required under SW 13.2(a) in either of the following circumstances:

- (a) the applicant has previously held Nursing and Midwifery Council (NMC) registration and is undertaking an NMC-approved programme with a view to returning to practice; or
- (b) the applicant is working towards NMC registration and all of the following conditions apply:
  - (i) the applicant has passed the NMC's English language requirements and Computer Based Test of competence, before the date of application; and
  - (ii) the applicant will sit an Objective Structured Clinical Examination (OSCE) to obtain NMC registration no later than 3 months after the stated job start date.

SW 13.5. Where SW 13.4. applies:

- (a) the sponsor must confirm that the applicant will stop being sponsored if they do not achieve full NMC registration within 8 months of the job start date (if the applicant

was last granted permission as a as a nurse or midwife on the Skilled Worker route, the 8 months is counted from the start date of the job they were sponsored to do in their most recent permission); and

- (b) during the 8 months in (a), or until the applicant achieves NMC registration (if sooner), the applicant's salary must be at least equal to the appropriate Agenda for Change Band 3 rate, as stated in Table 3 of Appendix Skilled Occupations.

SW 13.6. If the requirements in SW 13.1. to SW 13.5. are met, the applicant will be awarded 20 tradeable points for a job in a listed health or education occupation and their salary, subject to SW 13.7.

SW 13.7. No points will be awarded for a job in a listed health or education occupation and salary if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

### **Consideration of salary (all tradeable points options)**

SW 14.1. Salary only includes guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions).

SW 14.2. 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.

SW 14.3. 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 thresholds of £25,600, £23,040 or £20,480 per year referred to in SW 8.1. to SW 13.7.

For example, an applicant who works 60 hours a week for £10 per hour will be considered to have a salary of £24,960 (£10 x 48 x 52) per year and not £31,200 (£10 x 60 x 52).
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SW 14.4. Going rates will be pro-rated to the applicant's working pattern, as follows:

- (a) going rates for occupation codes listed in Table 1 of Appendix Skilled Occupations are based on a 39-hour week and will be pro-rated as follows:

(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 ÷ 39)
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- (b) where an applicant's salary is required to be 70%, 80% or 90% of the going rate, the resulting figure from the calculation in (a) will be multiplied by 0.7, 0.8 or 0.9 as appropriate, to calculate the required salary; and
- (c) going rates for the health and education occupation codes listed in Table 2 of Appendix Skilled Occupations will be pro-rated as stated in Appendix Skilled Occupations; and
- (d) 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.

**Transitional arrangements for salary on the Skilled Worker route**

SW 14.5. If the applicant is applying for permission to stay or settlement, and the applicant was last granted permission as a Tier 2 (General) Migrant, the following transitional arrangements apply:

- (a) if the date of application is before 1 December 2026 salary may also include allowances (the other restrictions in SW 14.20 also apply), providing the following conditions are met:
  - (i) the applicant is applying to work for the same sponsor as in their previous permission; and
  - (ii) the allowances are guaranteed, will be paid for the duration of the applicant's permission, and would be paid to a local settled worker in similar circumstances, such as London weighting; and
- (b) if the date of application is before 24 May 2023 and the applicant had permission as a Tier 2 (General) Migrant based on a certificate of sponsorship given to them by their sponsor before 24 November 2016, the applicant does not need to score 20 tradeable points from options A to F, as set out in SW 8.1. to SW 13.6, instead, 20 tradeable points will be awarded for a salary of £20,800 or above, or at least the going rate for the occupation code, if higher (the other requirements in SW 12.1. to SW 12.4 also apply), but these points will not be awarded if the applicant is not also being awarded the 20 mandatory points for sponsorship under SW 5.7. and the 20 mandatory points for a job at the appropriate skill level under SW 6.4.

**Financial requirement (mandatory) for a Skilled Worker**

SW 15.1. 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.

SW 15.2. 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) the sponsor must certify 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.

SW 15.3. If SW 15.2.(a) applies, the applicant must show that they have held the required funds for a 28-day period and as specified in Appendix Finance.

**Criminal record certificate requirement (mandatory) for a Skilled Worker**

SW 16.1. If the applicant is applying for entry clearance and is being sponsored for a job in any of the occupation codes listed below, they must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more

(whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over:

- 1181 Health services and public health managers and directors
  - 1184 Social services managers and directors
  - 1241 Health care practice managers
  - 1242 Residential, day and domiciliary care managers and proprietors
  - 2211 Medical practitioners
  - 2212 Psychologists
  - 2213 Pharmacists
  - 2214 Ophthalmic opticians
  - 2215 Dental practitioners
  - 2217 Medical radiographers
  - 2218 Podiatrists
  - 2219 Health professionals not elsewhere classified
  - 2221 Physiotherapists
  - 2222 Occupational therapists
  - 2223 Speech and language therapists
  - 2229 Therapy professionals not elsewhere classified
  - 2231 Nurses
  - 2232 Midwives
  - 2312 Further education teaching professionals
  - 2314 Secondary education teaching professionals
  - 2315 Primary and nursery education teaching professionals
  - 2316 Special needs education teaching professionals
  - 2317 Senior professionals of educational establishments
  - 2318 Education advisers and school inspectors
  - 2319 Teaching and other educational professionals not elsewhere classified
  - 2442 Social workers
  - 2443 Probation officers
  - 2449 Welfare professionals not elsewhere classified
- 3213 Paramedics
- 3216 Dispensing opticians
- 3217 Pharmaceutical technicians
- 3218 Medical and dental technicians
- 3219 Health associate professionals not elsewhere classified
- 3231 Youth and community workers
- 3234 Housing officers
- 3235 Counsellors
- 3239 Welfare and housing associate professionals not elsewhere classified
- 3443 Fitness instructors
- 3562 Human resources and industrial relations officers
- 6121 Nursery nurses and assistants
- 6122 Childminders and related occupations
- 6123 Playworkers
- 6125 Teaching assistants
- 6126 Educational support assistants
- 6141 Nursing auxiliaries and assistants
- 6143 Dental nurses



6144 Houseparents and residential wardens  
6146 Senior care workers

SW 16.2. The requirement in SW 16.1. does not apply if the applicant provides a satisfactory explanation why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.

### **Decision on an application as a Skilled Worker**

SW 17.1. If the decision maker is satisfied all the suitability and relevant eligibility requirements for a Skilled Worker are met, the application will be granted, otherwise the application will be refused.

SW 17.2. 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 Skilled Worker**

SW 18.1. The applicant will be granted entry clearance or permission to stay until 14 days after the end date of their certificate of sponsorship (which may be up to a maximum of 5 years after the start date of their certificate of sponsorship).

SW 18.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the job the applicant is being sponsored for, subject to (c) to (e); and
- (c) supplementary employment is permitted, providing the person continues to work in the job for which they are being sponsored; and
- (d) voluntary work is permitted; and
- (e) working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application; and
- (f) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (g) if Part 10 applies, the applicant will be required to register with the police.

### **Settlement as a Skilled Worker**

#### **Validity requirements for settlement as a Skilled Worker**

SW 19.1. A person applying for settlement as a Skilled Worker must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

SW 19.2. An application for settlement as a Skilled 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.

SW 19.3. The applicant must have, or have last been granted, permission as a Skilled Worker.

SW 19.4. An application which does not meet the validity requirements for settlement as a Skilled Worker is invalid and may be rejected and not considered.

### **Suitability requirements for settlement as a Skilled Worker**

SW 20.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 20.2. 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 Skilled Worker**

#### **Qualifying period requirement for settlement as a Skilled Worker**

SW 21.1. The applicant must have spent a continuous period of 5 years in the UK.

SW 21.2. The 5-year continuous period must consist of time with permission on any of, or any combination of, the following routes:

- (a) Skilled Worker; or
- (b) Global talent; or
- (c) Innovator; or
- (d) T2 Minister of Religion; or
- (e) T2 Sports person; or
- (f) Representative of an Overseas Business; or
- (g) as a Tier 1 Migrant, other than as a Tier 1 (Graduate Entrepreneur) Migrant.

#### **Continuous residence requirement for settlement as a Skilled Worker**

SW 22.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SW 21.1.

#### **Knowledge of life in the UK requirement for settlement as a Skilled Worker**

SW 23.1 The applicant must meet the knowledge of Life in the UK requirement as set out in Appendix KOL UK.

#### **Sponsorship and salary requirement for settlement as a Skilled Worker**

SW 24.1. The sponsor in the applicant's most recent permission must still be approved by the Home Office to sponsor Skilled Workers on the date of decision.

SW 24.2. 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, at least the salary in SW 24.3.

SW 24.3. Subject to SW 24.4, the applicant's salary must be at least the general salary requirement or the going rate requirement listed in the table below, whichever is higher.

	<b>Applicant's circumstances</b>	<b>General salary</b>	<b>Going rate</b>
A	All cases where rows B and C do not apply	Salary of at least £25,600 per year	At least the going rate

	<b>Applicant's circumstances</b>	<b>General salary</b>	<b>Going rate</b>
B	The applicant was sponsored in their most recent permission for a job in a shortage occupation or a health or education occupation code listed in Table 2 of Appendix Skilled Occupations	Salary of at least £20,480 per year	At least the going rate
C	The 5-year qualifying period for settlement includes time as a Tier 2 (General) Migrant in which the applicant was sponsored for a job in one of the following occupation codes: <ul style="list-style-type: none"> <li>• 2111 Chemical scientists</li> <li>• 2112 Biological scientists and biochemists</li> <li>• 2113 Physical scientists</li> <li>• 2114 Social and humanities scientists</li> <li>• 2119 Natural and social science professionals not elsewhere classified</li> <li>• 2150 Research and development managers</li> <li>• 2311 Higher education teaching professionals</li> </ul>	Salary of at least £20,480 per year	At least the going rate

SW 24.4. Salary under the table in SW 24.3 is subject to the following:

- (a) salary will be considered as set out in SW 14.1. to SW 14.5. (and in SW 14.3., references to the salary thresholds of £25,600 or £20,480 per year should be read as including references in the table in SW 24.3 above); and
- (b) if the applicant is currently absent from work for one of the reasons set out in Part 9 paragraph 9.30.1, or has returned from such an absence within the month before the date of application, consideration will be based on their salary on their return to work, as stated by their sponsor.

### **Decision on an application for settlement as a Skilled Worker**

SW 25.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement as a Skilled Worker are met, the applicant will be granted settlement, otherwise the application will be refused.

SW 25.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Dependants of a Skilled Worker**

## Validity requirements for a dependent partner or dependent child of a Skilled Worker

SW 26.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Skilled Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Skilled Worker, they can be included in the form Skilled Worker where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

SW 26.2. An application for entry clearance or permission to stay as a dependent partner or dependent 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.

SW 26.3. If the applicant is applying as a dependent partner they must be aged 18 or over on the date of application.

SW 26.4. An applicant who is applying for permission to stay as a dependent partner or dependent child of a Skilled 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.

SW 26.5. An application which does not meet the validity requirements for a dependent partner or dependent child of a Skilled Worker is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child of a Skilled Worker**

SW 27.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 27.2. 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 Skilled Worker**

#### **Entry requirement for a dependent partner or dependent child of a Skilled Worker**

SW 28.1. A person seeking to come to the UK as a dependent partner or dependent child of a Skilled Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Skilled Worker before they arrive in the UK.

SW 28.2. A person applying for entry clearance as the dependent partner or dependent child of a Skilled 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 dependent partner of a Skilled Worker**

SW 29.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Skilled Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Skilled Worker route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Skilled Worker route when they settled and the applicant had permission as P's partner at that time.

SW 29.2. If the applicant and their Skilled 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 Skilled Worker partner with another person must have permanently broken down; and
- (c) the applicant and their Skilled Worker partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SW 29.3. The relationship between the applicant and their Skilled Worker partner must be genuine and subsisting.

SW 29.4. The applicant and their Skilled Worker partner must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child of a Skilled Worker**

SW 30.1. The applicant must be the child of a parent (P) where one of the following applies:

- (a) P has permission on the Skilled Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Skilled Worker route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Skilled Worker route when they settled and the applicant had permission as P's child at that time.

SW 30.2. 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 with permission as a Skilled Worker is the sole surviving parent; or
- (b) the parent with permission as a Skilled Worker has sole responsibility for the child's upbringing; or
- (c) 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 has permission as a Skilled Worker.

SW 30.3. If the applicant is a child born in the UK to a Skilled Worker or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

#### **Care requirement for a dependent child of a Skilled Worker**

SW 31.1. 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 legislation and regulations.

#### **Age requirement for a dependent child of a Skilled Worker**

SW 32.1. 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.

SW 32.2. 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 dependent partner or dependent child of a Skilled Worker**

SW 33.1. 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.

SW 33.2. 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 and/or their partner or parent(s) must have funds of at least the amount required in SW 33.3; or
- (b) the sponsor of the Skilled Worker must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Skilled Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in SW 33.3.

SW 33.3. The funds required are:

- (a) £285 for a dependent 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.

SW 33.4. If SW 33.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Skilled Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

SW 33.5. If SW 33.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

#### **Criminal record certificate requirement for a dependent partner of a Skilled Worker**

SW 34.1. Where a Skilled Worker is being sponsored for a job in an occupation code listed in SW 16.1, an applicant applying for entry clearance as the partner of the Skilled Worker must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over.

SW 34.2. The requirement in SW 34.1. does not apply if the applicant provides a satisfactory explanation why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.

#### **Decision on an application as a dependent partner or dependent child of a Skilled Worker**

SW 35.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Skilled Worker are met, the application will be granted, otherwise the application will be refused.

SW 35.2. 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 dependent partner or dependent child of a Skilled Worker**

SW 36.1. A partner will be granted:

- (a) permission which ends on the same date as their partner's permission as a Skilled Worker; or
- (b) 3 years' permission if the Skilled Worker was (or is being) granted settlement as a Skilled Worker.

SW 36.2. 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.

SW 36.3. 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 sportsperson (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 applies, the applicant will be required to register with the police.

#### **Settlement as a dependent partner or dependent child of a Skilled Worker**

### **Validity requirements for settlement as a dependent partner or dependent child of a Skilled Worker**

SW 37.1. A person applying for settlement as a dependent partner or dependent child of a Skilled Worker must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

SW 37.2. An application for settlement as a dependent partner or dependent child of a Skilled 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.

SW 37.3. An application which does not meet the validity requirements for a dependent partner or dependent child of a Skilled Worker is invalid and may be rejected and not considered.

### **Suitability requirements for settlement as a dependent partner or dependent child of a Skilled Worker**

SW 38.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SW 38.2. 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 of a Skilled Worker**

#### **Relationship requirement for settlement for a dependent partner or dependent child of a Skilled Worker**

SW 39.1. 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 on the Skilled Worker route; or
- (b) P is settled or has become a British citizen, providing P had permission on the Skilled Worker route when they settled and the applicant had permission as P’s partner or child at that time.

SW 39.2. The applicant must have last been granted permission as a dependent partner or dependent child of the person (P) in SW 39.1.

SW 39.3. If applying as a partner, the applicant and the person (P) in SW 39.1. must meet the relationship requirement in SW 30.1. to SW 30.5. and must have met them throughout the 5 years ending on the date of application.



SW 39.4. If applying as a child, the applicant's other parent (who is not the person (P) in SW 39.1.) must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) the person (P) in SW 39.1. is the applicant's sole surviving parent; or
- (b) the person (P) in SW 39.1. 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.

**Care requirement for settlement as a dependent child of a Skilled Worker**

SW 40.1. 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.

**Age requirement for settlement as a dependent child of a Skilled Worker**

SW 41.1. 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.

SW 41.2. If the applicant is aged 16 or over on the date of application, they must not be leading an independent life.

**Qualifying period requirement for settlement as a dependent partner of a Skilled Worker**

SW 42.1. 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 SW 39.1.

**Continuous residence requirement for settlement as a dependent partner of a Skilled Worker**

SW 43.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in SW 42.1.

**English language requirement for settlement as a dependent partner or dependent child of a Skilled Worker**

SW 44.1. 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.

SW 44.2. 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 dependent partner or dependent child of a Skilled Worker**

SW 45.1. If the applicant is aged 18 or over on the date of application, 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 partner or dependent child of a Skilled Worker**

SW 46.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child of a Skilled Worker, the application will be granted, otherwise the application will be refused.

SW 46.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## **Appendix Intra-Company Routes**

*There are two Intra-Company routes: the Intra-Company Transfer route and the Intra-Company Graduate Trainee route.*

*The Intra-Company Transfer route is for established workers who are being transferred by the business they work for to do a skilled role in the UK.*

*The Intra-Company Graduate Trainee route is for workers who are being transferred by the business they work for to undertake a role in the UK as part of a structured graduate training programme.*

*A dependent partner and dependent children can apply to come to the UK on these routes.*

*The Intra-Company routes are not routes to settlement.*

### **Validity requirements for the Intra-Company routes**

IC 1.1. A person applying for entry clearance or permission to stay on the Intra-Company routes must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Intra-Company Transfer and Graduate Trainee using the UK Immigration: ID Check app (when available); or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Intra-Company Transfer and Graduate Trainee visa
Applicants inside the UK	Intra-Company Transfer and Graduate Trainee

IC 1.2. An application for entry clearance or permission to stay on the Intra-Company routes 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 from an approved Sponsor that was issued to them no more than three months before the date of application.

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

IC 1.4. An applicant applying for entry clearance or permission to stay on the Intra-Company

routes 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.

IC 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.

IC 1.6. If a person does not meet the validity requirements for the Intra-Company routes the application may be rejected as invalid and not considered.

### **Suitability requirements for the Intra-Company routes**

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

IC 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 the Intra-Company routes**

#### **Entry requirements for the Intra-Company routes**

IC 3.1. A person seeking to come to the UK on an Intra-Company route must have obtained entry clearance on an Intra-Company route before their arrival in the UK.

IC 3.2. A person applying for entry clearance on an Intra-Company 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.

#### **Points requirement for the Intra-Company routes**

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

<b>Points requirements</b>	<b>Relevant rules</b>	<b>Points</b>
Sponsorship	IC 5.1. to IC 5.10.	20
Job at an appropriate skill level	IC 6.1. to IC 6.7.	20
Salary at required level	IC 7.1. to IC 9.5.	20

#### **Points for Sponsorship for the Intra-Company routes (mandatory)**

IC 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 an Intra-Company Transfer or Intra-Company Graduate Trainee, details of the job, salary and any allowances the sponsor is offering them 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 a high earner, confirm that the applicant has worked for the sponsor group for the period required at IC 5.7. or IC 5.8.

IC 5.2. The sponsor must be authorised by the Home Office to sponsor the job in question under the Intra-Company routes.

IC 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 under the Intra-Company routes and is applying to continue working for the same sponsor as in their last permission.

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

IC 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.

IC 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.

IC 5.7. An applicant on the Intra-Company Transfer route 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 12 months.

IC 5.8. In IC 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) the only breaks in the continuous work in IC 5.8.(a) were for the following reasons:

- (i) statutory maternity, paternity, parental, or shared
- (ii) parental leave; or
- (iii) adoption leave; or
- (iv) sick leave; or
- (v) assisting with a national or international humanitarian or environmental crisis, with the agreement of the sponsor group; or
- (vi) taking part in legally organised industrial action.

IC 5.9. An applicant on the Intra-Company Graduate Trainee route must have worked outside the UK for the sponsor group for a continuous period of at least 3 months immediately before the date of application.

IC 5.10. If the requirements in IC 5.1. to IC 5.9. are met, the applicant will be awarded 20 points for sponsorship.

**Points for job at appropriate skill level for Intra-Company routes (mandatory)**

IC 6.1. The applicant will meet the job skill level requirement if they are being sponsored for a job in an occupation code listed in Appendix Skilled Occupations that is identified as eligible for the Intra-Company routes.

IC 6.2. The applicant will not meet the job skill level requirement if the decision maker has 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 Intra-Company routes;  
or
- (b) the most appropriate occupation code has a higher going rate than the proposed salary.

IC 6.3. To support the assessment in IC 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.

IC 6.4. If the applicant is applying on the Intra-Company Graduate Trainee route, 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.

IC 6.5. If the applicant is applying on the Intra-Company Graduate Trainee route the sponsor must not have assigned more than 20 certificates of sponsorship, to Intra-Company Graduate Trainees, including the certificate of sponsorship assigned to the applicant, in the financial year (which begins on 6 April and ends on 5 April each year) in which the certificate of sponsorship is assigned.

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

IC 6.7. No points will be awarded for a job at the appropriate skills level if the applicant is not also being awarded 20 points for sponsorship under IC 5.10.

### **Points for salary for Intra-Company routes (mandatory)**

IC 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 IC 8.1; and
- (b) the going rate requirement in IC 9.1. and IC 9.2.

IC 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.

IC 7.3. Where allowances under IC 7.2.(b) are solely for the purpose of accommodation they will only be taken into account up to a value of either:

- (a) 30% of the total salary package, where the applicant is applying in the Intra-Company Transfer route; or
- (b) 40% of the total salary package, where the applicant is applying in the Intra-Company Graduate Trainee route.

IC 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 IC 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.

### **General salary requirement for Intra-Company routes**

IC 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:

- (a) £41,500 per year if the applicant is applying on the Intra-Company Transfer route; or
- (b) £23,000 per year if the applicant is applying on the Intra-Company Graduate Trainee route.

IC 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 £10 per hour will be considered to have a salary of £24,960 (£10 x 48 x 52) per year and not £31,200 (£10 x 60 x 52).

### **Going rate requirement for Intra-Company routes**

IC 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:

- (a) 100% of the pro-rated going rate if the applicant is applying on the Intra-Company Transfer route, which will be calculated as follows:

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

or

- (b) 70% of the pro-rated going rate if the applicant is applying in the Intra-Company Graduate Trainee route, which will be calculated as follows:

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

IC 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).

IC 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 £54,000 ( $0.9 \times £39,000 \times 60 \div 39$ ) per year, not £43,200 ( $0.9 \times £39,000 \times 48 \div 39$ ).

IC 9.4. If the requirements in IC 9.1. to IC 9.3. are met, the applicant will be awarded 20 points for salary at the required level, subject to IC 9.5.

IC 9.5. No points will be awarded for salary if the applicant is not also being awarded 20 points for sponsorship under IC 5.10.

### **Financial requirement for Intra-Company routes**

IC 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.

IC 10.2. If the applicant is applying for entry clearance or has been living in the UK for less than 12 months either:

- (a) The applicant must have funds of at least £1,270; or  
(b) the sponsor must certify on the certification 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.

IC 10.3. If IC 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 Intra-Company routes**

IC 11.1. If the applicant is a high earner, the grant of permission must not lead to the

applicant being granted cumulative periods of permission in the Intra-Company routes totalling more than 9 years in any 10-year period.

IC 11.2. If the applicant is not a high earner, the grant of permission must not lead to the applicant being granted cumulative periods of permission in the Intra-Company routes totalling more than 5 years in any 6-year period.

IC 11.3. When calculating the cumulative periods of permission referred to in IC 11.1. and IC 11.2, the decision maker will include the following:

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

### **Decision on the Intra-Company routes**

IC 12.1. If the decision maker is satisfied that all the suitability and eligibility requirements for an Intra-Company route are met the application will be granted, otherwise the application will be refused.

IC 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 on the Intra-Company routes**

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

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

IC 13.2. If the application is as an Intra-Company Transfer, 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 a high earner, the date at which the applicant will have had cumulative permission in the Intra-Company routes totalling 9 years in any 10-year period; or
- (d) if the applicant is not a high earner, the date at which the applicant will have had cumulative permission in the Intra-Company routes totalling 5 years in any 6-year period.



IC 13.3. If the application is as an Intra-Company Graduate Trainee, the applicant will be granted permission until whichever is the shorter of:

- (a) 14 days after the end date of the job detailed in the Certificate of Sponsorship; or
- (b) 1 year after the start date of the job stated on their Certificate of Sponsorship.

IC 13.4. If the applicant does not currently hold permission on an Intra-Company route, 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 IC 13.2. and IC 13.3. (but not from the cumulative period in IC 11.3.).

### **Dependants on the Intra-Company routes**

#### **Validity requirements for a dependent partner or dependent child on the Intra-Company routes**

IC 14.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the Intra-Company routes must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Intra-Company applicant, they can be included in the form Intra-Company Transfer and Graduate Trainee where the form allows dependants to be added. Otherwise: - Dependant partner - Dependant child

IC 14.2. An application for entry clearance or permission to stay as a dependent partner or dependent child on an Intra-Company 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.

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

IC 14.4. A person applying for permission to stay as a dependent partner or dependent child

on an Intra-Company route 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.

IC 14.5. An application which does not meet all the validity requirements for a dependent partner or dependent child on an Intra-Company route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child on the Intra-Company routes**

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

IC 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 on the Intra-Company routes**

#### **Entry requirement for a dependent partner or dependent child on the Intra-Company routes**

IC 16.1. A person seeking to come to the UK as a partner or child must apply for and obtain an entry clearance as a dependent partner and dependent child on an Intra-Company route before they arrive in the UK.

IC 16.2. A person applying for entry clearance as the partner or child on an Intra-Company 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 requirement for a dependent partner on the Intra-Company routes**

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

- (a) P has permission on an Intra-Company route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Intra-Company route.

IC 17.2. If the applicant and their Intra-Company route 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 Intra-Company route partner with another person must have permanently broken down; and

- (c) the applicant and their Intra-Company route partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

IC 17.3. The relationship between the applicant and their Intra-Company route partner must be genuine and subsisting.

IC 17.4. The applicant and their Intra-Company route partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the Intra-Company routes**

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

- (a) on an Intra-Company route; or
- (b) as a partner on the Intra-Company route.

IC 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 with permission as on the Intra-Company route or as the partner on the Intra-Company route is the sole surviving parent; or
- (b) the parent with permission on the Intra-Company route or as the partner on the Intra-Company route has sole responsibility for the child's upbringing; or
- (c) 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 has permission on the Intra-Company route or as the partner on the Intra-Company route.

IC 18.3. If the applicant is a child born in the UK to a person on the Intra-Company route or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

### **Care requirement for a dependent child on the Intra-Company routes**

IC 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 legislation and regulations.

### **Age requirement for a dependent child on the Intra-Company routes**

IC 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.

IC 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 dependent partner or dependent child on the Intra-Company routes**

IC 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.

IC 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) the applicant and/or the person on the Intra-Company route (P) must have funds of at least the amounts in IC 21.3; or
- (b) the sponsor of P must confirm on the Certificate of Sponsorship that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent 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 IC 21.3.

IC 21.3. The required funds are:

- (a) £285 for a dependent 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.

IC 21.4. If IC 21.2.(a) applies, the funds held must be held in addition to any funds required for the person on the Intra-Company routes to meet the financial requirement and the funds required for any dependants in the UK or applying at the same time.

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

#### **Decision for a dependent partner and dependent child on the Intra-Company routes**

IC 22.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on an Intra-Company route the application will be granted, otherwise the application will be refused.

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

#### **Conditions and period of grant for a dependent partner or dependent child on the Intra-Company routes**

IC 23.1. 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.

IC 23.2. A dependent partner will be granted permission which ends on the same date as the person (P) who is their partner and has permission on an Intra-Company route.

IC 23.3. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

## Appendix Skilled Occupations

### *Eligible occupation codes and going rates for Skilled Workers and Intra-Company Transfers*

In this appendix, “SW” refers to the Skilled Worker route, “ICT” refers to the Intra-Company Transfer route and “ICGT” refers to the Intra-Company Graduate Trainee route.

**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 39-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, ICT - 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, ICGT - minimum rate)	Eligible for PhD points (SW)?	Eligible for ICT and ICGT?
1115 Chief executives and senior officials	<ul style="list-style-type: none"> <li>• Chief executive</li> <li>• Chief medical officer</li> <li>• Civil servant (grade 5 and above)</li> <li>• Vice president</li> </ul>	£67,300 (£33.19 per hour)	£60,570 (£29.87 per hour)	£53,840 (£26.55 per hour)	£47,110 (£23.23 per hour)	Yes	Yes
1121 Production managers and directors in manufacturing	<ul style="list-style-type: none"> <li>• Engineering manager</li> <li>• Managing director (engineering)</li> <li>• Operations manager (manufacturing)</li> <li>• Production manager</li> </ul>	£33,000 (£16.27 per hour)	£29,700 (£14.64 per hour)	£26,400 (£13.02 per hour)	£23,100 (£11.39 per hour)	Yes	Yes
1122 Production managers and directors in construction	<ul style="list-style-type: none"> <li>• Building Services manager</li> <li>• Construction manager</li> <li>• Director (building construction)</li> <li>• Owner (electrical contracting)</li> </ul>	£34,900 (£17.21 per hour)	£31,410 (£15.49 per hour)	£27,920 (£13.77 per hour)	£24,430 (£12.05 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1123 Production managers and directors in mining and energy	<ul style="list-style-type: none"> <li>• Operations manager (mining, water &amp; energy)</li> <li>• Quarry manager</li> </ul>	£37,500 (£18.49 per hour)	£33,750 (£16.64 per hour)	£30,000 (£14.79 per hour)	£26,250 (£12.94 per hour)	Yes	Yes
1131 Financial managers and directors	<ul style="list-style-type: none"> <li>• Investment banker</li> <li>• Treasury manager</li> </ul>	£43,600 (£21.50 per hour)	£39,240 (£19.35 per hour)	£34,880 (£17.20 per hour)	£30,520 (£15.05 per hour)	Yes	Yes
1132 Marketing and sales directors	<ul style="list-style-type: none"> <li>• Marketing director</li> <li>• Sales director</li> </ul>	£54,900 (£27.07 per hour)	£49,410 (£24.36 per hour)	£43,920 (£21.66 per hour)	£38,430 (£18.95 per hour)	Yes	Yes
1133 Purchasing managers and directors	<ul style="list-style-type: none"> <li>• Bid manager</li> <li>• Purchasing manager</li> </ul>	£39,300 (£19.38 per hour)	£35,370 (£17.44 per hour)	£31,440 (£15.50 per hour)	£27,510 (£13.57 per hour)	Yes	Yes
1134 Advertising and public relations directors	<ul style="list-style-type: none"> <li>• Account director (advertising)</li> <li>• Head of public relations</li> </ul>	£45,400 (£22.39 per hour)	£40,860 (£20.15 per hour)	£36,320 (£17.91 per hour)	£31,780 (£15.67 per hour)	Yes	Yes
1135 Human resource managers and directors	<ul style="list-style-type: none"> <li>• Human resources manager</li> <li>• Personnel manager</li> <li>• Recruitment manager</li> </ul>	£36,400 (£17.95 per hour)	£32,760 (£16.15 per hour)	£29,120 (£14.36 per hour)	£25,480 (£12.56 per hour)	Yes	Yes
1136 Information technology and telecommunications directors	<ul style="list-style-type: none"> <li>• IT Director</li> <li>• Technical director (computer services)</li> <li>• Telecommunications director</li> </ul>	£56,100 (£27.66 per hour)	£50,490 (£24.90 per hour)	£44,880 (£22.13 per hour)	£39,270 (£19.36 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1139 Functional managers and directors not elsewhere classified	<ul style="list-style-type: none"> <li>• Manager (charitable organisation)</li> <li>• Research director</li> </ul>	£40,600 (£20.02 per hour)	£36,540 (£18.02 per hour)	£32,480 (£16.02 per hour)	£28,420 (£14.01 per hour)	Yes	Yes
1150 Financial institution managers and directors	<ul style="list-style-type: none"> <li>• Bank manager</li> <li>• Insurance manager</li> </ul>	£36,600 (£18.05 per hour)	£32,940 (£16.24 per hour)	£29,280 (£14.44 per hour)	£25,620 (£12.63 per hour)	Yes	Yes
1161 Managers and directors in transport and distribution	<ul style="list-style-type: none"> <li>• Fleet manager</li> <li>• Transport manager</li> </ul>	£30,900 (£15.24 per hour)	£27,810 (£13.71 per hour)	£24,720 (£12.19 per hour)	£21,630 (£10.67 per hour)	Yes	Yes
1162 Managers and directors in storage and warehousing	<ul style="list-style-type: none"> <li>• Logistics manager</li> <li>• Warehouse manager</li> </ul>	£24,300 (£11.98 per hour)	£21,870 (£10.78 per hour)	£19,440 (£9.59 per hour)	£17,010 (£8.39 per hour)	Yes	No
1172 Senior police officers	<ul style="list-style-type: none"> <li>• Chief superintendent (police service)</li> <li>• Detective inspector</li> <li>• Police inspector</li> </ul>	£52,000 (£25.64 per hour)	£46,800 (£23.08 per hour)	£41,600 (£20.51 per hour)	£36,400 (£17.95 per hour)	Yes	Yes
1173 Senior officers in fire, ambulance, prison and related services	<ul style="list-style-type: none"> <li>• Fire service officer (government)</li> <li>• Prison governor</li> <li>• Station officer (ambulance service)</li> </ul>	£36,300 (£17.90 per hour)	£32,670 (£16.11 per hour)	£29,040 (£14.32 per hour)	£25,410 (£12.53 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1181 Health services and public health managers and directors	<ul style="list-style-type: none"> <li>• Director of nursing</li> <li>• Health Service manager</li> <li>• Information manager (health authority: hospital service)</li> </ul>	£38,400 (£18.93 per hour)	£34,560 (£17.04 per hour)	£30,720 (£15.15 per hour)	£26,880 (£13.25 per hour)	Yes	Yes
1184 Social services managers and directors	<ul style="list-style-type: none"> <li>• Care manager (local government: social services)</li> <li>• Service manager (welfare services)</li> </ul>	£29,400 (£14.50 per hour)	£26,460 (£13.05 per hour)	£23,520 (£11.60 per hour)	£20,580 (£10.15 per hour)	Yes	Yes
1190 Managers and directors in retail and wholesale	<ul style="list-style-type: none"> <li>• Managing director (retail trade)</li> <li>• Retail manager</li> <li>• Shop manager (charitable organisation)</li> <li>• Wholesale manager</li> </ul>	£21,900 (£10.80 per hour)	£19,710 (£9.72 per hour)	£17,520 (£8.64 per hour)	£15,330 (£7.56 per hour)	Yes	No
1211 Managers and proprietors in agriculture and horticulture	<ul style="list-style-type: none"> <li>• Farm manager</li> <li>• Farm owner</li> <li>• Nursery manager (horticulture)</li> </ul>	£25,200 (£12.43 per hour)	£22,680 (£11.18 per hour)	£20,160 (£9.94 per hour)	£17,640 (£8.70 per hour)	No	No
1213 Managers and proprietors in forestry, fishing and related services	<ul style="list-style-type: none"> <li>• Cattery owner</li> <li>• Forest manager</li> <li>• Racehorse trainer</li> </ul>	£21,200 (£10.45 per hour)	£19,080 (£9.41 per hour)	£16,960 (£8.36 per hour)	£14,840 (£7.32 per hour)	No	No



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1221 Hotel and accommodation managers and proprietors	<ul style="list-style-type: none"> <li>• Caravan park owner</li> <li>• Hotel manager</li> <li>• Landlady (boarding, guest, lodging house)</li> </ul>	£21,800 (£10.75 per hour)	£19,620 (£9.67 per hour)	£17,440 (£8.60 per hour)	£15,260 (£7.52 per hour)	No	No
1223 Restaurant and catering establishment managers and proprietors	<ul style="list-style-type: none"> <li>• Café owner</li> <li>• Fish &amp; chip shopkeeper</li> <li>• Operations manager (catering)</li> <li>• Restaurant manager</li> <li>• Shop manager (take-away food shop)</li> </ul>	£21,000 (£10.36 per hour)	£18,900 (£9.32 per hour)	£16,800 (£8.28 per hour)	£14,700 (£7.25 per hour)	No	No
1224 Publicans and managers of licensed premises	<ul style="list-style-type: none"> <li>• Landlady (public house)</li> <li>• Licensee</li> <li>• Manager (wine bar)</li> <li>• Publican</li> </ul>	£20,700 (£10.21 per hour)	£18,630 (£9.19 per hour)	£16,560 (£8.17 per hour)	£14,490 (£7.14 per hour)	No	No
1225 Leisure and sports managers	<ul style="list-style-type: none"> <li>• Amusement arcade owner</li> <li>• Leisure centre manager</li> <li>• Social club manager</li> <li>• Theatre manager</li> </ul>	£24,200 (£11.93 per hour)	£21,780 (£10.74 per hour)	£19,360 (£9.55 per hour)	£16,940 (£8.35 per hour)	No	No
1226 Travel agency managers and proprietors	<ul style="list-style-type: none"> <li>• Tourist information manager</li> <li>• Travel agency owner</li> <li>• Travel manager</li> </ul>	£24,800 (£12.23 per hour)	£22,320 (£11.01 per hour)	£19,840 (£9.78 per hour)	£17,360 (£8.56 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1241 Health care practice managers	<ul style="list-style-type: none"> <li>• Clinic manager</li> <li>• GP practice manager</li> <li>• Veterinary practice manager</li> </ul>	£25,500 (£12.57 per hour)	£22,950 (£11.32 per hour)	£20,400 (£10.06 per hour)	£17,850 (£8.80 per hour)	No	No
1242 Residential, day and domiciliary care managers and proprietors	<ul style="list-style-type: none"> <li>• Care manager</li> <li>• Day centre manager</li> <li>• Nursing home owner</li> <li>• Residential manager (residential home)</li> </ul>	£26,700 (£13.17 per hour)	£24,030 (£11.85 per hour)	£21,360 (£10.53 per hour)	£18,690 (£9.22 per hour)	No	No
1251 Property, housing and estate managers	<ul style="list-style-type: none"> <li>• Estate manager</li> <li>• Facilities manager</li> <li>• Landlord (property management)</li> <li>• Property manager</li> </ul>	£26,300 (£12.97 per hour)	£23,670 (£11.67 per hour)	£21,040 (£10.37 per hour)	£18,410 (£9.08 per hour)	No	No
1252 Garage managers and proprietors	<ul style="list-style-type: none"> <li>• Garage director</li> <li>• Garage owner</li> <li>• Manager (repairing: motor vehicles)</li> </ul>	£30,200 (£14.89 per hour)	£27,180 (£13.40 per hour)	£24,160 (£11.91 per hour)	£21,140 (£10.42 per hour)	No	No
1253 Hairdressing and beauty salon managers and proprietors	<ul style="list-style-type: none"> <li>• Hairdressing salon owner</li> <li>• Health and fitness manager</li> <li>• Manager (beauty salon)</li> </ul>	£19,300 (£9.52 per hour)	£17,370 (£8.57 per hour)	£15,440 (£7.61 per hour)	£13,510 (£6.66 per hour)	No	No
1254 Shopkeepers and proprietors - wholesale and retail	<ul style="list-style-type: none"> <li>• Antiques dealer</li> <li>• Fashion retailer</li> <li>• Newsagent</li> <li>• Shopkeeper</li> </ul>	£24,600 (£12.13 per hour)	£22,140 (£10.92 per hour)	£19,680 (£9.70 per hour)	£17,220 (£8.49 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
1255 Waste disposal and environmental services managers	<ul style="list-style-type: none"> <li>• Environmental manager (refuse disposal)</li> <li>• Manager (local government: cleansing dept.)</li> <li>• Recycling plant manager</li> <li>• Scrap metal dealer</li> </ul>	£32,900 (£16.22 per hour)	£29,610 (£14.60 per hour)	£26,320 (£12.98 per hour)	£23,030 (£11.36 per hour)	No	No
1259 Managers and proprietors in other services not elsewhere classified	<ul style="list-style-type: none"> <li>• Betting shop manager</li> <li>• Graphic design classified manager</li> <li>• Library manager</li> <li>• Plant hire manager</li> <li>• Production manager (entertainment)</li> </ul>	£22,700 (£11.19 per hour)	£20,430 (£10.07 per hour)	£18,160 (£8.95 per hour)	£15,890 (£7.84 per hour)	No	No
2111 Chemical Scientists	<ul style="list-style-type: none"> <li>• Analytical chemist</li> <li>• Chemist</li> <li>• Development chemist</li> <li>• Industrial chemist</li> <li>• Research chemist</li> </ul>	£26,700 (£13.17 per hour)	£24,030 (£11.85 per hour)	£21,360 (£10.53 per hour)	£18,690 (£9.22 per hour)	Yes	Yes
2112 Biological scientists and biochemists	<ul style="list-style-type: none"> <li>• Biomedical scientist</li> <li>• Forensic scientist</li> <li>• Horticulturist</li> <li>• Microbiologist</li> <li>• Pathologist</li> </ul>	£29,700 (£14.64 per hour)	£26,730 (£13.18 per hour)	£23,760 (£11.72 per hour)	£20,790 (£10.25 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2113 Physical scientists	<ul style="list-style-type: none"> <li>• Geologist</li> <li>• Geophysicist</li> <li>• Medical physicist</li> <li>• Meteorologist</li> <li>• Oceanographer</li> <li>• Physicist</li> <li>• Seismologist</li> </ul>	£36,500 (£18.00 per hour)	£32,850 (£16.20 per hour)	£29,200 (£14.40 per hour)	£25,550 (£12.60 per hour)	Yes	Yes
2114 Social and humanities scientists	<ul style="list-style-type: none"> <li>• Anthropologist</li> <li>• Archaeologist</li> <li>• Criminologist</li> <li>• Epidemiologist</li> <li>• Geographer</li> <li>• Historian</li> <li>• Political scientist</li> <li>• Social scientist</li> </ul>	£25,900 (£12.77 per hour)	£23,310 (£11.49 per hour)	£20,720 (£10.22 per hour)	£18,130 (£8.94 per hour)	Yes	Yes
2119 Natural and social science professionals not elsewhere classified <sup>2</sup>	<ul style="list-style-type: none"> <li>• Operational research scientist</li> <li>• Research associate (medical)</li> <li>• Research fellow</li> <li>• Researcher</li> <li>• Scientific officer</li> <li>• Scientist</li> <li>• Sports scientist</li> <li>• University researcher</li> </ul>	£33,000 (£16.27 per hour)	£29,700 (£14.64 per hour)	£26,400 (£13.02 per hour)	£23,100 (£11.39 per hour)	Yes	Yes

<sup>2</sup> For Skilled Worker purposes, *occupation code* 2119 includes researchers in research organisations other than universities.

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2121 Civil engineers	<ul style="list-style-type: none"> <li>• Building engineer</li> <li>• Civil engineer (professional)</li> <li>• Highways engineer</li> <li>• Petroleum engineer</li> <li>• Public health engineer</li> <li>• Site engineer</li> <li>• Structural engineer</li> </ul>	£35,000 (£17.26 per hour)	£31,500 (£15.53 per hour)	£28,000 (£13.81 per hour)	£24,500 (£12.08 per hour)	Yes	Yes
2122 Mechanical engineers	<ul style="list-style-type: none"> <li>• Aeronautical engineer (professional)</li> <li>• Aerospace engineer</li> <li>• Automotive engineer (professional)</li> <li>• Marine engineer (professional)</li> <li>• Mechanical engineer (professional)</li> </ul>	£33,400 (£16.47 per hour)	£30,060 (£14.82 per hour)	£26,720 (£13.18 per hour)	£23,380 (£11.53 per hour)	Yes	Yes
2123 Electrical engineers	<ul style="list-style-type: none"> <li>• Electrical engineer (professional)</li> <li>• Electrical surveyor</li> <li>• Equipment engineer</li> <li>• Power engineer</li> <li>• Signal engineer (railways)</li> </ul>	£37,000 (£18.24 per hour)	£33,300 (£16.42 per hour)	£29,600 (£14.60 per hour)	£25,900 (£12.77 per hour)	Yes	Yes
2124 Electronics engineers	<ul style="list-style-type: none"> <li>• Avionics engineer</li> <li>• Broadcasting engineer (professional)</li> <li>• Electronics engineer (professional)</li> <li>• Microwave engineer</li> <li>• Telecommunications engineer (professional)</li> </ul>	£34,700 (£17.11 per hour)	£31,230 (£15.40 per hour)	£27,760 (£13.69 per hour)	£24,290 (£11.98 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2126 Design and development engineers	<ul style="list-style-type: none"> <li>• Clinical engineer</li> <li>• Design engineer</li> <li>• Development engineer</li> <li>• Ergonomist</li> <li>• Research and development engineer</li> </ul>	£34,100 (£16.81 per hour)	£30,690 (£15.13 per hour)	£27,280 (£13.45 per hour)	£23,870 (£11.77 per hour)	Yes	Yes
2127 Production and process engineers	<ul style="list-style-type: none"> <li>• Chemical engineer</li> <li>• Industrial engineer</li> <li>• Process engineer</li> <li>• Production consultant</li> <li>• Production engineer</li> </ul>	£33,100 (£16.32 per hour)	£29,790 (£14.69 per hour)	£26,480 (£13.06 per hour)	£23,170 (£11.43 per hour)	Yes	Yes
2129 Engineering professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Acoustician (professional)</li> <li>• Ceramicist</li> <li>• Food technologist</li> <li>• Metallurgist</li> <li>• Patent agent</li> <li>• Project engineer</li> <li>• Scientific consultant</li> <li>• Technical engineer</li> <li>• Technologist</li> <li>• Traffic engineer</li> </ul>	£32,700 (£16.12 per hour)	£29,430 (£14.51 per hour)	£26,160 (£12.90 per hour)	£22,890 (£11.29 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2133 IT specialist managers	<ul style="list-style-type: none"> <li>• Data centre manager</li> <li>• IT manager</li> <li>• IT support manager</li> <li>• Network operations manager (computer services)</li> <li>• Service delivery manager</li> </ul>	£38,000 (£18.74 per hour)	£34,200 (£16.86 per hour)	£30,400 (£14.99 per hour)	£26,600 (£13.12 per hour)	Yes	Yes
2134 IT project and programme managers	<ul style="list-style-type: none"> <li>• Implementation manager (computing)</li> <li>• IT project manager</li> <li>• Programme manager (computing)</li> <li>• Project leader (software design)</li> </ul>	£40,000 (£19.72 per hour)	£36,000 (£17.75 per hour)	£32,000 (£15.78 per hour)	£28,000 (£13.81 per hour)	Yes	Yes
2135 IT business analysts, architects and systems designers	<ul style="list-style-type: none"> <li>• Business analyst (computing)</li> <li>• Data communications analyst</li> <li>• Systems analyst</li> <li>• Systems consultant</li> <li>• Technical analyst (computing)</li> <li>• Technical architect</li> </ul>	£36,600 (£18.05 per hour)	£32,940 (£16.24 per hour)	£29,280 (£14.44 per hour)	£25,620 (£12.63 per hour)	Yes	Yes
2136 Programmers and software development professionals	<ul style="list-style-type: none"> <li>• Analyst-programmer</li> <li>• Database developer</li> <li>• Games programmer</li> <li>• Programmer</li> <li>• Software engineer</li> </ul>	£33,300 (£16.42 per hour)	£29,970 (£14.78 per hour)	£26,640 (£13.14 per hour)	£23,310 (£11.49 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2137 Web design and development professionals	<ul style="list-style-type: none"> <li>• Internet developer</li> <li>• Multimedia developer</li> <li>• Web design consultant</li> <li>• Web designer</li> </ul>	£26,000 (£12.82 per hour)	£23,400 (£11.54 per hour)	£20,800 (£10.26 per hour)	£18,200 (£8.97 per hour)	Yes	Yes
2139 Information technology and telecommunications professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• IT consultant</li> <li>• Quality analyst (computing)</li> <li>• Software tester</li> <li>• Systems tester (computing)</li> <li>• Telecommunications planner</li> </ul>	£31,800 (£15.68 per hour)	£28,620 (£14.11 per hour)	£25,440 (£12.54 per hour)	£22,260 (£10.98 per hour)	Yes	Yes
2141 Conservation professionals	<ul style="list-style-type: none"> <li>• Conservation officer</li> <li>• Ecologist</li> <li>• Energy conservation officer</li> <li>• Heritage manager</li> <li>• Marine conservationist</li> </ul>	£23,600 (£11.64 per hour)	£21,240 (£10.47 per hour)	£18,880 (£9.31 per hour)	£16,520 (£8.15 per hour)	Yes	Yes
2142 Environment professionals	<ul style="list-style-type: none"> <li>• Energy manager</li> <li>• Environmental consultant</li> <li>• Environmental engineer</li> <li>• Environmental protection officer</li> <li>• Environmental scientist</li> <li>• Landfill engineer</li> </ul>	£27,900 (£13.76 per hour)	£25,110 (£12.38 per hour)	£22,320 (£11.01 per hour)	£19,530 (£9.63 per hour)	Yes	Yes



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2150 Research and development managers	<ul style="list-style-type: none"> <li>• Creative manager (research and development)</li> <li>• Design manager</li> <li>• Market research manager</li> <li>• Research manager (broadcasting)</li> </ul>	£38,200 (£18.84 per hour)	£34,380 (£16.95 per hour)	£30,560 (£15.07 per hour)	£26,740 (£13.19 per hour)	Yes	Yes
2216 Veterinarians	<ul style="list-style-type: none"> <li>• Veterinarian</li> <li>• Veterinary practitioner</li> <li>• Veterinary surgeon</li> </ul>	£32,500 (£16.03 per hour)	£29,250 (£14.42 per hour)	£26,000 (£12.82 per hour)	£22,750 (£11.22 per hour)	Yes	Yes
2311 Higher education teaching professionals	<ul style="list-style-type: none"> <li>• Fellow (university)</li> <li>• Lecturer (higher education, university)</li> <li>• Professor (higher education, university)</li> <li>• Tutor (higher education, university)</li> <li>• University lecturer</li> </ul>	£40,700 (£20.07 per hour)	£36,630 (£18.06 per hour)	£32,560 (£16.06 per hour)	£28,490 (£14.05 per hour)	Yes	Yes
2317 Senior professionals of educational establishments	<ul style="list-style-type: none"> <li>• Administrator (higher education, university)</li> <li>• Bursar</li> <li>• Head teacher (primary school)</li> <li>• Principal (further education)</li> <li>• Registrar (educational establishments)</li> </ul>	£39,000 (£19.23 per hour)	£35,100 (£17.31 per hour)	£31,200 (£15.38 per hour)	£27,300 (£13.46 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2318 Education advisers and school inspectors	<ul style="list-style-type: none"> <li>• Curriculum adviser</li> <li>• Education adviser</li> <li>• Education officer</li> <li>• School inspector</li> </ul>	£25,500 (£12.57 per hour)	£22,950 (£11.32 per hour)	£20,400 (£10.06 per hour)	£17,850 (£8.80 per hour)	Yes	Yes
2319 Teaching and other educational professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Adult education tutor</li> <li>• Education consultant</li> <li>• Music teacher</li> <li>• Nursery manager (day nursery)</li> <li>• Owner (nursery: children's)</li> <li>• Private tutor</li> <li>• TEFL</li> </ul>	£21,300 (£10.50 per hour)	£19,170 (£9.45 per hour)	£17,040 (£8.40 per hour)	£14,910 (£7.35 per hour)	Yes	Yes
2412 Barristers and judges	<ul style="list-style-type: none"> <li>• Advocate</li> <li>• Barrister</li> <li>• Chairman (appeals tribunal, inquiry)</li> <li>• Coroner</li> <li>• Crown prosecutor</li> <li>• District judge</li> </ul>	£29,600 (£14.60 per hour)	£26,640 (£13.14 per hour)	£23,680 (£11.68 per hour)	£20,720 (£10.22 per hour)	Yes	Yes
2413 Solicitors	<ul style="list-style-type: none"> <li>• Managing clerk (qualified solicitor)</li> <li>• Solicitor</li> <li>• Solicitor-partner</li> <li>• Solicitor to the council</li> </ul>	£34,300 (£16.91 per hour)	£30,870 (£15.22 per hour)	£27,440 (£13.53 per hour)	£24,010 (£11.84 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2419 Legal professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Attorney</li> <li>• Justice's clerk</li> <li>• Lawyer</li> <li>• Legal adviser</li> <li>• Legal consultant</li> <li>• Legal counsel</li> <li>• Solicitor's clerk (articled)</li> </ul>	£49,700 (£24.51 per hour)	£44,730 (£22.06 per hour)	£39,760 (£19.61 per hour)	£34,790 (£17.15 per hour)	Yes	Yes
2421 Chartered and certified accountants	<ul style="list-style-type: none"> <li>• Accountant (qualified)</li> <li>• Auditor (qualified)</li> <li>• Chartered accountant</li> <li>• Company accountant</li> <li>• Cost accountant (qualified)</li> <li>• Financial controller (qualified)</li> <li>• Management accountant (qualified)</li> </ul>	£30,000 (£14.79 per hour)	£27,000 (£13.31 per hour)	£24,000 (£11.83 per hour)	£21,000 (£10.36 per hour)	Yes	Yes
2423 Management consultants and business analysts	<ul style="list-style-type: none"> <li>• Business adviser</li> <li>• Business consultant</li> <li>• Business continuity manager</li> <li>• Financial risk analyst</li> <li>• Management consultant</li> </ul>	£30,900 (£15.24 per hour)	£27,810 (£13.71 per hour)	£24,720 (£12.19 per hour)	£21,630 (£10.67 per hour)	Yes	Yes
2424 Business and financial project management professionals	<ul style="list-style-type: none"> <li>• Chief knowledge officer</li> <li>• Contracts manager (security services)</li> <li>• Project manager</li> <li>• Research support officer</li> </ul>	£37,300 (£18.39 per hour)	£33,570 (£16.55 per hour)	£29,840 (£14.71 per hour)	£26,110 (£12.87 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2425 Actuaries, economists and statisticians	<ul style="list-style-type: none"> <li>• Actuarial consultant</li> <li>• Actuary</li> <li>• Economist</li> <li>• Statistician</li> <li>• Statistical analyst</li> </ul>	£32,800 (£16.17 per hour)	£29,520 (£14.56 per hour)	£26,240 (£12.94 per hour)	£22,960 (£11.32 per hour)	Yes	Yes
2426 Business and related research professionals	<ul style="list-style-type: none"> <li>• Crime analyst (police force)</li> <li>• Fellow (research)</li> <li>• Games researcher (broadcasting)</li> <li>• Inventor</li> </ul>	£29,700 (£14.64 per hour)	£26,730 (£13.18 per hour)	£23,760 (£11.72 per hour)	£20,790 (£10.25 per hour)	Yes	Yes
2429 Business, research and administrative professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Civil servant (grade 6, 7)</li> <li>• Company secretary (qualified)</li> <li>• Policy adviser (government)</li> <li>• Registrar (government)</li> </ul>	£33,700 (£16.62 per hour)	£30,330 (£14.96 per hour)	£26,960 (£13.29 per hour)	£23,590 (£11.63 per hour)	Yes	Yes
2431 Architects	<ul style="list-style-type: none"> <li>• Architect</li> <li>• Architectural consultant</li> <li>• Chartered architect</li> <li>• Landscape architect</li> </ul>	£35,000 (£17.26 per hour)	£31,500 (£15.53 per hour)	£28,000 (£13.81 per hour)	£24,500 (£12.08 per hour)	Yes	Yes
2432 Town planning officers	<ul style="list-style-type: none"> <li>• Planning officer (local government: building and contracting)</li> <li>• Town planner</li> <li>• Town planning consultant</li> </ul>	£28,500 (£14.05 per hour)	£25,650 (£12.65 per hour)	£22,800 (£11.24 per hour)	£19,950 (£9.84 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2433 Quantity surveyors	<ul style="list-style-type: none"> <li>• Quantity surveyor</li> <li>• Surveyor (quantity surveying)</li> </ul>	£30,600 (£15.09 per hour)	£27,540 (£13.58 per hour)	£24,480 (£12.07 per hour)	£21,420 (£10.56 per hour)	Yes	Yes
2434 Chartered surveyors	<ul style="list-style-type: none"> <li>• Building surveyor</li> <li>• Chartered surveyor</li> <li>• Hydrographic surveyor</li> <li>• Land surveyor</li> </ul>	£30,200 (£14.89 per hour)	£27,180 (£13.40 per hour)	£24,160 (£11.91 per hour)	£21,140 (£10.42 per hour)	Yes	Yes
2435 Chartered architectural technologists	<ul style="list-style-type: none"> <li>• Architectural technologist</li> </ul>	£27,900 (£13.76 per hour)	£25,110 (£12.38 per hour)	£22,320 (£11.01 per hour)	£19,530 (£9.63 per hour)	Yes	Yes
2436 Construction project managers and related professionals	<ul style="list-style-type: none"> <li>• Contract manager (building construction)</li> <li>• Project manager (building construction)</li> <li>• Transport planner</li> </ul>	£28,700 (£14.15 per hour)	£25,830 (£12.74 per hour)	£22,960 (£11.32 per hour)	£20,090 (£9.91 per hour)	Yes	Yes
2443 Probation officers	<ul style="list-style-type: none"> <li>• Inspector (National Probation Service)</li> <li>• Probation officer</li> <li>• Youth justice officer</li> </ul>	£28,700 (£14.15 per hour)	£25,830 (£12.74 per hour)	£22,960 (£11.32 per hour)	£20,090 (£9.91 per hour)	Yes	Yes
2449 Welfare professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Children's guardian</li> <li>• Rehabilitation officer</li> <li>• Social services officer</li> <li>• Youth worker (professional)</li> </ul>	£24,000 (£11.83 per hour)	£21,600 (£10.65 per hour)	£19,200 (£9.47 per hour)	£16,800 (£8.28 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2451 Librarians	<ul style="list-style-type: none"> <li>• Chartered librarian</li> <li>• Librarian</li> <li>• Technical librarian</li> <li>• University librarian</li> </ul>	£21,800 (£10.75 per hour)	£19,620 (£9.67 per hour)	£17,440 (£8.60 per hour)	£15,260 (£7.52 per hour)	Yes	Yes
2452 Archivists and curators	<ul style="list-style-type: none"> <li>• Archivist</li> <li>• Conservator</li> <li>• Curator</li> <li>• Keeper (art gallery)</li> <li>• Museum officer</li> </ul>	£23,600 (£11.64 per hour)	£21,240 (£10.47 per hour)	£18,880 (£9.31 per hour)	£16,520 (£8.15 per hour)	Yes	Yes
2461 Quality control and planning engineers	<ul style="list-style-type: none"> <li>• Planning engineer</li> <li>• Quality assurance engineer</li> <li>• Quality control officer (professional)</li> <li>• Quality engineer</li> </ul>	£30,500 (£15.04 per hour)	£27,450 (£13.54 per hour)	£24,400 (£12.03 per hour)	£21,350 (£10.53 per hour)	Yes	Yes
2462 Quality assurance and regulatory professionals	<ul style="list-style-type: none"> <li>• Compliance manager</li> <li>• Financial regulator</li> <li>• Patent attorney</li> <li>• Quality assurance manager</li> <li>• Quality manager</li> </ul>	£33,200 (£16.37 per hour)	£29,880 (£14.73 per hour)	£26,560 (£13.10 per hour)	£23,240 (£11.46 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
2463 Environmental health professionals	<ul style="list-style-type: none"> <li>• Air pollution inspector</li> <li>• Environmental health officer</li> <li>• Food inspector</li> <li>• Public health inspector</li> <li>• Technical officer (environmental health)</li> </ul>	£29,600 (£14.60 per hour)	£26,640 (£13.14 per hour)	£23,680 (£11.68 per hour)	£20,720 (£10.22 per hour)	Yes	Yes
2471 Journalists, newspaper and periodical editors	<ul style="list-style-type: none"> <li>• Broadcast journalist</li> <li>• Editor</li> <li>• Journalist</li> <li>• Radio journalist</li> <li>• Reporter</li> </ul>	£26,500 (£13.07 per hour)	£23,850 (£11.76 per hour)	£21,200 (£10.45 per hour)	£18,550 (£9.15 per hour)	Yes	Yes
2472 Public relations professionals	<ul style="list-style-type: none"> <li>• Account manager (public relations)</li> <li>• Information officer (public relations)</li> <li>• PR consultant</li> <li>• Press officer</li> <li>• Public relations officer</li> </ul>	£25,700 (£12.67 per hour)	£23,130 (£11.41 per hour)	£20,560 (£10.14 per hour)	£17,990 (£8.87 per hour)	Yes	Yes
2473 Advertising accounts managers and creative directors	<ul style="list-style-type: none"> <li>• Account manager (advertising)</li> <li>• Advertising Manager</li> <li>• Campaign Manager</li> <li>• Creative Director</li> <li>• Projects Manager (advertising)</li> </ul>	£31,900 (£15.73 per hour)	£28,710 (£14.16 per hour)	£25,520 (£12.58 per hour)	£22,330 (£11.01 per hour)	Yes	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3111 Laboratory technicians	<ul style="list-style-type: none"> <li>• Laboratory analyst</li> <li>• Laboratory technician</li> <li>• Medical laboratory assistant</li> <li>• Scientific technician</li> <li>• Water tester</li> </ul>	£18,200 (£8.97 per hour)	£16,380 (£8.08 per hour)	£14,560 (£7.18 per hour)	£12,740 (£6.28 per hour)	Yes	No
3112 Electrical and electronics technicians	<ul style="list-style-type: none"> <li>• Avionics technician</li> <li>• Electrical technician</li> <li>• Electronics technician</li> <li>• Installation engineer (Electricity Supplier)</li> </ul>	£28,100 (£13.86 per hour)	£25,290 (£12.47 per hour)	£22,480 (£11.08 per hour)	£19,670 (£9.70 per hour)	Yes	No
3113 Engineering technicians	<ul style="list-style-type: none"> <li>• Aircraft technician</li> <li>• Commissioning engineer</li> <li>• Engineering technician</li> <li>• Manufacturing engineer</li> <li>• Mechanical technician</li> </ul>	£27,300 (£13.46 per hour)	£24,570 (£12.12 per hour)	£21,840 (£10.77 per hour)	£19,110 (£9.42 per hour)	Yes	No
3114 Building and civil engineering technicians	<ul style="list-style-type: none"> <li>• Building services consultant</li> <li>• Civil engineering technician</li> <li>• Survey technician</li> <li>• Technical assistant (civil engineering)</li> </ul>	£23,400 (£11.54 per hour)	£21,060 (£10.38 per hour)	£18,720 (£9.23 per hour)	£16,380 (£8.08 per hour)	Yes	No



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3115 Quality assurance technicians	<ul style="list-style-type: none"> <li>• Quality assurance technician</li> <li>• Quality control technician</li> <li>• Quality officer</li> <li>• Quality technician</li> <li>• Test technician</li> </ul>	£23,600 (£11.64 per hour)	£21,240 (£10.47 per hour)	£18,880 (£9.31 per hour)	£16,520 (£8.15 per hour)	Yes	No
3116 Planning, process and production technicians	<ul style="list-style-type: none"> <li>• Process technician</li> <li>• Production controller</li> <li>• Production planner</li> <li>• Production technician</li> </ul>	£25,200 (£12.43 per hour)	£22,680 (£11.18 per hour)	£20,160 (£9.94 per hour)	£17,640 (£8.70 per hour)	Yes	No
3119 Science, engineering and production technicians not elsewhere classified	<ul style="list-style-type: none"> <li>• School technician</li> <li>• Technical assistant</li> <li>• Technician</li> <li>• Textile consultant</li> <li>• Workshop technician</li> </ul>	£22,000 (£10.85 per hour)	£19,800 (£9.76 per hour)	£17,600 (£8.68 per hour)	£15,400 (£7.59 per hour)	Yes	No
3121 Architectural and town planning technicians	<ul style="list-style-type: none"> <li>• Architectural assistant</li> <li>• Architectural technician</li> <li>• Construction planner</li> <li>• Planning enforcement officer</li> </ul>	£23,800 (£11.74 per hour)	£21,420 (£10.56 per hour)	£19,040 (£9.39 per hour)	£16,660 (£8.21 per hour)	Yes	No
3122 Draughtspersons	<ul style="list-style-type: none"> <li>• CAD operator</li> <li>• Cartographer</li> <li>• Design technician</li> <li>• Draughtsman</li> </ul>	£25,800 (£12.72 per hour)	£23,220 (£11.45 per hour)	£20,640 (£10.18 per hour)	£18,060 (£8.91 per hour)	Yes	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3131 IT operations technicians	<ul style="list-style-type: none"> <li>• Computer games tester</li> <li>• Database administrator</li> <li>• IT technician</li> <li>• Network administrator</li> <li>• Systems administrator</li> </ul>	£24,500 (£12.08 per hour)	£22,050 (£10.87 per hour)	£19,600 (£9.66 per hour)	£17,150 (£8.46 per hour)	Yes	No
3132 IT user support technicians	<ul style="list-style-type: none"> <li>• Customer support analyst</li> <li>• Help desk operator</li> <li>• IT support technician</li> <li>• Systems support officer</li> </ul>	£24,400 (£12.03 per hour)	£21,960 (£10.83 per hour)	£19,520 (£9.63 per hour)	£17,080 (£8.42 per hour)	Yes	No
3216 Dispensing opticians	<ul style="list-style-type: none"> <li>• Dispensing optician</li> <li>• Optical dispenser</li> </ul>	£18,900 (£9.32 per hour)	£17,010 (£8.39 per hour)	£15,120 (£7.46 per hour)	£13,230 (£6.52 per hour)	No	No
3217 Pharmaceutical technicians	<ul style="list-style-type: none"> <li>• Dispensing technician</li> <li>• Pharmaceutical technician</li> <li>• Pharmacy technician</li> </ul>	£20,300 (£10.01 per hour)	£18,270 (£9.01 per hour)	£16,240 (£8.01 per hour)	£14,210 (£7.01 per hour)	No	No
3231 Youth and community workers	<ul style="list-style-type: none"> <li>• Community development officer</li> <li>• Youth and community worker</li> <li>• Youth project coordinator</li> <li>• Youth worker</li> </ul>	£22,200 (£10.95 per hour)	£19,980 (£9.85 per hour)	£17,760 (£8.76 per hour)	£15,540 (£7.66 per hour)	No	No
3234 Housing officers	<ul style="list-style-type: none"> <li>• Housing adviser</li> <li>• Housing officer</li> <li>• Homeless prevention officer</li> <li>• Housing support officer</li> </ul>	£24,200 (£11.93 per hour)	£21,780 (£10.74 per hour)	£19,360 (£9.55 per hour)	£16,940 (£8.35 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3235 Counsellors	<ul style="list-style-type: none"> <li>• Counsellor (welfare services)</li> <li>• Debt adviser</li> <li>• Drugs and alcohol counsellor</li> <li>• Student counsellor</li> </ul>	£20,800 (£10.26 per hour)	£18,720 (£9.23 per hour)	£16,640 (£8.21 per hour)	£14,560 (£7.18 per hour)	No	No
3239 Welfare and housing associate professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Day centre officer</li> <li>• Health coordinator</li> <li>• Key worker (welfare services)</li> <li>• Outreach worker (welfare services)</li> <li>• Probation services officer</li> <li>• Project worker (welfare services)</li> </ul>	£20,900 (£10.31 per hour)	£18,810 (£9.28 per hour)	£16,720 (£8.24 per hour)	£14,630 (£7.21 per hour)	No	No
3312 Police officers (sergeant and below)	<ul style="list-style-type: none"> <li>• Detective (police service)</li> <li>• Police constable</li> <li>• Police officer</li> <li>• Sergeant</li> <li>• Transport police officer</li> </ul>	£35,400 (£17.46 per hour)	£31,860 (£15.71 per hour)	£28,320 (£13.96 per hour)	£24,780 (£12.22 per hour)	No	No
3313 Fire service officers (watch manager and below)	<ul style="list-style-type: none"> <li>• Fire engineer</li> <li>• Fire safety officer</li> <li>• Firefighter</li> <li>• Watch manager (fire service)</li> </ul>	£32,200 (£15.88 per hour)	£28,980 (£14.29 per hour)	£25,760 (£12.70 per hour)	£22,540 (£11.11 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3319 Protective service associate professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Customs officer</li> <li>• Immigration officer</li> <li>• Operations manager (security services)</li> <li>• Scenes of crime officer</li> <li>• Security manager</li> </ul>	£29,900 (£14.74 per hour)	£26,910 (£13.27 per hour)	£23,920 (£11.79 per hour)	£20,930 (£10.32 per hour)	No	No
3411 Artists	<ul style="list-style-type: none"> <li>• Artist</li> <li>• Illustrator</li> <li>• Portrait painter</li> <li>• Sculptor</li> </ul>	£21,000 (£10.36 per hour)	£18,900 (£9.32 per hour)	£16,800 (£8.28 per hour)	£14,700 (£7.25 per hour)	No	Yes
3412 Authors, writers and translators	<ul style="list-style-type: none"> <li>• Copywriter</li> <li>• Editor (books)</li> <li>• Interpreter</li> <li>• Technical author</li> <li>• Translator</li> <li>• Writer</li> </ul>	£25,600 (£12.62 per hour)	£23,040 (£11.36 per hour)	£20,480 (£10.10 per hour)	£17,920 (£8.84 per hour)	No	Yes
3413 Actors, entertainers and presenters	<ul style="list-style-type: none"> <li>• Actor</li> <li>• Disc jockey</li> <li>• Entertainer</li> <li>• Presenter (broadcasting)</li> <li>• Singer</li> </ul>	£32,200 (£15.88 per hour)	£28,980 (£14.29 per hour)	£25,760 (£12.70 per hour)	£22,540 (£11.11 per hour)	No	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3414 Dancers and choreographers	<ul style="list-style-type: none"> <li>• Ballet dancer</li> <li>• Choreographer</li> <li>• Dancer</li> <li>• Dance teacher</li> </ul>	£29,800 (£14.69 per hour)	£26,820 (£13.22 per hour)	£23,840 (£11.76 per hour)	£20,860 (£10.29 per hour)	No	Yes
3415 Musicians	<ul style="list-style-type: none"> <li>• Composer</li> <li>• Musician</li> <li>• Organist</li> <li>• Pianist</li> <li>• Song writer</li> <li>• Violinist</li> </ul>	£27,500 (£13.56 per hour)	£24,750 (£12.20 per hour)	£22,000 (£10.85 per hour)	£19,250 (£9.49 per hour)	No	Yes
3416 Arts officers, producers and directors	<ul style="list-style-type: none"> <li>• Film editor</li> <li>• Production assistant (broadcasting)</li> <li>• Studio manager</li> <li>• Television producer</li> <li>• Theatrical agent</li> </ul>	£30,000 (£14.79 per hour)	£27,000 (£13.31 per hour)	£24,000 (£11.83 per hour)	£21,000 (£10.36 per hour)	No	Yes
3417 Photographers, audio-visual and broadcasting equipment operators	<ul style="list-style-type: none"> <li>• Audio visual technician</li> <li>• Cameraman</li> <li>• Photographer</li> <li>• Projectionist</li> <li>• Sound engineer</li> <li>• Theatre technician (entertainment)</li> </ul>	£21,100 (£10.40 per hour)	£18,990 (£9.36 per hour)	£16,880 (£8.32 per hour)	£14,770 (£7.28 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3421 Graphic designers	<ul style="list-style-type: none"> <li>• Commercial artist</li> <li>• Designer (advertising)</li> <li>• Graphic artist</li> <li>• Graphic designer</li> <li>• MAC operator</li> </ul>	£23,500 (£11.59 per hour)	£21,150 (£10.43 per hour)	£18,800 (£9.27 per hour)	£16,450 (£8.11 per hour)	No	No
3422 Product, clothing and related designers	<ul style="list-style-type: none"> <li>• Design consultant</li> <li>• Fashion designer</li> <li>• Furniture designer</li> <li>• Interior designer</li> <li>• Kitchen designer</li> <li>• Textile designer</li> </ul>	£25,400 (£12.52 per hour)	£22,860 (£11.27 per hour)	£20,320 (£10.02 per hour)	£17,780 (£8.77 per hour)	No	Yes
3443 Fitness instructors	<ul style="list-style-type: none"> <li>• Aerobics instructor</li> <li>• Fitness instructor</li> <li>• Gym instructor</li> <li>• Lifestyle consultant</li> <li>• Personal trainer</li> <li>• Pilates instructor</li> </ul>	£15,600 (£7.69 per hour)	£14,040 (£6.92 per hour)	£12,480 (£6.15 per hour)	£10,920 (£5.38 per hour)	No	No
3511 Air traffic controllers	<ul style="list-style-type: none"> <li>• Air traffic control officer</li> <li>• Air traffic controller</li> <li>• Air traffic services assistant</li> <li>• Flight planner</li> </ul>	£82,400 (£40.63 per hour)	£74,160 (£36.57 per hour)	£65,920 (£32.50 per hour)	£57,680 (£28.44 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3512 Aircraft pilots and flight engineers	<ul style="list-style-type: none"> <li>• Airline pilot</li> <li>• First officer (airlines)</li> <li>• Flight engineer</li> <li>• Flying instructor</li> <li>• Helicopter pilot</li> </ul>	£60,800 (£29.98 per hour)	£54,720 (£26.98 per hour)	£48,640 (£23.98 per hour)	£42,560 (£20.99 per hour)	No	Yes
3513 Ship and hovercraft officers	<ul style="list-style-type: none"> <li>• Chief engineer (shipping)</li> <li>• Marine engineer (shipping)</li> <li>• Merchant navy officer</li> <li>• Petty officer</li> <li>• Tug master</li> <li>• Yacht skipper</li> </ul>	£32,900 (£16.22 per hour)	£29,610 (£14.60 per hour)	£26,320 (£12.98 per hour)	£23,030 (£11.36 per hour)	No	No
3520 Legal associate professionals	<ul style="list-style-type: none"> <li>• Barrister's clerk</li> <li>• Compliance officer</li> <li>• Conveyancer</li> <li>• Legal executive</li> <li>• Litigator</li> <li>• Paralegal</li> </ul>	£21,900 (£10.80 per hour)	£19,710 (£9.72 per hour)	£17,520 (£8.64 per hour)	£15,330 (£7.56 per hour)	No	No
3531 Estimators, valuers and assessors	<ul style="list-style-type: none"> <li>• Claims assessor</li> <li>• Claims investigator</li> <li>• Engineering surveyor</li> <li>• Estimator</li> <li>• Loss adjuster</li> <li>• Valuer</li> </ul>	£25,800 (£12.72 per hour)	£23,220 (£11.45 per hour)	£20,640 (£10.18 per hour)	£18,060 (£8.91 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3532 Brokers	<ul style="list-style-type: none"> <li>• Foreign exchange dealer</li> <li>• Insurance broker</li> <li>• Investment administrator</li> <li>• Stockbroker</li> <li>• Trader (stock exchange)</li> </ul>	£46,900 (£23.13 per hour)	£42,210 (£20.81 per hour)	£37,520 (£18.50 per hour)	£32,830 (£16.19 per hour)	No	Yes
3533 Insurance underwriters	<ul style="list-style-type: none"> <li>• Account handler (insurance)</li> <li>• Commercial underwriter</li> <li>• Insurance inspector</li> <li>• Mortgage underwriter</li> <li>• Underwriter</li> </ul>	£27,100 (£13.36 per hour)	£24,390 (£12.03 per hour)	£21,680 (£10.69 per hour)	£18,970 (£9.35 per hour)	No	No
3534 Finance and investment analysts and advisers	<ul style="list-style-type: none"> <li>• Financial adviser</li> <li>• Financial analyst</li> <li>• Financial consultant</li> <li>• Mortgage adviser</li> <li>• Pensions consultant</li> </ul>	£29,400 (£14.50 per hour)	£26,460 (£13.05 per hour)	£23,520 (£11.60 per hour)	£20,580 (£10.15 per hour)	No	Yes
3535 Taxation experts	<ul style="list-style-type: none"> <li>• Tax adviser</li> <li>• Tax consultant</li> <li>• Tax inspector</li> <li>• Taxation specialist</li> </ul>	£38,000 (£18.74 per hour)	£34,200 (£16.86 per hour)	£30,400 (£14.99 per hour)	£26,600 (£13.12 per hour)	No	Yes



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3536 Importers and exporters	<ul style="list-style-type: none"> <li>• Export controller</li> <li>• Export coordinator</li> <li>• Exporter</li> <li>• Import agent</li> <li>• Importer</li> </ul>	£22,300 (£11.00 per hour)	£20,070 (£9.90 per hour)	£17,840 (£8.80 per hour)	£15,610 (£7.70 per hour)	No	No
3537 Financial and accounting technicians	<ul style="list-style-type: none"> <li>• Accounting technician</li> <li>• Business associate (banking)</li> <li>• Financial controller</li> <li>• Insolvency administrator</li> <li>• Managing clerk (accountancy)</li> </ul>	£32,500 (£16.03 per hour)	£29,250 (£14.42 per hour)	£26,000 (£12.82 per hour)	£22,750 (£11.22 per hour)	No	No
3538 Financial accounts managers	<ul style="list-style-type: none"> <li>• Accounts manager</li> <li>• Audit manager</li> <li>• Credit manager</li> <li>• Fund manager</li> <li>• Relationship manager (bank)</li> </ul>	£29,100 (£14.35 per hour)	£26,190 (£12.91 per hour)	£23,280 (£11.48 per hour)	£20,370 (£10.04 per hour)	No	Yes
3539 Business and related associate professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Business systems analyst</li> <li>• Data analyst</li> <li>• Marine consultant</li> <li>• Planning assistant</li> <li>• Project administrator</li> <li>• Project coordinator</li> </ul>	£23,300 (£11.49 per hour)	£20,970 (£10.34 per hour)	£18,640 (£9.19 per hour)	£16,310 (£8.04 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3541 Buyers and procurement officers	<ul style="list-style-type: none"> <li>• Buyer</li> <li>• Procurement officer</li> <li>• Purchasing consultant</li> </ul>	£25,500 (£12.57 per hour)	£22,950 (£11.32 per hour)	£20,400 (£10.06 per hour)	£17,850 (£8.80 per hour)	No	No
3542 Business sales executives	<ul style="list-style-type: none"> <li>• Corporate account executive</li> <li>• Sales agent</li> <li>• Sales consultant</li> <li>• Sales executive</li> <li>• Technical representative</li> </ul>	£25,800 (£12.72 per hour)	£23,220 (£11.45 per hour)	£20,640 (£10.18 per hour)	£18,060 (£8.91 per hour)	No	No
3543 Marketing associate professionals	<ul style="list-style-type: none"> <li>• Business development executive</li> <li>• Fundraiser</li> <li>• Market research analyst</li> <li>• Marketing consultant</li> <li>• Marketing executive</li> </ul>	£24,400 (£12.03 per hour)	£21,960 (£10.83 per hour)	£19,520 (£9.63 per hour)	£17,080 (£8.42 per hour)	No	No
3544 Estate agents and auctioneers	<ul style="list-style-type: none"> <li>• Auctioneer</li> <li>• Auctioneer and valuer</li> <li>• Estate agent</li> <li>• Letting agent</li> <li>• Property consultant</li> </ul>	£20,700 (£10.21 per hour)	£18,630 (£9.19 per hour)	£16,560 (£8.17 per hour)	£14,490 (£7.14 per hour)	No	No
3545 Sales accounts and business development managers	<ul style="list-style-type: none"> <li>• Account manager (sales)</li> <li>• Area sales manager</li> <li>• Business development manager</li> <li>• Product development manager</li> <li>• Sales manager</li> </ul>	£35,400 (£17.46 per hour)	£31,860 (£15.71 per hour)	£28,320 (£13.96 per hour)	£24,780 (£12.22 per hour)	No	Yes

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3546 Conference and exhibition managers and organisers	<ul style="list-style-type: none"> <li>• Conference coordinator</li> <li>• Event organiser</li> <li>• Events manager</li> <li>• Exhibition organiser</li> <li>• Hospitality manager</li> </ul>	£22,900 (£11.29 per hour)	£20,610 (£10.16 per hour)	£18,320 (£9.03 per hour)	£16,030 (£7.90 per hour)	No	No
3550 Conservation and environmental associate professionals	<ul style="list-style-type: none"> <li>• Conservation worker</li> <li>• Countryside ranger</li> <li>• National park warden</li> <li>• Park ranger</li> </ul>	£20,900 (£10.31 per hour)	£18,810 (£9.28 per hour)	£16,720 (£8.24 per hour)	£14,630 (£7.21 per hour)	No	No
3561 Public services associate professionals	<ul style="list-style-type: none"> <li>• Higher executive officer (government)</li> <li>• Principle revenue officer (local government)</li> <li>• Senior executive officer (government)</li> </ul>	£29,800 (£14.69 per hour)	£26,820 (£13.22 per hour)	£23,840 (£11.76 per hour)	£20,860 (£10.29 per hour)	No	No
3562 Human resources and industrial relations officers	<ul style="list-style-type: none"> <li>• Employment adviser</li> <li>• Human resources officer</li> <li>• Personnel officer</li> <li>• Recruitment consultant</li> </ul>	£23,500 (£11.59 per hour)	£21,150 (£10.43 per hour)	£18,800 (£9.27 per hour)	£16,450 (£8.11 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
3563 Vocational and industrial trainers and instructors	<ul style="list-style-type: none"> <li>• IT trainer</li> <li>• NVQ assessor</li> <li>• Technical instructor</li> <li>• Training consultant</li> <li>• Training manager</li> </ul>	£23,400 (£11.54 per hour)	£21,060 (£10.38 per hour)	£18,720 (£9.23 per hour)	£16,380 (£8.08 per hour)	No	No
3564 Careers advisers and vocational guidance specialists	<ul style="list-style-type: none"> <li>• Careers adviser</li> <li>• Careers consultant</li> <li>• Careers teacher</li> <li>• Placement officer</li> </ul>	£24,500 (£12.08 per hour)	£22,050 (£10.87 per hour)	£19,600 (£9.66 per hour)	£17,150 (£8.46 per hour)	No	No
3565 Inspectors of standards and regulations	<ul style="list-style-type: none"> <li>• Building inspector</li> <li>• Driving examiner</li> <li>• Housing inspector</li> <li>• Meat hygiene inspector</li> <li>• Trading standards officer</li> </ul>	£26,600 (£13.12 per hour)	£23,940 (£11.80 per hour)	£21,280 (£10.49 per hour)	£18,620 (£9.18 per hour)	No	No
3567 Health and safety officers	<ul style="list-style-type: none"> <li>• Fire protection engineer (professional)</li> <li>• Health and safety officer</li> <li>• Occupational hygienist</li> <li>• Safety consultant</li> <li>• Safety officer</li> </ul>	£29,500 (£14.55 per hour)	£26,550 (£13.09 per hour)	£23,600 (£11.64 per hour)	£20,650 (£10.18 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
4112 National government administrative occupations	<ul style="list-style-type: none"> <li>• Administrative assistant (courts of justice)</li> <li>• Administrative officer (government)</li> <li>• Civil servant (EO)</li> <li>• Clerk (government)</li> <li>• Revenue officer (government)</li> </ul>	£22,400 (£11.05 per hour)	£20,160 (£9.94 per hour)	£17,920 (£8.84 per hour)	£15,680 (£7.73 per hour)	No	No
4114 Officers of nongovernmental organisations	<ul style="list-style-type: none"> <li>• Administrator (charitable organisation)</li> <li>• Organiser (trade union)</li> <li>• Secretary (research association)</li> <li>• Trade union official</li> </ul>	£22,900 (£11.29 per hour)	£20,610 (£10.16 per hour)	£18,320 (£9.03 per hour)	£16,030 (£7.90 per hour)	No	No
4134 Transport and distribution clerks and assistants	<ul style="list-style-type: none"> <li>• Export clerk</li> <li>• Logistics controller</li> <li>• Shipping clerk</li> <li>• Transport administrator</li> <li>• Transport clerk</li> <li>• Transport coordinator</li> </ul>	£20,600 (£10.16 per hour)	£18,540 (£9.14 per hour)	£16,480 (£8.13 per hour)	£14,420 (£7.11 per hour)	No	No
4151 Sales administrators	<ul style="list-style-type: none"> <li>• Marketing administrator</li> <li>• Sales administrator</li> <li>• Sales clerk</li> <li>• Sales coordinator</li> </ul>	£18,700 (£9.22 per hour)	£16,830 (£8.30 per hour)	£14,960 (£7.38 per hour)	£13,090 (£6.45 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
4161 Office managers	<ul style="list-style-type: none"> <li>• Business support manager</li> <li>• Delivery office manager</li> <li>• Office manager</li> <li>• Practice manager</li> <li>• Sales administration manager</li> <li>• Sales office manager</li> </ul>	£25,000 (£12.33 per hour)	£22,500 (£11.09 per hour)	£20,000 (£9.86 per hour)	£17,500 (£8.63 per hour)	No	No
4214 Company secretaries	<ul style="list-style-type: none"> <li>• Assistant secretary</li> <li>• Club secretary</li> <li>• Company secretary</li> </ul>	£19,500 (£9.62 per hour)	£17,550 (£8.65 per hour)	£15,600 (£7.69 per hour)	£13,650 (£6.73 per hour)	No	No
4215 Personal assistants and other secretaries	<ul style="list-style-type: none"> <li>• Executive assistant</li> <li>• PA-secretary</li> <li>• Personal assistant</li> <li>• Personal secretary</li> <li>• Secretary</li> </ul>	£22,000 (£10.85 per hour)	£19,800 (£9.76 per hour)	£17,600 (£8.68 per hour)	£15,400 (£7.59 per hour)	No	No
5111 Farmers	<ul style="list-style-type: none"> <li>• Agricultural contractor</li> <li>• Agricultural technician</li> <li>• Crofter (farming)</li> <li>• Farmer</li> <li>• Herd manager</li> </ul>	£20,100 (£9.91 per hour)	£18,090 (£8.92 per hour)	£16,080 (£7.93 per hour)	£14,070 (£6.94 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5112 Horticultural trades	<ul style="list-style-type: none"> <li>• Grower</li> <li>• Horticulturalist (market gardening)</li> <li>• Market Gardener</li> <li>• Nursery Assistant (agriculture)</li> <li>• Nurseryman</li> </ul>	£17,000 (£8.38 per hour)	£15,300 (£7.54 per hour)	£13,600 (£6.71 per hour)	£11,900 (£5.87 per hour)	No	No
5113 Gardeners and landscape gardeners	<ul style="list-style-type: none"> <li>• Garden designer</li> <li>• Gardener</li> <li>• Gardener-handyman</li> <li>• Landscape gardener</li> </ul>	£18,600 (£9.17 per hour)	£16,740 (£8.25 per hour)	£14,880 (£7.34 per hour)	£13,020 (£6.42 per hour)	No	No
5114 Grounds-men and greenkeepers	<ul style="list-style-type: none"> <li>• Greenkeeper</li> <li>• Groundsman</li> <li>• Groundsperson</li> </ul>	£17,700 (£8.73 per hour)	£15,930 (£7.86 per hour)	£14,160 (£6.98 per hour)	£12,390 (£6.11 per hour)	No	No
5119 Agricultural and fishing trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Aboricultural consultant</li> <li>• Bee farmer</li> <li>• Gamekeeper</li> <li>• Share fisherman</li> <li>• Trawler skipper</li> <li>• Tree surgeon</li> </ul>	£18,800 (£9.27 per hour)	£16,920 (£8.34 per hour)	£15,040 (£7.42 per hour)	£13,160 (£6.49 per hour)	No	No
5211 Smiths and forge workers	<ul style="list-style-type: none"> <li>• Blacksmith</li> <li>• Chain repairer</li> <li>• Farrier</li> <li>• Pewtersmith</li> <li>• Steel presser</li> </ul>	£20,400 (£10.06 per hour)	£18,360 (£9.05 per hour)	£16,320 (£8.05 per hour)	£14,280 (£7.04 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5212 Moulders, core makers and die casters	<ul style="list-style-type: none"> <li>• Core Maker (metal trades)</li> <li>• Die Caster</li> <li>• Moulder (metal trades)</li> <li>• Pipe Maker (foundry)</li> </ul>	£17,300 (£8.53 per hour)	£15,570 (£7.68 per hour)	£13,840 (£6.82 per hour)	£12,110 (£5.97 per hour)	No	No
5213 Sheet metal workers	<ul style="list-style-type: none"> <li>• Coppersmith</li> <li>• Panel beater (metal trades)</li> <li>• Sheet metal fabricator</li> <li>• Sheet metal worker</li> </ul>	£21,800 (£10.75 per hour)	£19,620 (£9.67 per hour)	£17,440 (£8.60 per hour)	£15,260 (£7.52 per hour)	No	No
5214 Metal plate workers, and riveters	<ul style="list-style-type: none"> <li>• Boiler maker</li> <li>• Metal plate worker</li> <li>• Plater</li> <li>• Plater-welder</li> </ul>	£25,300 (£12.48 per hour)	£22,770 (£11.23 per hour)	£20,240 (£9.98 per hour)	£17,710 (£8.73 per hour)	No	No
5215 Welding trades	<ul style="list-style-type: none"> <li>• Fabricator-welder</li> <li>• Fitter-welder</li> <li>• Spot welder (metal)</li> <li>• Welder</li> <li>• Welding technician</li> </ul>	£22,800 (£11.24 per hour)	£20,520 (£10.12 per hour)	£18,240 (£8.99 per hour)	£15,960 (£7.87 per hour)	No	No
5216 Pipe fitters	<ul style="list-style-type: none"> <li>• Pipe engineer</li> <li>• Pipe fitter</li> <li>• Pipe welder-fitter</li> </ul>	£32,300 (£15.93 per hour)	£29,070 (£14.33 per hour)	£25,840 (£12.74 per hour)	£22,610 (£11.15 per hour)	No	No



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5221 Metal machining	<ul style="list-style-type: none"> <li>• CNC machinist</li> <li>• CNC programmer</li> <li>• Centre lathe turner</li> <li>• Miller (metal trades)</li> <li>• Tool setter</li> <li>• Turner</li> </ul>	£22,000 (£10.85 per hour)	£19,800 (£9.76 per hour)	£17,600 (£8.68 per hour)	£15,400 (£7.59 per hour)	No	No
5222 Tool makers, tool fitters and markers-out	<ul style="list-style-type: none"> <li>• Die maker</li> <li>• Engineer-toolmaker</li> <li>• Jig maker</li> <li>• Marker-out (engineering)</li> <li>• Tool fitter</li> <li>• Tool maker</li> </ul>	£24,700 (£12.18 per hour)	£22,230 (£10.96 per hour)	£19,760 (£9.74 per hour)	£17,290 (£8.53 per hour)	No	No
5223 Metal working production and maintenance fitters	<ul style="list-style-type: none"> <li>• Agricultural engineer</li> <li>• Bench fitter</li> <li>• Engineering machinist</li> <li>• Fabricator</li> <li>• Installation engineer</li> <li>• Maintenance fitter</li> <li>• Mechanical engineer</li> </ul>	£25,300 (£12.48 per hour)	£22,770 (£11.23 per hour)	£20,240 (£9.98 per hour)	£17,710 (£8.73 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5224 Precision instrument makers and repairers	<ul style="list-style-type: none"> <li>• Calibration engineer</li> <li>• Horologist</li> <li>• Instrument maker</li> <li>• Instrument mechanic</li> <li>• Instrument technician</li> <li>• Optical technician</li> <li>• Precision engineer</li> <li>• Watchmaker</li> </ul>	£21,000 (£10.36 per hour)	£18,900 (£9.32 per hour)	£16,800 (£8.28 per hour)	£14,700 (£7.25 per hour)	No	No
5225 Air-conditioning and refrigeration engineers	<ul style="list-style-type: none"> <li>• Air conditioning engineer</li> <li>• Air conditioning fitter</li> <li>• Refrigeration engineer</li> <li>• Refrigeration technician</li> <li>• Service engineer (refrigeration)</li> </ul>	£26,800 (£13.21 per hour)	£24,120 (£11.89 per hour)	£21,440 (£10.57 per hour)	£18,760 (£9.25 per hour)	No	No
5231 Vehicle technicians, mechanics and electricians	<ul style="list-style-type: none"> <li>• Auto electrician</li> <li>• Car mechanic</li> <li>• HGV mechanic</li> <li>• Mechanic (garage)</li> <li>• MOT tester</li> <li>• Motor mechanic</li> <li>• Motor vehicle technician</li> <li>• Technician (motor vehicles)</li> <li>• Vehicle technician</li> </ul>	£21,900 (£10.80 per hour)	£19,710 (£9.72 per hour)	£17,520 (£8.64 per hour)	£15,330 (£7.56 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5232 Vehicle body builders and repairers	<ul style="list-style-type: none"> <li>• Bodyshop technician</li> <li>• Car body repairer</li> <li>• Coach builder</li> <li>• Panel beater</li> <li>• Restoration technician (motor vehicles)</li> <li>• Vehicle builder</li> </ul>	£20,700 (£10.21 per hour)	£18,630 (£9.19 per hour)	£16,560 (£8.17 per hour)	£14,490 (£7.14 per hour)	No	No
5234 Vehicle paint technicians	<ul style="list-style-type: none"> <li>• Car paint sprayer</li> <li>• Coach painter</li> <li>• Paint technician (motor vehicles)</li> <li>• Vehicle refinisher</li> </ul>	£23,000 (£11.34 per hour)	£20,700 (£10.21 per hour)	£18,400 (£9.07 per hour)	£16,100 (£7.94 per hour)	No	No
5235 Aircraft maintenance and related trades	<ul style="list-style-type: none"> <li>• Aeronautical engineer</li> <li>• Aircraft electrician</li> <li>• Aircraft engineer</li> <li>• Aircraft fitter</li> <li>• Aircraft mechanic</li> <li>• Maintenance engineer (aircraft)</li> </ul>	£31,700 (£15.63 per hour)	£28,530 (£14.07 per hour)	£25,360 (£12.50 per hour)	£22,190 (£10.94 per hour)	No	No
5236 Boat and ship builders and repairers	<ul style="list-style-type: none"> <li>• Boat builder</li> <li>• Fitter (boat building)</li> <li>• Frame turner (ship building)</li> <li>• Marine engineer</li> <li>• Ship's joiner</li> <li>• Shipwright</li> </ul>	£25,000 (£12.33 per hour)	£22,500 (£11.09 per hour)	£20,000 (£9.86 per hour)	£17,500 (£8.63 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5237 Rail and rolling stock builders and repairers	<ul style="list-style-type: none"> <li>• Coach repairer (railways)</li> <li>• Mechanical fitter (railway and rolling stock)</li> <li>• Railway engineer</li> <li>• Rolling stock technician</li> </ul>	£37,200 (£18.34 per hour)	£33,480 (£16.51 per hour)	£29,760 (£14.67 per hour)	£26,040 (£12.84 per hour)	No	No
5241 Electricians and electrical fitters	<ul style="list-style-type: none"> <li>• Electrical contractor</li> <li>• Electrical engineer</li> <li>• Electrical fitter</li> <li>• Electrician</li> </ul>	£27,200 (£13.41 per hour)	£24,480 (£12.07 per hour)	£21,760 (£10.73 per hour)	£19,040 (£9.39 per hour)	No	No
5242 Telecommunications engineers	<ul style="list-style-type: none"> <li>• Cable jointer</li> <li>• Customer service engineer (telecommunications)</li> <li>• Installation engineer (telecommunications)</li> <li>• Network officer (telecommunications)</li> <li>• Telecommunications engineer</li> <li>• Telephone engineer</li> </ul>	£30,300 (£14.94 per hour)	£27,270 (£13.45 per hour)	£24,240 (£11.95 per hour)	£21,210 (£10.46 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5244 TV, video and audio engineers	<ul style="list-style-type: none"> <li>• Installation engineer (radio, television and video)</li> <li>• Satellite engineer</li> <li>• Service engineer (radio, television and video)</li> <li>• Technician (radio, television and video)</li> <li>• Television engineer</li> </ul>	£28,300 (£13.95 per hour)	£25,470 (£12.56 per hour)	£22,640 (£11.16 per hour)	£19,810 (£9.77 per hour)	No	No
5245 IT engineers	<ul style="list-style-type: none"> <li>• Computer repairer</li> <li>• Computer service engineer</li> <li>• Hardware engineer (computer)</li> <li>• Maintenance engineer (computer servicing)</li> </ul>	£24,400 (£12.03 per hour)	£21,960 (£10.83 per hour)	£19,520 (£9.63 per hour)	£17,080 (£8.42 per hour)	No	No
5249 Electrical and electronic trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Alarm engineer</li> <li>• Electronics engineer</li> <li>• Field engineer</li> <li>• Linesman</li> <li>• Service engineer</li> </ul>	£28,000 (£13.81 per hour)	£25,200 (£12.43 per hour)	£22,400 (£11.05 per hour)	£19,600 (£9.66 per hour)	No	No
5250 Skilled metal, electrical and electronic trades supervisors	<ul style="list-style-type: none"> <li>• Electrical supervisor</li> <li>• Maintenance supervisor (manufacturing)</li> <li>• Workshop manager</li> </ul>	£30,300 (£14.94 per hour)	£27,270 (£13.45 per hour)	£24,240 (£11.95 per hour)	£21,210 (£10.46 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5311 Steel erectors	<ul style="list-style-type: none"> <li>• Steel erector</li> <li>• Steel fabricator</li> <li>• Steel worker (structural engineering)</li> </ul>	£23,700 (£11.69 per hour)	£21,330 (£10.52 per hour)	£18,960 (£9.35 per hour)	£16,590 (£8.18 per hour)	No	No
5312 Bricklayers and masons	<ul style="list-style-type: none"> <li>• Bricklayer</li> <li>• Dry stone waller</li> <li>• Stone mason</li> </ul>	£23,000 (£11.34 per hour)	£20,700 (£10.21 per hour)	£18,400 (£9.07 per hour)	£16,100 (£7.94 per hour)	No	No
5313 Roofers, roof tilers and slaters	<ul style="list-style-type: none"> <li>• Mastic asphalt spreader</li> <li>• Roof tiler</li> <li>• Roofer</li> <li>• Roofing contractor</li> <li>• Slater</li> <li>• Thatcher</li> </ul>	£21,400 (£10.55 per hour)	£19,260 (£9.50 per hour)	£17,120 (£8.44 per hour)	£14,980 (£7.39 per hour)	No	No
5314 Plumbers and heating and ventilating engineers	<ul style="list-style-type: none"> <li>• Gas engineer</li> <li>• Gas service engineer</li> <li>• Heating and ventilating engineer</li> <li>• Heating engineer</li> <li>• Plumber</li> <li>• Plumbing and heating engineer</li> </ul>	£25,800 (£12.72 per hour)	£23,220 (£11.45 per hour)	£20,640 (£10.18 per hour)	£18,060 (£8.91 per hour)	No	No
5315 Carpenters and joiners	<ul style="list-style-type: none"> <li>• Carpenter</li> <li>• Carpenter and joiner</li> <li>• Joiner</li> <li>• Kitchen fitter</li> <li>• Shop fitter</li> </ul>	£22,300 (£11.00 per hour)	£20,070 (£9.90 per hour)	£17,840 (£8.80 per hour)	£15,610 (£7.70 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5316 Glaziers, window fabricators and fitters	<ul style="list-style-type: none"> <li>• Glass Cutter</li> <li>• Glazier</li> <li>• Installer (double glazing)</li> <li>• Window fabricator</li> <li>• Window fitter</li> </ul>	£19,100 (£9.42 per hour)	£17,190 (£8.48 per hour)	£15,280 (£7.53 per hour)	£13,370 (£6.59 per hour)	No	No
5319 Construction and building trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Acoustician</li> <li>• Builder</li> <li>• Building contractor</li> <li>• Fencer</li> <li>• Maintenance manager (buildings and other structures)</li> <li>• Property developer (building construction)</li> </ul>	£23,000 (£11.34 per hour)	£20,700 (£10.21 per hour)	£18,400 (£9.07 per hour)	£16,100 (£7.94 per hour)	No	No
5321 Plasterers	<ul style="list-style-type: none"> <li>• Fibrous plasterer</li> <li>• Plasterer</li> <li>• Plastering contractor</li> </ul>	£24,300 (£11.98 per hour)	£21,870 (£10.78 per hour)	£19,440 (£9.59 per hour)	£17,010 (£8.39 per hour)	No	No
5322 Floorers and wall tilers	<ul style="list-style-type: none"> <li>• Carpet fitter</li> <li>• Ceramic tiler</li> <li>• Flooring contractor</li> <li>• Mosaic floor layer</li> </ul>	£21,800 (£10.75 per hour)	£19,620 (£9.67 per hour)	£17,440 (£8.60 per hour)	£15,260 (£7.52 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5323 Painters and decorators	<ul style="list-style-type: none"> <li>• Artexer</li> <li>• French polisher</li> <li>• Paper hanger</li> <li>• Ship sprayer</li> <li>• Wood stainer</li> </ul>	£21,400 (£10.55 per hour)	£19,260 (£9.50 per hour)	£17,120 (£8.44 per hour)	£14,980 (£7.39 per hour)	No	No
5330 Construction and building trades supervisors	<ul style="list-style-type: none"> <li>• Builder's foreman</li> <li>• Construction foreman</li> <li>• Construction supervisor</li> <li>• Maintenance supervisor</li> <li>• Site foreman</li> </ul>	£31,400 (£15.48 per hour)	£28,260 (£13.93 per hour)	£25,120 (£12.39 per hour)	£21,980 (£10.84 per hour)	No	No
5411 Weavers and knitters	<ul style="list-style-type: none"> <li>• Carpet weaver</li> <li>• Knitter</li> <li>• Knitwear manufacturer</li> <li>• Weaver</li> </ul>	£19,300 (£9.52 per hour)	£17,370 (£8.57 per hour)	£15,440 (£7.61 per hour)	£13,510 (£6.66 per hour)	No	No
5412 Upholsterers	<ul style="list-style-type: none"> <li>• Curtain fitter</li> <li>• Curtain maker</li> <li>• Soft furnisher</li> <li>• Trimmer (furniture mfr)</li> <li>• Upholsterer</li> </ul>	£18,500 (£9.12 per hour)	£16,650 (£8.21 per hour)	£14,800 (£7.30 per hour)	£12,950 (£6.39 per hour)	No	No



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5413 Footwear and leather working trades	<ul style="list-style-type: none"> <li>• Cobbler</li> <li>• Leather worker (leather goods mfr)</li> <li>• Machinist (leather goods mfr)</li> <li>• Shoe machinist</li> <li>• Shoe repairer</li> </ul>	£17,300 (£8.53 per hour)	£15,570 (£7.68 per hour)	£13,840 (£6.82 per hour)	£12,110 (£5.97 per hour)	No	No
5414 Tailors and dressmakers	<ul style="list-style-type: none"> <li>• Cutter (hosiery, knitwear mfr)</li> <li>• Dressmaker</li> <li>• Fabric cutter</li> <li>• Tailor</li> <li>• Tailoress</li> </ul>	£16,200 (£7.99 per hour)	£14,580 (£7.19 per hour)	£12,960 (£6.39 per hour)	£11,340 (£5.59 per hour)	No	No
5419 Textiles, garments and related trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Clothing manufacturer</li> <li>• Embroiderer</li> <li>• Hand sewer</li> <li>• Sail maker</li> <li>• Upholstery cutter</li> </ul>	£18,300 (£9.02 per hour)	£16,470 (£8.12 per hour)	£14,640 (£7.22 per hour)	£12,810 (£6.32 per hour)	No	No
5421 Pre-press technicians	<ul style="list-style-type: none"> <li>• Compositor</li> <li>• Plate maker</li> <li>• Pre-press manager</li> <li>• Pre-press technician</li> <li>• Type setter</li> </ul>	£19,900 (£9.81 per hour)	£17,910 (£8.83 per hour)	£15,920 (£7.85 per hour)	£13,930 (£6.87 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5422 Printers	<ul style="list-style-type: none"> <li>• Lithographic printer</li> <li>• Machine minder (printing)</li> <li>• Print manager</li> <li>• Screen printer</li> <li>• Wallpaper printer</li> </ul>	£20,800 (£10.26 per hour)	£18,720 (£9.23 per hour)	£16,640 (£8.21 per hour)	£14,560 (£7.18 per hour)	No	No
5423 Print finishing and binding workers	<ul style="list-style-type: none"> <li>• Binder's assistant</li> <li>• Book binder</li> <li>• Finishing supervisor (printing)</li> <li>• Print finisher</li> </ul>	£19,800 (£9.76 per hour)	£17,820 (£8.79 per hour)	£15,840 (£7.81 per hour)	£13,860 (£6.83 per hour)	No	No
5431 Butchers	<ul style="list-style-type: none"> <li>• Butcher</li> <li>• Butcher's assistant</li> <li>• Butchery manager</li> <li>• Master butcher</li> <li>• Slaughterman</li> </ul>	£19,300 (£9.52 per hour)	£17,370 (£8.57 per hour)	£15,440 (£7.61 per hour)	£13,510 (£6.66 per hour)	No	No
5432 Bakers and flour confectioners	<ul style="list-style-type: none"> <li>• Baker</li> <li>• Baker's assistant</li> <li>• Bakery manager</li> <li>• Cake decorator</li> <li>• Confectioner</li> </ul>	£17,300 (£8.53 per hour)	£15,570 (£7.68 per hour)	£13,840 (£6.82 per hour)	£12,110 (£5.97 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5433 Fishmongers and poultry dressers	<ul style="list-style-type: none"> <li>• Butcher (fish, poultry)</li> <li>• Filleter (fish)</li> <li>• Fish processor</li> <li>• Fishmonger</li> <li>• Poultry processor</li> </ul>	£17,100 (£8.43 per hour)	£15,390 (£7.59 per hour)	£13,680 (£6.75 per hour)	£11,970 (£5.90 per hour)	No	No
5434 Chefs	<ul style="list-style-type: none"> <li>• Chef</li> <li>• Chef-manager</li> <li>• Head chef</li> <li>• Pastry chef</li> </ul>	£18,900 (£9.32 per hour)	£17,010 (£8.39 per hour)	£15,120 (£7.46 per hour)	£13,230 (£6.52 per hour)	No	No
5436 Catering and bar managers	<ul style="list-style-type: none"> <li>• Bar manager</li> <li>• Catering manager</li> <li>• Floor manager (restaurant)</li> <li>• Kitchen manager</li> <li>• Steward (club)</li> </ul>	£18,400 (£9.07 per hour)	£16,560 (£8.17 per hour)	£14,720 (£7.26 per hour)	£12,880 (£6.35 per hour)	No	No
5441 Glass and ceramics makers, decorators and finishers	<ul style="list-style-type: none"> <li>• Ceramic artist</li> <li>• Glass blower</li> <li>• Potter (ceramics mfr)</li> <li>• Pottery worker</li> <li>• Sprayer (ceramics mfr)</li> <li>• Stained glass artist</li> </ul>	£17,800 (£8.78 per hour)	£16,020 (£7.90 per hour)	£14,240 (£7.02 per hour)	£12,460 (£6.14 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
5442 Furniture makers and other craft woodworkers	<ul style="list-style-type: none"> <li>• Antiques restorer</li> <li>• Cabinet maker</li> <li>• Coffin maker</li> <li>• Furniture restorer</li> <li>• Picture framer</li> <li>• Sprayer (furniture mfr)</li> </ul>	£18,900 (£9.32 per hour)	£17,010 (£8.39 per hour)	£15,120 (£7.46 per hour)	£13,230 (£6.52 per hour)	No	No
5443 Florists	<ul style="list-style-type: none"> <li>• Floral assistant</li> <li>• Floral designer</li> <li>• Florist</li> <li>• Flower arranger</li> </ul>	£14,000 (£6.90 per hour)	£12,600 (£6.21 per hour)	£11,200 (£5.52 per hour)	£9,800 (£4.83 per hour)	No	No
5449 Other skilled trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Diamond mounter</li> <li>• Engraver</li> <li>• Goldsmith</li> <li>• Paint sprayer</li> <li>• Piano tuner</li> <li>• Sign maker</li> <li>• Silversmith</li> <li>• Wig maker</li> </ul>	£22,300 (£11.00 per hour)	£20,070 (£9.90 per hour)	£17,840 (£8.80 per hour)	£15,610 (£7.70 per hour)	No	No
6121 Nursery nurses and assistants	<ul style="list-style-type: none"> <li>• Crèche assistant</li> <li>• Crèche worker</li> <li>• Nursery assistant</li> <li>• Nursery nurse</li> </ul>	£14,700 (£7.25 per hour)	£13,230 (£6.52 per hour)	£11,760 (£5.80 per hour)	£10,290 (£5.07 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
6122 Childminders and related occupations	<ul style="list-style-type: none"> <li>• Au pair</li> <li>• Child care assistant</li> <li>• Child minder</li> <li>• Nanny</li> </ul>	£17,600 (£8.68 per hour)	£15,840 (£7.81 per hour)	£14,080 (£6.94 per hour)	£12,320 (£6.07 per hour)	No	No
6123 Playworkers	<ul style="list-style-type: none"> <li>• Playgroup assistant</li> <li>• Playgroup leader</li> <li>• Playgroup supervisor Playworker</li> </ul>	£12,700 (£6.26 per hour)	£11,430 (£5.64 per hour)	£10,160 (£5.01 per hour)	£8,890 (£4.38 per hour)	No	No
6125 Teaching assistants	<ul style="list-style-type: none"> <li>• Classroom assistant</li> <li>• School assistant</li> <li>• Teaching assistant</li> </ul>	£14,400 (£7.10 per hour)	£12,960 (£6.39 per hour)	£11,520 (£5.68 per hour)	£10,080 (£4.97 per hour)	No	No
6126 Educational support assistants	<ul style="list-style-type: none"> <li>• Education support assistant</li> <li>• Learning support assistant</li> <li>• Non-teaching assistant (schools)</li> <li>• Special needs assistant (educational establishments)</li> <li>• Support assistant (educational establishments)</li> </ul>	£13,800 (£6.80 per hour)	£12,420 (£6.12 per hour)	£11,040 (£5.44 per hour)	£9,660 (£4.76 per hour)	No	No
6131 Veterinary nurses	<ul style="list-style-type: none"> <li>• Animal nurse</li> <li>• Veterinary nurse</li> </ul>	£16,900 (£8.33 per hour)	£15,210 (£7.50 per hour)	£13,520 (£6.67 per hour)	£11,830 (£5.83 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
6139 Animal care services occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Animal technician</li> <li>• Canine beautician</li> <li>• Groom</li> <li>• Kennel assistant</li> <li>• Kennel maid</li> <li>• Stable hand</li> </ul>	£16,100 (£7.94 per hour)	£14,490 (£7.14 per hour)	£12,880 (£6.35 per hour)	£11,270 (£5.56 per hour)	No	No
6144 Houseparents and residential wardens	<ul style="list-style-type: none"> <li>• Foster carer</li> <li>• Matron (residential home)</li> <li>• Resident warden</li> <li>• Team leader (residential care home)</li> <li>• Warden (sheltered housing)</li> </ul>	£19,700 (£9.71 per hour)	£17,730 (£8.74 per hour)	£15,760 (£7.77 per hour)	£13,790 (£6.80 per hour)	No	No
6146 Senior care workers	<ul style="list-style-type: none"> <li>• Senior care assistant</li> <li>• Senior carer</li> <li>• Senior support worker (Local government: welfare services)</li> <li>• Team leader (nursing home)</li> </ul>	£16,900 (£8.33 per hour)	£15,210 (£7.50 per hour)	£13,520 (£6.67 per hour)	£11,830 (£5.83 per hour)	No	No
6214 Air travel assistants	<ul style="list-style-type: none"> <li>• Air hostess</li> <li>• Cabin crew</li> <li>• Customer service agent (travel)</li> <li>• Flight attendant</li> <li>• Passenger service agent</li> </ul>	£17,600 (£8.68 per hour)	£15,840 (£7.81 per hour)	£14,080 (£6.94 per hour)	£12,320 (£6.07 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
6215 Rail travel assistants	<ul style="list-style-type: none"> <li>• Retail service manager (railways)</li> <li>• Station assistant (underground railway)</li> <li>• Ticket inspector (railways)</li> <li>• Train conductor</li> <li>• Train manager</li> </ul>	£31,400 (£15.48 per hour)	£28,260 (£13.93 per hour)	£25,120 (£12.39 per hour)	£21,980 (£10.84 per hour)	No	No
7125 Merchandisers and window dressers	<ul style="list-style-type: none"> <li>• Merchandiser</li> <li>• Sales merchandiser</li> <li>• Visual merchandising manager</li> <li>• Window dresser</li> </ul>	£19,100 (£9.42 per hour)	£17,190 (£8.48 per hour)	£15,280 (£7.53 per hour)	£13,370 (£6.59 per hour)	No	No
7130 Sales supervisors	<ul style="list-style-type: none"> <li>• Sales supervisor (retail trade: delivery round)</li> <li>• Section manager (retail trade)</li> <li>• Shop supervisor (retail trade)</li> <li>• Supervisor (retail, wholesale trade)</li> <li>• Team leader (retail trade)</li> </ul>	£18,900 (£9.32 per hour)	£17,010 (£8.39 per hour)	£15,120 (£7.46 per hour)	£13,230 (£6.52 per hour)	No	No
7215 Market research interviewers	<ul style="list-style-type: none"> <li>• Interviewer (market research)</li> <li>• Market researcher (interviewing)</li> <li>• Telephone interviewer</li> <li>• Telephone researcher</li> <li>• Traffic enumerator</li> </ul>	£9,800 (£4.83 per hour)	£8,820 (£4.35 per hour)	£7,840 (£3.87 per hour)	£6,860 (£3.38 per hour)	No	No

<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
7220 Customer service managers and supervisors	<ul style="list-style-type: none"> <li>• After sales manager</li> <li>• Call centre supervisor</li> <li>• Customer service manager</li> <li>• Customer service supervisor</li> <li>• Team leader (customer care)</li> </ul>	£22,900 (£11.29 per hour)	£20,610 (£10.16 per hour)	£18,320 (£9.03 per hour)	£16,030 (£7.90 per hour)	No	No
8124 Energy plant operatives	<ul style="list-style-type: none"> <li>• Boilerman</li> <li>• Control room operator(electric)</li> <li>• Hydraulic engineman</li> <li>• Plant operator (electricity supplier)</li> <li>• Power station operator</li> </ul>	£23,900 (£11.79 per hour)	£21,510 (£10.61 per hour)	£19,120 (£9.43 per hour)	£16,730 (£8.25 per hour)	No	No
8126 Water and sewerage plant operatives	<ul style="list-style-type: none"> <li>• Controller (water treatment)</li> <li>• Plant operator (sewage works)</li> <li>• Pump attendant</li> <li>• Water treatment engineer</li> <li>• Water treatment operator</li> </ul>	£25,000 (£12.33 per hour)	£22,500 (£11.09 per hour)	£20,000 (£9.86 per hour)	£17,500 (£8.63 per hour)	No	No
8215 Driving instructors	<ul style="list-style-type: none"> <li>• Driving instructor</li> <li>• HGV instructor</li> <li>• Instructor (driving school)</li> <li>• Motorcycle instructor</li> </ul>	£22,800 (£11.24 per hour)	£20,520 (£10.12 per hour)	£18,240 (£8.99 per hour)	£15,960 (£7.87 per hour)	No	No



<b>Occupation code</b>	<b>Related job titles</b>	<b>Going rate (SW - option A, ICT - minimum rate)</b>	<b>90% of going rate (SW - option B)</b>	<b>80% of going rate (SW - options C and D)</b>	<b>70% of going rate (SW - option E, ICGT - minimum rate)</b>	<b>Eligible for PhD points (SW)?</b>	<b>Eligible for ICT and ICGT?</b>
8232 Marine and waterways transport operatives	<ul style="list-style-type: none"> <li>• Engine room attendant (shipping)</li> <li>• Engineer, nos (boat, barge)</li> <li>• Ferryman</li> <li>• Merchant seaman</li> <li>• Seaman (shipping)</li> </ul>	£30,200 (£14.89 per hour)	£27,180 (£13.40 per hour)	£24,160 (£11.91 per hour)	£21,140 (£10.42 per hour)	No	No

**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 Intra-Company Routes unless otherwise stated.

Occupation code	Related job titles	Going rate (annual)	National pay scale source
2211 Medical practitioners	<ul style="list-style-type: none"> <li>• Anaesthetist</li> <li>• Consultant (Hospital Service)</li> <li>• Doctor</li> <li>• General practitioner</li> <li>• Medical practitioner</li> <li>• Paediatrician</li> <li>• Psychiatrist</li> <li>• Radiologist</li> <li>• Surgeon</li> </ul>	<p>Medical professionals on the NHS junior doctor contract:</p> <ul style="list-style-type: none"> <li>• Foundation year 1 (F1) and equivalent: £28,243</li> <li>• Foundation year 2 (F2) and equivalent: £32,691</li> <li>• Specialty registrar (StR) at ST/CT1-2 and equivalent: £38,693</li> <li>• Specialty registrar (StR) at CT/ST3 and above £49,036</li> </ul> <p>Other medical professionals including those on contract with health services of devolved administrations:</p> <ul style="list-style-type: none"> <li>• Foundation year 1 (F1) and equivalent: £24,504</li> <li>• Foundation year 2 (F2) and equivalent: £30,393</li> <li>• Specialty registrar (StR) and equivalent: £32,478</li> <li>• Specialty doctor and equivalent: £40,037</li> <li>• Salaried General practitioner (GP) and equivalent: £58,808</li> <li>• Consultant and equivalent: £ 79,860</li> </ul> <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><u>NHS Employers Pay and Conditions Circular (M&amp;D) 1/2020</u></p>

2212 Psychologists	<ul style="list-style-type: none"> <li>• Clinical psychologist</li> <li>• Educational psychologist</li> <li>• Forensic psychologist</li> <li>• Occupational psychologist</li> <li>• Psychologist</li> <li>• Psychometrist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2213 Pharmacists	<ul style="list-style-type: none"> <li>• Chemist (pharmaceutical)</li> <li>• Dispensary manager</li> <li>• Pharmaceutical chemist</li> <li>• Pharmacist</li> <li>• Pharmacy manager</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2214 Ophthalmic opticians	<ul style="list-style-type: none"> <li>• Ophthalmic optician</li> <li>• Optician</li> <li>• Optologist</li> <li>• Optometrist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2215 Dental practitioners	<ul style="list-style-type: none"> <li>• Dental surgeon</li> <li>• Dentist</li> <li>• Orthodontist</li> <li>• Periodontist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2217 Medical radiographers	<ul style="list-style-type: none"> <li>• Medical radiographer</li> <li>• Radiographer</li> <li>• Sonographer</li> <li>• Therapeutic radiographer</li> <li>• Vascular technologist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2218 Podiatrists	<ul style="list-style-type: none"> <li>• Chiropodist</li> <li>• Chiropodist-podiatrist</li> <li>• Podiatrist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>

2219 Health professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Audiologist</li> <li>• Dental hygiene therapist</li> <li>• Dietician-nutritionist</li> <li>• Family planner</li> <li>• Occupational health adviser</li> <li>• Paramedical practitioner</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2221 Physiotherapists	<ul style="list-style-type: none"> <li>• Electro-therapist</li> <li>• Physiotherapist</li> <li>• Physiotherapy practitioner</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2222 Occupational therapists	<ul style="list-style-type: none"> <li>• Occupational therapist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2223 Speech and language therapists	<ul style="list-style-type: none"> <li>• Language therapist</li> <li>• Speech and language therapist</li> <li>• Speech therapist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2229 Therapy professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Art therapist</li> <li>• Chiropractor</li> <li>• Cognitive behavioural therapist</li> <li>• Dance movement therapist</li> <li>• Family therapist</li> <li>• Nutritionist</li> <li>• Osteopath</li> <li>• Psychotherapist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2231 Nurses	<ul style="list-style-type: none"> <li>• District nurse</li> <li>• Health visitor</li> <li>• Mental health practitioner</li> <li>• Nurse</li> <li>• Practice nurse</li> <li>• Psychiatric nurse</li> <li>• Staff nurse</li> <li>• Student nurse</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>

2232 Midwives	<ul style="list-style-type: none"> <li>• Midwife</li> <li>• Midwifery sister</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
2312 Further education teaching professionals	<ul style="list-style-type: none"> <li>• FE College lecturer</li> <li>• Lecturer (further education)</li> <li>• Teacher (further education)</li> <li>• Tutor (further education)</li> </ul>	<ul style="list-style-type: none"> <li>• Lecturer or equivalent (new entrant): £22,609</li> <li>• Senior lecturer / advanced teacher and equivalent: £37,258</li> <li>• Further education management / principal lecturer and equivalent: £43,734</li> </ul> <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>	Teachers' national pay scales from each devolved authority, lowest value selected
2314 Secondary education teaching professionals	<ul style="list-style-type: none"> <li>• Deputy head teacher (secondary school)</li> <li>• Secondary school teacher</li> <li>• Sixth form teacher</li> <li>• Teacher (secondary school)</li> </ul>	See relevant pay rate in Table 4	<a href="#"><u>Teachers' national pay scales</u></a>
2315 Primary and nursery education teaching professionals	<ul style="list-style-type: none"> <li>• Deputy head teacher (primary school)</li> <li>• Infant teacher</li> <li>• Nursery school teacher</li> <li>• Primary school teacher</li> </ul>	See relevant pay rate in Table 4	<a href="#"><u>Teachers' national pay scales</u></a>
2316 Special needs education teaching professionals	<ul style="list-style-type: none"> <li>• Deputy head teacher (special school)</li> </ul>	See relevant pay rate in Table 4	<a href="#"><u>Teachers' national pay scales</u></a>

	<ul style="list-style-type: none"> <li>• Learning support teacher</li> <li>• Special needs coordinator</li> <li>• Special needs teacher</li> </ul>		
2442 Social workers	<ul style="list-style-type: none"> <li>• Psychiatric social worker</li> <li>• Senior practitioner (local government: social services)</li> <li>• Social worker</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
3213 Paramedics	<ul style="list-style-type: none"> <li>• Ambulance paramedic</li> <li>• Emergency care practitioner</li> <li>• Paramedic</li> <li>• Paramedic-ECP</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
3218 Medical and dental technicians (not eligible for ICT or ICGT)	<ul style="list-style-type: none"> <li>• Cardiographer</li> <li>• Dental hygienist</li> <li>• Dental technician</li> <li>• Medical technical officer</li> <li>• Orthopaedic technician</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
3219 Health associate professionals not elsewhere classified (not eligible for ICT or ICGT)	<ul style="list-style-type: none"> <li>• Acupuncturist</li> <li>• Homeopath</li> <li>• Hypnotherapist</li> <li>• Massage therapist</li> <li>• Reflexologist</li> <li>• Sports therapist</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>
6141 Nursing auxiliaries and assistants (not eligible for ICT or ICGT)	<ul style="list-style-type: none"> <li>• Auxiliary nurse</li> <li>• Health care assistant (hospital service)</li> <li>• Health care support worker</li> <li>• Nursing assistant</li> <li>• Nursing auxiliary</li> </ul>	See relevant pay band in Table 3	<a href="#"><u>NHS Agenda for Change 2020/21</u></a>

6143 Dental nurses (not eligible for ICT or ICGT)	<ul style="list-style-type: none"> <li>• Dental assistant</li> <li>• Dental nurse</li> <li>• Dental nurse-receptionist</li> <li>• Dental surgery assistant</li> </ul>	See relevant pay band in Table 3	<a href="#">NHS Agenda for Change 2020/21</a>
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**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	£19,737	£20,700	£19,737	£19,737
Band 4	£21,892	£22,700	£21,892	£21,892
Band 5	£24,907	£25,100	£24,907	£24,907
Band 6	£31,365	£31,800	£31,365	£31,365
Band 7	£38,890	£39,300	£38,890	£38,890
Band 8a	£45,753	£49,480	£45,753	£45,753
Band 8b	£53,168	£59,539	£53,168	£53,168
Band 8c	£63,751	£71,365	£63,751	£63,751
Band 8d	£75,914	£85,811	£75,914	£75,914
Band 9	£91,004	£102,558	£91,004	£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	£17,682	£18,844	£21,004	£22,237	£27,498	£17,682	£14,760
Qualified teachers	£24,373	£25,543	£28,355	£30,480	£32,994	£24,906	£23,199
Chartered teachers	-	-	-	-	£42,696	-	-
Principal teachers	-	-	-	-	£45,150	-	-
Leadership group	£41,065	£42,195	£44,323	£48,824	-	£41,065	£40,256
Lead practitioners	£41,267	£42,403	£44,541	£49,065	-	£41,267	-

**Table 5: Occupation codes which are not eligible for the Skilled Worker, Intra-Company Transfer and Intra-Company Graduate Trainee routes**

These occupations are ineligible because:

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

Where indicated, some occupations codes in Tables 1 and 2 are also not eligible for the Intra-Company Transfer and Intra-Company Graduate Trainee routes.

Occupation code	Related job titles
1116 Elected officers and representatives	<ul style="list-style-type: none"> <li>• Councillor (local government)</li> <li>• Member of Parliament</li> </ul>
1171 Officers in armed forces	<ul style="list-style-type: none"> <li>• Army officer</li> <li>• Flight-lieutenant</li> <li>• Squadron-leader</li> </ul>
2444 Clergy	<ul style="list-style-type: none"> <li>• Chaplain Minister (religious organisation)</li> <li>• Pastor</li> <li>• Priest</li> <li>• Vicar</li> </ul>



<b>Occupation code</b>	<b>Related job titles</b>
3311 NCOs and other ranks	<ul style="list-style-type: none"> <li>• Aircraftman</li> <li>• Aircraft technician (armed forces)</li> <li>• Lance-corporal</li> <li>• Sergeant (armed forces)</li> <li>• Soldier</li> <li>• Weapons engineer (armed forces)</li> </ul>
3314 Prison service officers (below principal officer)	<ul style="list-style-type: none"> <li>• Prison custodial officer</li> <li>• Prison escort officer</li> <li>• Prison officer</li> <li>• Prison warden</li> </ul>
3441 Sports players	<ul style="list-style-type: none"> <li>• Cricketer</li> <li>• Footballer</li> <li>• Golfer</li> </ul>
3442 Sports coaches, instructors and officials	<ul style="list-style-type: none"> <li>• Referee</li> <li>• Riding instructor</li> <li>• Sports development officer</li> <li>• Swimming teacher</li> </ul>
3233 Child and early years officers	<ul style="list-style-type: none"> <li>• Child protection officer</li> <li>• Education welfare officer</li> <li>• Portage worker (educational establishments)</li> </ul>
3315 Police community support officers	<ul style="list-style-type: none"> <li>• Civilian support officer (police service)</li> <li>• Community support officer (police service)</li> <li>• Police community support officer</li> </ul>
4113 Local government administrative occupations	<ul style="list-style-type: none"> <li>• Administrative assistant (local government)</li> <li>• Administrative officer (police service)</li> <li>• Benefits assistant (local government)</li> <li>• Clerical officer (local government)</li> <li>• Local government officer nos</li> </ul>
4121 Credit controllers	<ul style="list-style-type: none"> <li>• Credit control clerk</li> <li>• Credit controller</li> <li>• Debt management associate</li> <li>• Loans administrator</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
4122 Book-keepers, payroll managers and wages clerks	<ul style="list-style-type: none"> <li>• Accounts administrator</li> <li>• Accounts assistant</li> <li>• Accounts clerk</li> <li>• Auditor</li> <li>• Bookkeeper</li> <li>• Payroll clerk</li> </ul>
4123 Bank and post office clerks	<ul style="list-style-type: none"> <li>• Bank clerk</li> <li>• Cashier (bank)</li> <li>• Customer adviser (building society)</li> <li>• Customer service officer (bank)</li> <li>• Post office clerk</li> </ul>
4124 Finance officers	<ul style="list-style-type: none"> <li>• Deputy finance officer</li> <li>• Finance officer</li> <li>• Regional finance officer (PO)</li> </ul>
4129 Financial administrative occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Cashier</li> <li>• Finance administrator</li> <li>• Finance assistant</li> <li>• Finance clerk</li> <li>• Tax assistant</li> <li>• Treasurer</li> <li>• Valuation assistant</li> </ul>
4131 Records clerks and assistants	<ul style="list-style-type: none"> <li>• Admissions officer</li> <li>• Clerical officer (hospital service)</li> <li>• Filing clerk</li> <li>• Records clerk</li> <li>• Ward clerk</li> </ul>
4132 Pensions and insurance clerks and assistants	<ul style="list-style-type: none"> <li>• Administrator (insurance)</li> <li>• Claims handler</li> <li>• Clerical assistant (insurance)</li> <li>• Insurance clerk</li> <li>• Pensions administrator</li> </ul>
4133 Stock control clerks and assistants	<ul style="list-style-type: none"> <li>• Despatch clerk</li> <li>• Material controller</li> <li>• Stock control clerk</li> <li>• Stock controller</li> <li>• Stores administrator</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
4135 Library clerks and assistants	<ul style="list-style-type: none"> <li>• Information assistant (library)</li> <li>• Learning resource assistant</li> <li>• Library assistant</li> <li>• Library clerk</li> <li>• Library supervisor</li> </ul>
4138 Human resources administrative occupations	<ul style="list-style-type: none"> <li>• Course administrator</li> <li>• Human resources administrator</li> <li>• Personnel administrator</li> <li>• Personnel clerk</li> </ul>
4159 Other administrative occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Administrative assistant</li> <li>• Clerical assistant</li> <li>• Clerical officer</li> <li>• Clerk Office administrator</li> </ul>
4162 Office supervisors	<ul style="list-style-type: none"> <li>• Administration supervisor</li> <li>• Clerical supervisor</li> <li>• Facilities supervisor</li> <li>• Office supervisor</li> </ul>
4211 Medical secretaries	<ul style="list-style-type: none"> <li>• Clinic coordinator</li> <li>• Clinic administrator</li> <li>• Medical administrator</li> <li>• Medical secretary</li> <li>• Secretary (medical practice)</li> </ul>
4212 Legal secretaries	<ul style="list-style-type: none"> <li>• Legal administrator</li> <li>• Legal clerk</li> <li>• Legal secretary</li> <li>• Secretary (legal services)</li> </ul>
4213 School secretaries	<ul style="list-style-type: none"> <li>• Clerical assistant (schools)</li> <li>• School administrator</li> <li>• School secretary</li> <li>• Secretary (schools)</li> </ul>
4216 Receptionists	<ul style="list-style-type: none"> <li>• Dental receptionist</li> <li>• Doctor's receptionist</li> <li>• Medical receptionist</li> <li>• Receptionist</li> <li>• Receptionist-secretary</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
4217 Typists and related keyboard occupations	<ul style="list-style-type: none"> <li>• Audio typist</li> <li>• Computer operator</li> <li>• Typist</li> <li>• Typist-clerk</li> <li>• Word processor</li> </ul>
5435 Cooks	<ul style="list-style-type: none"> <li>• Cook</li> <li>• Cook-supervisor</li> <li>• Head cook</li> </ul>
6132 Pest control officers	<ul style="list-style-type: none"> <li>• Fumigator</li> <li>• Pest control officer</li> <li>• Pest control technician</li> <li>• Pest controller</li> </ul>
6142 Ambulance staff (excluding paramedics)	<ul style="list-style-type: none"> <li>• Ambulance care assistant</li> <li>• Ambulance driver</li> <li>• Ambulance technician</li> <li>• Emergency medical technician</li> </ul>
6145 Care workers and home carers	<ul style="list-style-type: none"> <li>• Care assistant</li> <li>• Care worker</li> <li>• Carer</li> <li>• Home care assistant</li> <li>• Home carer</li> <li>• Support worker (nursing home)</li> </ul>
6147 Care escorts	<ul style="list-style-type: none"> <li>• Bus escort</li> <li>• Escort</li> <li>• Escort-driver</li> <li>• School escort</li> </ul>
6148 Undertakers, mortuary and crematorium assistants	<ul style="list-style-type: none"> <li>• Crematorium technician</li> <li>• Funeral director</li> <li>• Pall bearer</li> <li>• Undertaker</li> </ul>
6211 Sports and leisure assistants	<ul style="list-style-type: none"> <li>• Croupier</li> <li>• Leisure attendant</li> <li>• Lifeguard</li> <li>• Sports assistant</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
6212 Travel agents	<ul style="list-style-type: none"> <li>• Reservations clerk (travel)</li> <li>• Sales consultant (travel agents)</li> <li>• Travel adviser</li> <li>• Travel agent</li> <li>• Travel consultant</li> </ul>
6219 Leisure and travel service occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Bus conductor</li> <li>• Holiday representative</li> <li>• Information assistant (tourism)</li> <li>• Steward (shipping)</li> <li>• Tour guide</li> </ul>
6221 Hairdressers and barbers	<ul style="list-style-type: none"> <li>• Barber</li> <li>• Colourist (hairdressing)</li> <li>• Hair stylist</li> <li>• Hairdresser</li> </ul>
6222 Beauticians and related occupations	<ul style="list-style-type: none"> <li>• Beautician Beauty therapist</li> <li>• Nail technician</li> <li>• Tattooist</li> </ul>
6231 Housekeepers and related occupations	<ul style="list-style-type: none"> <li>• Cook-housekeeper</li> <li>• House keeper</li> <li>• Lifestyle manager</li> </ul>
6232 Caretakers	<ul style="list-style-type: none"> <li>• Caretaker</li> <li>• Janitor</li> <li>• Porter (college)</li> <li>• Site manager (educational establishments)</li> </ul>
6240 Cleaning and housekeeping managers and supervisors	<ul style="list-style-type: none"> <li>• Butler</li> <li>• Cleaner-in-charge</li> <li>• Cleaning supervisor</li> <li>• Domestic supervisor</li> <li>• Head house keeper</li> <li>• Supervisor (cleaning)</li> </ul>
7111 Sales and retail assistants	<ul style="list-style-type: none"> <li>• Retail assistant</li> <li>• Sales adviser</li> <li>• Sales assistant</li> <li>• Sales consultant (retail trade)</li> <li>• Shop assistant</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
7112 Retail cashiers and check-out operators	<ul style="list-style-type: none"> <li>• Check-out operator</li> <li>• Forecourt attendant</li> <li>• General assistant (retail trade: check-out)</li> <li>• Till operator</li> </ul>
7113 Telephone salespersons	<ul style="list-style-type: none"> <li>• Sales adviser (telephone sales)</li> <li>• Telesales executive</li> <li>• Telesales operator</li> </ul>
7114 Pharmacy and other dispensing assistants	<ul style="list-style-type: none"> <li>• Dispenser</li> <li>• Health care assistant (retail chemist)</li> <li>• Optical assistant</li> <li>• Pharmacy assistant</li> </ul>
7115 Vehicle and parts salespersons and advisers	<ul style="list-style-type: none"> <li>• Car sales executive</li> <li>• Car salesman</li> <li>• Parts adviser (retail trade)</li> <li>• Parts salesman (motor vehicle repair)</li> </ul>
7121 Collector salespersons and credit agents	<ul style="list-style-type: none"> <li>• Agent (insurance)</li> <li>• Canvasser</li> <li>• Collector (insurance)</li> <li>• Distributor (door-to-door sales)</li> <li>• Insurance agent</li> </ul>
7122 Debt, rent and other cash collectors	<ul style="list-style-type: none"> <li>• Collecting agent</li> <li>• Collector (gas supplier)</li> <li>• Debt collector</li> <li>• Meter reader</li> <li>• Vending operator</li> </ul>
7123 Roundspersons and van salespersons	<ul style="list-style-type: none"> <li>• Dairyman (retail trade: delivery round)</li> <li>• Ice-cream salesman</li> <li>• Milkman (milk retailing)</li> <li>• Roundsman</li> <li>• Van salesman</li> </ul>
7124 Market and street traders and assistants	<ul style="list-style-type: none"> <li>• Market assistant</li> <li>• Market trader</li> <li>• Owner (market stall)</li> <li>• Stall holder</li> <li>• Street trader</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
7129 Sales related occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Demonstrator</li> <li>• Hire controller</li> <li>• Sales representative (retail trade)</li> </ul>
7211 Call and contact centre occupations	<ul style="list-style-type: none"> <li>• Call centre agent</li> <li>• Call centre operator</li> <li>• Customer service adviser (call centre)</li> <li>• Customer service operator</li> </ul>
7213 Telephonists	<ul style="list-style-type: none"> <li>• Call handler (motoring organisation)</li> <li>• Operator (telephone)</li> <li>• Switchboard operator (telephone)</li> <li>• Telephonist</li> <li>• Telephonist-receptionist</li> </ul>
7214 Communication operators	<ul style="list-style-type: none"> <li>• Call handler (emergency services)</li> <li>• Communications operator</li> <li>• Control room operator (emergency services)</li> <li>• Controller (taxi service)</li> </ul>
7219 Customer service occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Customer adviser</li> <li>• Customer service administrator</li> <li>• Customer service adviser</li> <li>• Customer service assistant</li> <li>• Customer services representative</li> </ul>
8111 Food, drink and tobacco process operatives	<ul style="list-style-type: none"> <li>• Baker (food products mfr)</li> <li>• Bakery assistant</li> <li>• Factory worker (food products mfr)</li> <li>• Meat processor</li> <li>• Process worker (brewery)</li> <li>• Process worker (dairy)</li> </ul>
8112 Glass and ceramics process operatives	<ul style="list-style-type: none"> <li>• Glass worker</li> <li>• Kiln man (glass mfr)</li> <li>• Process worker (fibre glass mfr)</li> </ul>
8113 Textile process operatives	<ul style="list-style-type: none"> <li>• Hosiery worker</li> <li>• Machinist (rope, twine mfr)</li> <li>• Process worker (textile mfr)</li> <li>• Spinner (paper twine mfr)</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
8114 Chemical and related process operatives	<ul style="list-style-type: none"> <li>• Gas producer operator</li> <li>• Process technician (chemical mfr)</li> <li>• Process worker (cement mfr)</li> <li>• Process worker (nuclear fuel production)</li> </ul>
8115 Rubber process operatives	<ul style="list-style-type: none"> <li>• Disc cutter (rubber mfr)</li> <li>• Moulder (rubber goods mfr)</li> <li>• Process worker (rubber reclamation)</li> <li>• Tyre builder</li> </ul>
8116 Plastics process operatives	<ul style="list-style-type: none"> <li>• Extrusion operator (plastics mfr)</li> <li>• Fabricator (plastics mfr)</li> <li>• Injection moulder</li> <li>• Laminator (fibreglass)</li> <li>• Process worker (plastic goods mfr)</li> </ul>
8117 Metal making and treating process operatives	<ul style="list-style-type: none"> <li>• Degreaser (metal trades)</li> <li>• Foreman (metal refining)</li> <li>• Furnaceman (metal trades)</li> <li>• Process worker (nickel mfr)</li> <li>• Wire drawer</li> </ul>
8118 Electroplaters	<ul style="list-style-type: none"> <li>• Electroplater</li> <li>• Galvaniser</li> <li>• Metal sprayer</li> <li>• Powder coater</li> </ul>
8119 Process operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Melting pot assistant (electric cable)</li> <li>• Mixing plant foreman (asphalt mfr)</li> <li>• Process worker (electrical engineering)</li> <li>• Stone finisher (cast concrete products mfr)</li> </ul>
8121 Paper and wood machine operatives	<ul style="list-style-type: none"> <li>• Box maker (cardboard)</li> <li>• Guillotine operator (printing)</li> <li>• Machinist (paper goods mfr)</li> <li>• Sawyer</li> <li>• Wood machinist</li> </ul>
8122 Coal mine operatives	<ul style="list-style-type: none"> <li>• Coal miner</li> <li>• Colliery worker</li> <li>• Driller (coal mine)</li> </ul>



<b>Occupation code</b>	<b>Related job titles</b>
8123 Quarry workers and related operatives	<ul style="list-style-type: none"> <li>• Derrickman (oil wells)</li> <li>• Diamond driller (well sinking)</li> <li>• Plant operator (quarry)</li> <li>• Quarry operative</li> </ul>
8125 Metal working machine operatives	<ul style="list-style-type: none"> <li>• Engineer, nos</li> <li>• Machinist (metal trades)</li> <li>• Metal polisher</li> <li>• Process worker (metal trades)</li> </ul>
8127 Printing machine assistants	<ul style="list-style-type: none"> <li>• Finishing operative (printing)</li> <li>• Lithographer (printing)</li> <li>• Machinist (printing)</li> <li>• Print operator</li> <li>• Printer's assistant</li> </ul>
8129 Plant and machine operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Bench hand (metal trades)</li> <li>• Cable maker (spring mfr)</li> <li>• Laser operator</li> <li>• Manufacturer (metal goods mfr)</li> <li>• Saw doctor</li> </ul>
8131 Assemblers (electrical and electronic products)	<ul style="list-style-type: none"> <li>• Assembler (electrical, electronic equipment mfr)</li> <li>• Line operator (electrical)</li> <li>• Solderer</li> <li>• Team leader (electrical, electronic equipment mfr: assembly)</li> <li>• Technical operator (circuit board mfr)</li> </ul>
8132 Assemblers (vehicles and metal goods)	<ul style="list-style-type: none"> <li>• Assembler (metal trades)</li> <li>• Lineworker (vehicle mfr)</li> <li>• Manufacturing operator (metal trades)</li> <li>• Process worker (metal trades: assembly)</li> <li>• Team leader (motor vehicle mfr: assembly)</li> </ul>
8133 Routine inspectors and testers	<ul style="list-style-type: none"> <li>• Quality assurance inspector</li> <li>• Quality auditor</li> <li>• Quality controller</li> <li>• Quality inspector</li> <li>• Test engineer</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
8134 Weighers, graders and sorters	<ul style="list-style-type: none"> <li>• Grader (food products mfr)</li> <li>• Metal sorter</li> <li>• Selector (ceramics mfr)</li> <li>• Weighbridge clerk</li> <li>• Weighbridge operator</li> </ul>
8135 Tyre, exhaust and windscreen fitters	<ul style="list-style-type: none"> <li>• Tyre and exhaust fitter</li> <li>• Tyre fitter</li> <li>• Tyre technician</li> <li>• Windscreen fitter</li> </ul>
8137 Sewing machinists	<ul style="list-style-type: none"> <li>• Overlocker</li> <li>• Seamstress</li> <li>• Sewing machinist</li> <li>• Stitcher</li> <li>• Upholstery machinist</li> </ul>
8139 Assemblers and routine operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Assembler</li> <li>• Gluer (furniture mfr)</li> <li>• Paint line operator</li> <li>• Production assistant</li> <li>• Riveter (soft toy mfr)</li> </ul>
8141 Scaffolders, staggers and riggers	<ul style="list-style-type: none"> <li>• Bell hanger (church bells)</li> <li>• Stage rigger (shipbuilding)</li> <li>• Tackleman (steelworks)</li> </ul>
8142 Road construction operatives	<ul style="list-style-type: none"> <li>• Asphalter</li> <li>• Concrete finisher (building construction)</li> <li>• Highways maintenance hand</li> <li>• Paver</li> <li>• Road worker</li> </ul>
8143 Rail construction and maintenance operatives	<ul style="list-style-type: none"> <li>• Line Inspector (railways)</li> <li>• Maintenance man (railway maintenance and repair)</li> <li>• Relayer (railways)</li> <li>• Trackman (railways)</li> <li>• Ultrasonic engineer (railway maintenance and repair)</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
8149 Construction operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Asbestos remover</li> <li>• Cable layer</li> <li>• Demolition worker</li> <li>• Dry liner</li> <li>• General handyman</li> <li>• Maintenance man</li> <li>• Thermal insulation engineer</li> </ul>
8211 Large goods vehicle drivers	<ul style="list-style-type: none"> <li>• Haulage contractor</li> <li>• HGV driver</li> <li>• Lorry driver</li> <li>• Owner (heavy goods vehicle)</li> <li>• Tanker driver</li> </ul>
8212 Van drivers	<ul style="list-style-type: none"> <li>• Courier driver</li> <li>• Delivery driver</li> <li>• Driver</li> <li>• Parcel delivery driver</li> <li>• Van driver</li> </ul>
8213 Bus and coach drivers	<ul style="list-style-type: none"> <li>• Bus driver</li> <li>• Coach driver</li> <li>• Coach operator</li> <li>• Minibus driver</li> <li>• PSV driver</li> </ul>
8214 Taxi and cab drivers and chauffeurs	<ul style="list-style-type: none"> <li>• Chauffeur</li> <li>• Mini cab driver</li> <li>• Taxi driver</li> <li>• Taxi owner</li> </ul>
8221 Crane drivers	<ul style="list-style-type: none"> <li>• Crane driver</li> <li>• Crane operator</li> <li>• Haulage engine driver</li> <li>• Winchman</li> </ul>
8222 Fork-lift truck drivers	<ul style="list-style-type: none"> <li>• Fork lift driver</li> <li>• Fork lift truck driver</li> <li>• Fork truck operator</li> <li>• Stacker-driver</li> </ul>
8223 Agricultural machinery drivers	<ul style="list-style-type: none"> <li>• Agricultural machinist</li> <li>• Attendant (agricultural machinery)</li> <li>• Operator (agricultural machinery)</li> <li>• Tractor driver (agriculture)</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
8229 Mobile machine drivers and operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Digger driver</li> <li>• Dredger</li> <li>• Excavator driver</li> <li>• JCB driver</li> <li>• Plant operator</li> <li>• Rig operator</li> </ul>
8231 Train and tram drivers	<ul style="list-style-type: none"> <li>• Train driver</li> <li>• Train operator</li> <li>• Tram driver</li> </ul>
8233 Air transport operatives	<ul style="list-style-type: none"> <li>• Aircraft dispatcher</li> <li>• Baggage handler</li> <li>• Cargo handler (airport)</li> <li>• Ramp agent</li> <li>• Refueller (airport)</li> </ul>
8234 Rail transport operatives	<ul style="list-style-type: none"> <li>• Railway worker</li> <li>• Shunter</li> <li>• Signaller (railways)</li> <li>• Transport supervisor (railways)</li> </ul>
8239 Other drivers and transport operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Bus inspector</li> <li>• Operations assistant (freight handling)</li> <li>• Test driver (motor vehicle mfr)</li> <li>• Transport supervisor</li> <li>• Yard foreman (road transport)</li> </ul>
9111 Farm workers	<ul style="list-style-type: none"> <li>• Agricultural worker</li> <li>• Farm labourer</li> <li>• Farm worker</li> <li>• Herdsman</li> <li>• Shepherd</li> </ul>
9112 Forestry workers	<ul style="list-style-type: none"> <li>• Forestry contractor</li> <li>• Forestry worker</li> <li>• Lumberjack</li> </ul>
9119 Fishing and other elementary agriculture occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Horticultural worker</li> <li>• Labourer (landscape gardening)</li> <li>• Mushroom picker</li> <li>• Nursery worker</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
9120 Elementary construction occupations	<ul style="list-style-type: none"> <li>• Electrician's mate (building construction)</li> <li>• Ground worker (building construction)</li> <li>• Hod carrier</li> <li>• Labourer (building construction)</li> </ul>
9132 Industrial cleaning process occupations	<ul style="list-style-type: none"> <li>• Cleaner and greaser</li> <li>• Factory cleaner</li> <li>• Hygiene operator</li> <li>• Industrial cleaner</li> </ul>
9134 Packers, bottlers, canners and fillers	<ul style="list-style-type: none"> <li>• Factory worker (packing)</li> <li>• Packaging operator</li> <li>• Packer</li> <li>• Paint filler</li> </ul>
9139 Elementary process plant occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Factory worker</li> <li>• Fitter's mate</li> <li>• Labourer (engineering)</li> <li>• Material handler</li> </ul>
9211 Postal workers, mail sorters, messengers and couriers	<ul style="list-style-type: none"> <li>• Courier</li> <li>• Leaflet distributor</li> <li>• Mail sorter</li> <li>• Messenger</li> <li>• Postman</li> </ul>
9219 Elementary administration occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• General assistant</li> <li>• Office junior</li> <li>• Office worker</li> <li>• Reprographic technician</li> </ul>
9231 Window cleaners	<ul style="list-style-type: none"> <li>• Window cleaner</li> <li>• Window cleaning contractor</li> </ul>
9232 Street cleaners	<ul style="list-style-type: none"> <li>• Cleansing operative (street cleaning)</li> <li>• Road sweeper</li> <li>• Street cleaner</li> </ul>
9233 Cleaners and domestics	<ul style="list-style-type: none"> <li>• Chambermaid</li> <li>• Cleaner</li> <li>• Domestic</li> <li>• Home help</li> <li>• School cleaner</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
9234 Launderers, dry cleaners and pressers	<ul style="list-style-type: none"> <li>• Carpet cleaner</li> <li>• Dry cleaner</li> <li>• Garment presser</li> <li>• Laundry assistant</li> <li>• Laundry worker</li> </ul>
9235 Refuse and salvage occupations	<ul style="list-style-type: none"> <li>• Binman (local government: cleansing department)</li> <li>• Hopper attendant (refuse destruction)</li> <li>• Refuse disposal operative</li> <li>• Salvage worker</li> </ul>
9236 Vehicle valeters and cleaners	<ul style="list-style-type: none"> <li>• Car wash assistant</li> <li>• Carriage service man (railways)</li> <li>• Motor car polisher (garage)</li> <li>• Vehicle valeter</li> </ul>
9239 Elementary cleaning occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Amenity block attendant</li> <li>• Chimney cleaner</li> <li>• Sweep (chimney)</li> <li>• Toilet attendant</li> </ul>
9241 Security guards and related occupations	<ul style="list-style-type: none"> <li>• CCTV operator</li> <li>• Park keeper</li> <li>• Private investigator</li> <li>• Security guard</li> <li>• Security officer</li> </ul>
9242 Parking and civil enforcement occupations	<ul style="list-style-type: none"> <li>• Car park attendant</li> <li>• Community warden</li> <li>• Parking attendant</li> <li>• Traffic warden</li> </ul>
9244 School midday and crossing patrol occupations	<ul style="list-style-type: none"> <li>• Dinner lady (schools)</li> <li>• Lollipop man</li> <li>• Lunchtime supervisor</li> <li>• Midday supervisor</li> <li>• School crossing patrol</li> </ul>
9249 Elementary security occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Bailiff</li> <li>• Commissionaire</li> <li>• Court usher</li> <li>• Door supervisor</li> <li>• Doorman</li> </ul>

<b>Occupation code</b>	<b>Related job titles</b>
9251 Shelf fillers	<ul style="list-style-type: none"> <li>• General assistant (retail trade)</li> <li>• Grocery assistant</li> <li>• Shelf filler</li> <li>• Shelf stacker</li> </ul>
9259 Elementary sales occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Code controller (wholesale, retail trade)</li> <li>• Home shopper</li> <li>• Order picker (retail trade)</li> <li>• Trolley assistant (wholesale, retail trade)</li> </ul>
9260 Elementary storage occupations	<ul style="list-style-type: none"> <li>• Labourer (haulage contractor)</li> <li>• Order picker</li> <li>• Warehouse assistant</li> <li>• Warehouse operator</li> <li>• Warehouse supervisor</li> <li>• Warehouseman</li> </ul>
9271 Hospital porters	<ul style="list-style-type: none"> <li>• Hospital porter</li> <li>• Porter (hospital service)</li> <li>• Portering supervisor (hospital services)</li> </ul>
9272 Kitchen and catering assistants	<ul style="list-style-type: none"> <li>• Catering assistant</li> <li>• Crew member (fast food outlet)</li> <li>• Kitchen assistant</li> <li>• Kitchen porter</li> </ul>
9273 Waiters and waitresses	<ul style="list-style-type: none"> <li>• Head waiter</li> <li>• Silver service waiter</li> <li>• Steward (catering)</li> <li>• Waiter</li> <li>• Waitress</li> </ul>
9274 Bar staff	<ul style="list-style-type: none"> <li>• Bar supervisor</li> <li>• Barmaid</li> <li>• Barperson</li> <li>• Bartender</li> <li>• Glass collector (public house)</li> </ul>
9275 Leisure and theme park attendants	<ul style="list-style-type: none"> <li>• Arcade assistant</li> <li>• Cinema attendant</li> <li>• Ride operator</li> <li>• Steward (sports ground)</li> <li>• Usher</li> <li>• Usherette</li> </ul>

Occupation code	Related job titles
9279 Other elementary services occupations not elsewhere classified	<ul style="list-style-type: none"> <li>• Bingo caller</li> <li>• Hotel assistant</li> <li>• Night porter</li> <li>• Porter (residential buildings)</li> <li>• Stage hand (entertainment)</li> </ul>

## Appendix Shortage Occupation List

*Shortage Occupations for the Skilled Worker route*

**Table 1: Shortage occupations where applicants for entry clearance or permission to stay may be paid 80% of the going rate for the occupation code**

Occupation code and any further criteria	Shortage occupation in			
	England	Scotland	Wales	Northern Ireland
2111 Chemical scientists – only jobs in the nuclear industry	-	Yes	-	-
2112 Biological scientists and biochemists – all jobs	Yes	Yes	Yes	Yes
2113 Physical scientists – only the following jobs in the construction-related ground engineering industry: <ul style="list-style-type: none"> <li>• engineering geologist</li> <li>• hydrogeologist</li> <li>• geophysicist</li> </ul>	Yes	Yes	Yes	Yes



Occupation code and any further criteria	Shortage occupation in			
	England	Scotland	Wales	Northern Ireland
2113 Physical scientists – only the following jobs in the oil and gas industry: <ul style="list-style-type: none"> <li>• geophysicist</li> <li>• geoscientist</li> <li>• geologist</li> <li>• geochemist</li> <li>• technical services manager in the decommissioning and waste areas of the nuclear industry</li> <li>• senior resource geologist and staff geologist in the mining sector</li> </ul>	Yes	Yes	Yes	Yes
2114 Social and humanities scientists – only archaeologists	Yes	Yes	Yes	Yes
2121 Civil engineers – all jobs	Yes	Yes	Yes	Yes
2122 Mechanical engineers – all jobs	Yes	Yes	Yes	Yes
2123 Electrical engineers – all jobs	Yes	Yes	Yes	Yes
2124 Electronics engineers – all jobs	Yes	Yes	Yes	Yes
2126 Design and development engineers – all jobs	Yes	Yes	Yes	Yes
2127 Production and process engineers – all jobs	Yes	Yes	Yes	Yes
2129 Engineering professionals not elsewhere classified – all jobs	Yes	Yes	Yes	Yes
2135 IT business analysts, architects and systems designers – all jobs	Yes	Yes	Yes	Yes
2136 Programmers and software development professionals – all jobs	Yes	Yes	Yes	Yes
2137 Web design and development professionals – all jobs	Yes	Yes	Yes	Yes

Occupation code and any further criteria	Shortage occupation in			
	England	Scotland	Wales	Northern Ireland
2139 Information technology and communications professionals not elsewhere classified – only cyber security specialists	Yes	Yes	Yes	Yes
2216 Veterinarians – all jobs	Yes	Yes	Yes	Yes
2425 Actuaries, economists and statisticians – only bio-informaticians and informaticians	Yes	Yes	Yes	Yes
2431 Architects – all jobs	Yes	Yes	Yes	Yes
2461 Quality control and planning engineers – all jobs	Yes	Yes	Yes	Yes
3411 Artists – all jobs	Yes	Yes	Yes	Yes
3414 Dancers and choreographers – only skilled classical ballet dancers or skilled contemporary dancers who meet the standard required by internationally recognised UK ballet or contemporary dance companies.  The company must be endorsed as being internationally recognised by a UK industry body such as the Arts Councils (of England, Scotland or Wales).	Yes	Yes	Yes	Yes
3415 Musicians – only skilled orchestral musicians who are leaders, principals, sub-principals or numbered string positions, and who meet the standard required by internationally recognised UK orchestras.  The orchestra must be endorsed as being internationally recognised by the Association of British Orchestras.	Yes	Yes	Yes	Yes
3416 Arts officers, producers and directors – all jobs	Yes	Yes	Yes	Yes
3421 Graphic designers – all jobs	Yes	Yes	Yes	Yes

Occupation code and any further criteria	Shortage occupation in			
	England	Scotland	Wales	Northern Ireland
5215 Welding trades – only high integrity pipe welders, where the job requires 3 or more years’ related on-the-job experience	Yes	Yes	Yes	Yes
5434 Chefs – only skilled chefs where all of the following requirements are met: <ul style="list-style-type: none"> <li>• the pay for which points are awarded is at least £29,570 per year; and</li> <li>• the job requires 5 or more years’ relevant experience in a role of at least equivalent status; and</li> <li>• the job is not in either a fast food or standard fare outlet; and</li> <li>• the job is in one of the following roles: <ul style="list-style-type: none"> <li>- executive chef - limited to 1 per establishment</li> <li>- head chef - limited to 1 per establishment</li> <li>- sous chef - limited to 1 for every 4 kitchen staff per establishment</li> <li>- specialist chef - limited to 1 per speciality per establishment</li> </ul> </li> </ul>	Yes	Yes	Yes	Yes

**Table 2: Shortage occupations in eligible health and education occupation codes where going rates are based on national pay scales**

Occupation code and any further criteria	Shortage occupation in			
	England	Scotland	Wales	Northern Ireland
2211 Medical practitioners – all jobs	Yes	Yes	Yes	Yes
2212 Psychologists – all jobs	Yes	Yes	Yes	Yes
2217 Medical radiographers – all jobs (including radiotherapy practitioners / technologists)	Yes	Yes	Yes	Yes
2222 Occupational therapists – all jobs	Yes	Yes	Yes	Yes
2223 Speech and language therapists – all jobs	Yes	Yes	Yes	Yes
2231 Nurses – all jobs	Yes	Yes	Yes	Yes
2314 Secondary education teaching professionals – only teachers in maths, physics, science (where an element of physics will be taught), computer science and Mandarin	Yes	Yes	Yes	Yes
2314 Secondary education teaching professionals – only teachers in Gaelic	-	Yes	-	-
2315 Primary and nursery education teaching professionals – only Gaelic medium teachers	-	Yes	-	-
2442 Social workers – all jobs	Yes	Yes	Yes	Yes
3213 Paramedics – all jobs	Yes	Yes	Yes	Yes

### **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 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 entry clearance, form “Tier 2 (Minister of Religion) visa”; or
- (b) for permission to stay, 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 no more than 3 months before the date of application.

MOR 1.3. The applicant must be aged 16 or over on the date of application.

MOR 1.4. If the applicant has in the last 12 months 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 as a T2 Minister of Religion 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.

MOR 1.6. An application which does not meet 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 requirement 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 they arrive 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 Requirement for a T2 Minister of Religion**

MOR 4.1. An applicant must be awarded at least 70 points based on the table below.

<b>Points requirements (all mandatory)</b>	<b>70 points required</b>
Offer of a job by an approved sponsor	50
Financial requirement	10
English language at level B2 (intermediate)	10

### **Certificate of Sponsorship requirements (offer of a job by an approved sponsor)**

MOR 5.1. 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.

MOR 5.2. The Certificate of Sponsorship must confirm all the following:

- (a) the applicant's name and details of the job and salary and any other remuneration of the applicant; and
- (b) the job is as a T2 Minister of Religion; and
- (c) the applicant is qualified to do the job of a T2 Minister of Religion; and
- (d) the applicant is a member of the sponsor's religious order (if the sponsor's organisation is a religious order); and
- (e) 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
- (f) 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
- (g) that applicant will receive pay and conditions at least equal to those given to settled workers in the same role and compliant with the national minimum wage; and
- (h) that the applicant will be based in the UK; and
- (i) that if the application is successful, the applicant will comply with the conditions of their permission.

MOR 5.3. The Certificate of Sponsorship must not have been withdrawn by the sponsor or cancelled by the Home Office.

MOR 5.4. The date of application must be no more than 3 months before the start date of the job, as stated in the Certificate of Sponsorship.

MOR 5.5. The Certificate of Sponsorship must 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).

### **Genuine T2 Minister of Religion requirement**

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 11.3.

### **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 has been living in the UK for less than 12 months, 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. The applicant must have 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.

### **Parental consent requirement for T2 Minister of Religion aged under 18.**

MOR 9.1. If the applicant is aged under 18 on the date of application they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

MOR 9.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application as a T2 Minister of Religion**

MOR 10.1. If the decision maker is satisfied all the eligibility and suitability requirements for a T2 Minister of Religion are met the application will be granted, otherwise the application will be refused.

MOR 10.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period of grant and conditions of permission as a T2 Minister of Religion**

MOR 11.1. 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 11.2. 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, T2 Sportsperson, or Skilled Worker (or any combination of these routes).

MOR 11.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted in the job the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) voluntary work is permitted; and
- (e) working out a contractual notice period is permitted, for a job the person was lawfully working in on the date of application; and
- (f) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (g) 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 by a T2 Minister of Religion**

MOR 12.1. A T2 Minister of Religion who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

MOR 12.2. 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.

MOR 12.3. The applicant must have, or have last been granted, permission as a T2 Minister of Religion.

MOR 12.4. 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 by a T2 Minister of Religion**

MOR 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 13.2. 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 by a T2 Minister of Religion**

#### **Sponsor requirement for settlement by a T2 Minister of Religion**

MOR 14.1. 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 14.2. The sponsor must confirm that they still require the applicant to work for them, and that the applicant will be required for the foreseeable future and that the applicant has been, and will continue to be, paid the appropriate salary under MOR 5.2.(g).

#### **Qualifying period requirement for settlement by a T2 Minister of Religion**

MOR 15.1. The applicant must have spent the 5 years before the date of application in the UK with permission on any (or a combination) of the following routes:

- (a) T2 Minister of Religion; or
- (b) T2 Sportsperson; 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 by a T2 Minister of Religion**

MOR 16.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous residence for the period in MOR 15.1.

#### **Knowledge of Life in the UK requirement for settlement by a T2 Minister of Religion**

MOR 17.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

#### **Decision on an application for settlement by a T2 Minister of Religion**

MOR 18.1. 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 18.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Dependants on the T2 Minister of Religion route**

#### **Validity requirements for a dependent partner or dependent child on the T2 Minister of Religion route**

MOR 19.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a T2 Minister of Religion must apply online on the gov.uk website on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the Tier 2 (Minister of Religion) leave to remain form. If applying separately: <ul style="list-style-type: none"> <li>• Dependant partner</li> <li>• Dependant child</li> </ul>

MOR 19.2. An application for entry clearance or permission to stay as a dependent partner or dependent 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.

MOR 19.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

MOR 19.4. 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.

MOR 19.5. An application which does not meet all the validity requirements for a dependent partner or dependent child on the T2 Minister of Religion route is invalid and may be rejected and not considered.

### **Suitability requirements for a partner or child on the T2 Minister of Religion route**

MOR 20.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 20.2. 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 on the T2 Minister of Religion route**

#### **Entry requirements for a partner or child on the T2 Minister of Religion route**

MOR 21.1. A person seeking to come to the UK as a partner or child on the T2 Minister of Religion route 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 21.2. 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.

**Relationship requirement for a dependent partner on the T2 Minister or Religion route**

MOR 22.1. 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 they settled while on the T2 Minister of Religion route and the applicant had permission as their partner or child at that time.

MOR 22.2. 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 the 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 22.3. The relationship between the applicant and their T2 Minister of Religion partner must be genuine and subsisting.

MOR 22.4. 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 dependent child on the T2 Minister of Religion route**

MOR 23.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a T2 Minister of Religion; or
- (b) as a partner of a T2 Minister of Religion.

MOR 23.2. 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 with permission as a T2 Minister of Religion or as the partner of a T2 Minister of Religion is the sole surviving parent; or
- (b) the parent with permission as a T2 Minister of Religion route or as the partner of a T2 Minister of Religion has sole responsibility for the child's upbringing; or
- (c) 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 has permission on the T2 Minister of Religion route.

MOR 23.3. If the applicant is a child born in the UK to a person on the as a T2 Minister of Religion route or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

**Care requirement for a dependent child on the T2 Minister of Religion route**

MOR 24.1. 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 legislation and regulations.

**Age requirement for a dependent child on the T2 Minister of Religion route**

MOR 25.1. 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.

MOR 25.2. 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 on the T2 Minister of Religion route**

MOR 26.1. 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 26.2. If an applicant is applying for entry clearance, or has been in the UK for less than 12 months at the date of application, either:

- (a) the applicant or the T2 Minister of Religion must have funds of at least the levels in MOR 26.3; or
- (b) the T2 Minister of Religion's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant and any other dependants in the UK, up to the end of the first month of their stay for an amount of at least the level required in MOR 26.3.

MOR 26.3. The level of funds required are:

- (a) £285 for a dependent partner living with or joining the T2 Minister of Religion in the UK; and
- (b) £315 for the first child living with or joining their parent in the UK; and
- (c) £200 for each additional child living with or joining their parent in the UK.

MOR 26.4. The funds in MOR 26.3. must be in addition to the funds required for the T2 Minister of Religion to meet the financial requirement and any other dependants in the UK or applying at the same time.

MOR 26.5. If MOR 26.2.(a) applies, the required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

**Decision on application for a dependent partner or dependent child on the T2 Minister of Religion route**

MOR 27.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the T2 Minister of Religion route the application will be granted, otherwise the application will be refused.

MOR 27.2. 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 dependent partner or dependent child on the T2 Minister of Religion route**

MOR 28.1. A partner will be granted permission which ends on the same date as the T2

Minister of Religion.

MOR 28.2. 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 28.3. 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.

### **Settlement for dependent partner and dependent child on the T2 Minister of Religion route**

#### **Validity requirements for settlement by a partner or child on the T2 Minister of Religion route**

MOR 29.1. A partner or child on the T2 Minister of Religion route who is applying for settlement must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

MOR 29.2. 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.

MOR 29.3. The applicant must have, or have last been granted, permission as a partner or child on the T2 Minister of Religion route.

MOR 29.4. An application which does not meet all the validity requirements for settlement as a partner and child on the T2 Minister of Religion route is invalid and may be rejected and not considered.

#### **Suitability requirements for settlement by a partner or child on the T2 Minister of Religion route**

MOR 30.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

MOR 30.2. 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 by a partner or child on the T2 Minister of Religion route**

**Relationship requirement for settlement by a dependent partner or dependent child on the T2 Minister of Religion route**

MOR 31.1. 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 on the T2 Minister of Religion route; or
- (b) 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 partner or child at that time.

MOR 31.2. 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 MOR 31.1. is the applicant's sole surviving parent; or
- (b) the person (P) in MOR 31.1. 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.

**Care requirement for settlement by a child on the T2 Minister of Religion route**

MOR 32.1. If the child 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 legislation and regulations.

**Age requirement for settlement by a child on the T2 Minister of Religion route**

MOR 33.1. 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.

MOR 33.2. If the child is aged 16 or over at the date of application, they must not be leading an independent life.

**Qualifying period requirement for settlement by a partner on the T2 Minister of Religion route**

MOR 34.1. 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 31.1.

**Continuous residence requirement for settlement by a partner on the T2 Minister of Religion route**

MOR 35.1. The applicant must meet the continuous resident requirement as set out in Appendix Continuous residence during the period in MOR 34.1.

**English language requirement for settlement by a partner or child on the T2 Minister of Religion route**

MOR 36.1. 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 36.2. 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 by a partner or child on the T2 Minister of Religion route**

MOR 37.1. If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

### **Decision on an application for settlement as a dependent partner or dependent child on the T2 Minister of Religion route**

MOR 38.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the T2 Minister of Religion route, the applicant will be granted settlement, otherwise the application will be refused.

MOR 38.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Appendix T2 Sports person**

*This route is for an elite sports person or qualified coach who is sponsored on a long-term contract to make a significant contribution to the development of sport at the highest level in the UK and who has a Governing Body Endorsement from the appropriate Sports Governing Body.*

*A dependent partner and dependent children of a T2 Sports person can apply under this route.*

*T2 Sports person is a route to settlement.*

*A Sports person or coach sponsored on a short-term contract (up to 12 months) can apply on the T5 (Temporary Worker) Creative & Sporting route.*

### **Validity requirements for a T2 Sports person**

SP 1.1. A person applying for entry clearance or permission to stay as a T2 Sports person must apply online on the gov.uk website on the specified form as follows:

- (a) entry clearance, form “Tier 2 (Sports person) visa”; or
- (b) permission to stay, form “Tier 2 (Sports person) leave to remain”.

SP 1.2. An application for entry clearance or permission to stay as a T2 Sports person 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 from an approved Sponsor that was issued to them no more than 3 months before the date of application.

SP 1.3. The applicant must be aged 16 or over at the date of application.

SP 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.

SP 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 on any of the following routes:

- (a) Visitor; or
- (b) Short-term student; or
- (c) Parent of a Child Student; or
- (d) Seasonal Worker; or
- (e) Domestic worker in a private household; or
- (f) outside the Immigration Rules.

SP 1.6. An application which does not meet all the validity requirements for a T2 Sports person is invalid and may be rejected and not considered.

### **Suitability requirements for a T2 Sports person**

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

SP 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 Sports person**

#### **Entry requirements for a T2 Sports person**

SP 3.1. A person seeking to come to the UK as a T2 Sports person must apply for and obtain an entry clearance as a T2 Sports person before they arrive in the UK.

SP 3.2. A person applying for entry clearance as a T2 Sports person 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 Sports person**

SP 4.1. An applicant must be awarded a total of 70 points based on the table below.

<b>Points required (all mandatory)</b>	<b>Total points required 70</b>
Certificate of Sponsorship requirement	50
Financial Requirement	10
English language at level A1	10

#### **Certificate of Sponsorship requirement for a T2 Sports person**

SP 5.1. The applicant must provide a letter from the relevant Sports Governing Body listed in Appendix M containing the endorsement number required in paragraph SP 5.4.(d) and confirming that:

- (a) the applicant is internationally established at the highest level; and
- (b) the employment of the applicant will make a significant contribution to the development of their sport at the highest level in the UK.

SP 5.2. An applicant must have a Certificate of Sponsorship from an approved sponsor.



SP 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 Sports person and is applying to continue working for the same sponsor as in their last permission.

SP 5.4. The Certificate of Sponsorship must confirm all the following:

- (a) the applicant's name and details of the job and salary and any other remuneration offered to the applicant; and
- (b) that the sponsor is sponsoring the worker as a T2 Sports person; and
- (c) the job is one the applicant is qualified to undertake; and
- (d) the applicant has been issued a unique endorsement number from the appropriate governing body specified in Appendix M; and
- (e) the applicant intends to be based in the UK; and
- (f) if the application is successful, the applicant will comply with the conditions of their permission.

SP 5.5. The Certificate of Sponsorship must not have been withdrawn by the sponsor or cancelled by the Home Office.

SP 5.6. The date of application must be no more than 3 months before the start date of the job, as stated in the Certificate of Sponsorship.

SP 5.7. The Certificate of Sponsorship must 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).

### **Genuine T2 Sports person requirement**

SP 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 SP 11.3.

### **Financial Requirement for a T2 Sports person**

SP 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

SP 7.2. If the applicant is applying for entry clearance, or has been living in the UK for less than 12 months, 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.

SP 7.3. If SP 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 Sports person**

SP 8.1. The applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

SP 8.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Parental consent requirement for a T2 Sportsperson aged under 18**

SP 9.1. If the applicant is aged under 18 on the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

SP 9.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application as a T2 Sportsperson**

SP 10.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a T2 Sportsperson, the application will be granted, otherwise the application will be refused.

SP 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 for a T2 Sportsperson**

SP 11.1. 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.

SP 11.2. If the applicant is applying for permission to stay, 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; or
- (c) the difference between 6 years and the period they have already been granted permission as a T2 Sportsperson, T2 Minister of Religion or a Skilled Worker (or any combination of these routes).

SP 11.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted in the job the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) voluntary work is permitted; and
- (e) working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application; and
- (f) employment as a sportsperson for the applicant's national team while their national team is in the UK, playing in British University and College Sport (BUCS)

- competitions, and temporary engagements as a sports broadcaster providing guest expert commentary on a particular sporting event, are permitted; and
- (g) study is permitted, subject to the ATAS condition in Appendix ATAS; and
  - (h) if Part 10 applies the applicant will be required to register with the police.

## **Settlement as a T2 Sportsperson**

### **Validity requirements for settlement by a T2 Sportsperson**

SP 12.1. A T2 Sportsperson who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

SP 12.2. 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.

SP 12.3. The applicant must have, or have last been granted, permission as a T2 Sportsperson.

SP 12.4. An application which does not meet all the validity requirements for settlement by a T2 Sportsperson is invalid and may be rejected and not considered.

### **Suitability Requirements for settlement by a T2 Sportsperson**

SP 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SP 13.2. 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 by a T2 Sportsperson**

#### **Sponsor requirement for settlement by a T2 Sportsperson**

SP 14.1. The sponsor in the applicant’s most recent permission must still be approved by the Home Office to sponsor a T2 Sportsperson.

SP 14.2. 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, at least £35,800 per year.

SP 14.3. The salary in SP 14.2 is subject to the following requirements:

- (a) the salary must:
  - (i) be basic pay (excluding overtime); and

- (ii) must only include allowances where they are part of the guaranteed salary package and would be paid to a local settled worker in similar circumstances; and
  - (iii) not include other allowances and benefits, such as bonus or incentive pay, employer pension contributions, travel and subsistence (including travel to and from the applicant's home country); and
  - (iv) not include the value of any shares the applicant has received as an employee-owner in exchange for some of their UK employment rights; and
- (b) 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 threshold of £35,800; and
- (c) if the applicant is currently absent from work for one of the reasons set out in Part 9, paragraph 9.30.1. or has returned from such an absence within the month before the date of application, consideration will be based on their salary on their return to work, as stated by their sponsor.

### **Qualifying period requirement for settlement by a T2 Sportsperson**

SP 15.1. The applicant must have spent the 5 years before the date of application in the UK with permission on any (or a combination) of the following routes:

- (a) T2 Sportsperson; or
- (b) T2 Minister of Religion; or
- (c) Skilled Worker; or
- (d) as a 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 by a T2 Sportsperson**

SP 16.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous residence.

### **English language requirement for settlement by a T2 Sportsperson**

SP 17.1. 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.

SP 17.2. 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 by a T2 Sportsperson**

SP 18.1. The applicant must meet the knowledge of Life in the UK requirement as specified in Appendix KOL UK.

### **Decision on an application for settlement by a T2 Sportsperson**

SP 19.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement by a T2 Sportsperson, the applicant will be granted settlement, otherwise the application will be refused.

SP 19.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## **Dependants on the T2 Sportsperson route**

### **Validity requirements for a dependent partner or dependent child on the T2 Sportsperson route**

SP 20.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the T2 Sportsperson route must apply online on the gov.uk website on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the Tier 2 (Sportsperson) leave to remain form. If applying separately: <ul style="list-style-type: none"><li>• Dependant partner</li><li>• Dependant child</li></ul>

SP 20.2. An application for entry clearance or permission to stay as a partner or child on the T2 Sportsperson 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.

SP 20.3. A person applying as a dependent partner must be aged 18 or over at the date of application.

SP 20.4. An applicant who is applying for permission to stay must be in the UK at 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.

SP 20.5. An application which does not meet all the validity requirements for a partner or child on the T2 Sportsperson route is invalid and may be rejected and not considered.

### **Suitability requirements for a partner or child on the T2 Sportsperson route**

SP 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SP 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 dependent partner or dependent child on the T2 Sportsperson route**

#### **Entry requirements for a dependent partner or child on the T2 Sportsperson route**

SP 22.1. 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 T2 Sportsperson before they arrive in the UK.

SP 22.2. A person applying for entry clearance as a partner or child on the T2 Sportsperson 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 requirement for a dependent partner on the T2 Sportsperson route**

SP 23.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission as a T2 Sportsperson; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission as a T2 Sportsperson; or
- (c) P is settled or has become a British citizen, providing they settled while on the T2 Sportsperson route and the applicant had permission as their partner or child at that time.

SP 23.2. If the applicant and their T2 Sportsperson 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 T2 Sportsperson partner with another person must have permanently broken down; and
- (c) the applicant and their T2 Sportsperson partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SP 23.3. The relationship between the applicant and their T2 Sportsperson partner must be genuine and subsisting.

SP 23.4. The applicant and their T2 Sportsperson partner must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the T2 Sportsperson route**

SP 24.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a T2 Sportsperson; or
- (b) as a partner of a T2 Sportsperson.

SP 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 with permission as a T2 Sportsperson or as the partner of a T2 Sportsperson is the sole surviving parent; or

- (b) the parent with permission as a T2 Sports person or as the partner of a T2 Sports person has sole responsibility for the child's upbringing; or
- (c) 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 has permission on the T2 Sports person route.

SP 24.3. If the applicant is a child born in the UK to a person on the as a T2 Sports person route or their partner, the applicant must provide a full UK birth certificate showing the names of both parents.

#### **Care requirement for a dependent child on the T2 Sports person route**

SP 25.1. 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 legislation and regulations.

#### **Age requirement for a dependent child on the T2 Sports person route**

SP 26.1. 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.

SP 26.2. 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 on the T2 Sports person route**

SP 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.

SP 27.2. If an applicant is applying for entry clearance, or has been in the UK for less than 12 months at the date of application, either:

- (a) the applicant or the T2 Sports person must have funds of at least the levels in SP 27.3; or
- (b) the T2 Sports person's A-rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the applicant and any other dependants in the UK, up to the end of the first month of their stay for an amount of at least the level required in SP 27.3.

SP 27.3. The level of funds required are:

- (a) £285 for a dependent partner living with or joining the T2 Sports person in the UK; and
- (b) £315 for the first child living with or joining their parent in the UK; and
- (c) £200 for each additional child living with or joining their parent in the UK.

SP 27.4. The funds in SP 27.3. must be in addition to the funds required to meet the financial requirement for the T2 Sports person and any other dependants in the UK or applying at the same time.

SP 27.5. If SP 27.2.(a) applies, the required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

#### **Decision on application for a dependent partner and dependent child on the T2**

### **Sportsperson route**

SP 28.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the T2 Sportsperson route the application will be granted, otherwise the application will be refused.

SP 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 dependent partner and dependent child on the T2 Sportsperson route**

SP 29.1. A partner will be granted permission which ends on the same date as the T2 Sportsperson.

SP 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.

SP 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 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.

### **Settlement by dependent partner and dependent child on the T2 Sportsperson route**

#### **Validity requirements for settlement by a dependent partner or dependent child on the T2 Sportsperson route**

SP 30.1. A partner or child on the T2 Sportsperson route who is applying for settlement must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

SP 30.2. 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.

SP 30.3. The applicant must have, or have last been granted, permission as a partner or child on the T2 Sportsperson route.

SP 30.4. An application which does not meet all the validity requirements for settlement as a partner or child on the T2 Sportsperson route is invalid and may be rejected and not considered.

#### **Suitability requirements for settlement by a dependent partner and dependent child on the T2 Sportsperson route**



SP 31.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

SP 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 by a dependent partner or dependent child on the T2 Sportsperson route**

#### **Relationship requirement for settlement by a partner or child on the T2 Sportsperson route**

SP 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 on the T2 Sportsperson route; or
- (b) P is settled or has become a British citizen, providing P had permission on the T2 Sportsperson route when they settled and the applicant had permission as P's partner or child at that time.

SP 32.2. 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 SP 32.1. is the applicant's sole surviving parent; or
- (b) the person (P) in SP 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.

#### **Care requirement for settlement by a child on the T2 Sportsperson route**

SP 33.1. 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.

#### **Age requirement for settlement by a child on the T2 Sportsperson route**

SP 34.1. 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.

SP 34.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Qualifying period requirement for settlement by a partner on the T2 Sportsperson route**

SP 35.1. 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 SP 32.1.

#### **Continuous residence requirement for settlement by a partner on the T2 Sportsperson route**

SP 36.1. The applicant must meet the continuous resident requirement as set out in Appendix Continuous Residence during the period in SP 35.1.

#### **English language requirement for settlement by a partner or child on the T2 Sportsperson route**

SP 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.

SP 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 by a partner or child on the T2 Sportsperson route**

SP 38.1. If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

### **Decision on an application for settlement by a partner or child on the T2 Sportsperson route**

SP 39.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the T2 Sportsperson route, the applicant will be granted settlement, otherwise the application will be refused.

SP 39.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Appendix Representative of an Overseas Business**

*The Representative of an Overseas Business route is for an employee of an overseas business which does not have a presence in the UK.*

*A person applying as a Representative of an Overseas Business must either be a Sole Representative or a Media Representative.*

*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 Media Representative is an employee of an overseas media organisation posted to the United Kingdom on a long-term assignment.*

*A dependent partner and dependent children can apply under this route.*

*Representative of an Overseas Business is a route to settlement.*

### **Validity requirements for a Representative of an Overseas Business**

ROB 1.1. A person applying for entry clearance or permission to stay as a Representative of an Overseas Business must apply online on gov.uk on the specified form as follows:

- (a) for entry clearance, form “Other work” on the “Find and apply for other visas from outside the UK” form; or
- (b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

ROB 1.2. An application for entry clearance or permission to stay as the 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.

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

ROB 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.

ROB 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.

ROB 1.6. An application which does not meet all the validity requirements for a Representative of an Overseas Business is invalid and may be rejected and not considered.

### **Suitability requirements for a Representative of an Overseas Business**

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

ROB 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 Representative of an Overseas Business**

#### **Entry requirement for Representative of an Overseas Business**

ROB 3.1. A person seeking to come to the UK as a Representative of an Overseas Business must have applied for and obtained entry clearance as a Representative of an Overseas Business before their arrival in the UK.

ROB 3.2. A person applying for entry clearance as a Representative of an Overseas Business 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.

#### **Work requirement for Representative of an Overseas Business**

ROB 4.1. The overseas business or media organisation that the applicant represents must be active and trading outside the UK, with its headquarters and principle place of business remaining outside the UK.

ROB 4.2. The applicant must have been recruited and taken on as an employee outside the

UK by the business they will represent.

ROB 4.3. The applicant must intend to work full-time as the representative of the overseas business or media organisation and must not intend to undertake work for any other business or engage in business of their own.

ROB 4.4. An applicant must be either:

- (a) a Sole Representative who 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
- (b) a Media Representative who is posted on a long-term assignment to the UK on behalf of a newspaper, news agency or broadcasting organisation.

### **Genuineness requirement for the Representative of an Overseas Business**

ROB 5.1. The decision maker must be satisfied that the applicant is a genuine Representative of an Overseas Business.

ROB 5.2. The decision maker must not have reasonable grounds to believe the business is being established in the UK by the overseas business, or the applicant has been appointed as a representative of the overseas business or media organisation, mainly so the applicant can apply for entry clearance or permission to stay.

### **English language requirement for a Representative of an Overseas Business**

ROB 6.1. The applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level A1.

ROB 6.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Financial requirement for a Representative of an Overseas Business**

ROB 7.1. The decision maker must be satisfied that the applicant can, and will, adequately maintain and accommodate themselves, and any dependants in the UK, without recourse to public funds.

ROB 7.2. Funds must be shown as specified in Appendix Finance.

### **Additional business requirements for a Sole Representative on the Representative of an Overseas Business route**

ROB 8.1. Where the applicant is applying as a Sole Representative on the Representative of an Overseas Business route, the applicant must meet the additional business requirements set out in ROB 8.2. to ROB 8.6.

ROB 8.2. The applicant must be a senior employee of the overseas business with the skills, experience and knowledge of the business necessary to undertake the role, with full authority to negotiate and take operational decisions on behalf of the overseas business.

ROB 8.3. The applicant must not have a majority stake in, or otherwise own or control a majority of the overseas business they represent, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other

arrangement.

ROB 8.4. Where the applicant does not have, or was not last granted, permission as a Sole Representative, the applicant must represent an overseas business that does not have any other active branch, subsidiary or representative in the UK.

ROB 8.5. Where the applicant does not have, or was not last granted, permission as a Sole Representative, the applicant must provide all of the following from their employer:

- (a) a full description of the overseas business's activities, including details of assets and accounts and the share distribution or ownership for the previous year; and
- (b) a letter which confirms the overseas business will establish a registered branch or wholly-owned subsidiary in the UK in the same business activity as the overseas business; and
- (c) a job description, salary details and contract of employment for the applicant; and
- (d) a letter confirming the applicant has the relevant skills, experience, knowledge and authority required at ROB 8.2; and
- (e) a notarised statement which confirms the applicant will be their sole representative in the UK, that the company has no other active branch, subsidiary or representative in the UK and, that its operations will remain centred overseas.

ROB 8.6. Where the applicant is applying for permission to stay and has, or was last granted permission as a Sole Representative, 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 that 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 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.

#### **Additional business requirements for a Media Representative on the Representative of an Overseas Business route**

ROB 9.1. Where the applicant is applying as a Media Representative on the Representative of Overseas Business route, the applicant must meet the additional business requirements in

ROB 9.2. and ROB 9.3.

ROB 9.2. The applicant must be an employee of an overseas newspaper, news agency or broadcasting organisation undertaking a long-term assignment as a representative of their overseas employer.

ROB 9.3. Where the applicant is applying for permission to stay and has, or was last granted, permission as a Media Representative, the applicant must meet all the following:

- (a) the applicant must be engaged in full time employment for which their last period of permission was granted and be required by their employer to continue in that role; and
- (b) the applicant must provide the following:
  - (i) a letter from the applicant's employer confirming that the applicant is required to continue in their employment; and
  - (ii) evidence of the applicant's salary paid in the 12 months immediately before the date of application and details of the remuneration package the employee receives.

### **Decision on application as Representative of an Overseas Business**

ROB 10.1. If the decision maker is satisfied that all the suitability and relevant eligibility requirements are met as a Representative of an Overseas Business the application will be granted, otherwise the application will be refused.

ROB 10.2. If the application is refused, a person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant.**

ROB 11.1. If the applicant is applying for entry clearance under the Representative of an Overseas Business routes or is applying for permission to stay 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.

ROB 11.2. If the applicant has or last had, permission under the Representative of an Overseas Business route, they will be granted permission for a period not exceeding 2 years.

ROB 11.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) no work permitted other than working for the overseas business which the applicant represents; 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 Representative of an Overseas Business Route**

#### **Validity requirements for Settlement by a Representative of an Overseas Business**

ROB 12.1. A person applying for settlement as a Representative of an Overseas Business must apply online on the gov.uk website on the specified form, "Settle in the UK in various immigration categories: form SET(O)".

ROB 12.2. An application for settlement as 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 a valid passport or other travel document which satisfactorily establishes their identity and nationality.

ROB 12.3. The applicant must be in the UK and have, or have last been granted, permission as a Representative of an Overseas Business.

ROB 12.4. An application which does not meet the validity requirements for settlement as a Representative of an Overseas Business is invalid and may be rejected and not considered.

### **Suitability requirements for settlement by a Representative of an Overseas Business**

ROB 13.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ROB 13.2. 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 by a Representative of an Overseas Business**

#### **Qualifying period requirement for settlement by a Representative of an Overseas Business**

ROB 14.1. The applicant must have spent the last 5 years before the date of application in the UK with permission as a Representative of an Overseas Business.

#### **Continuous residence requirement for settlement by a Representative of an Overseas Business**

ROB 15.1. The applicant must meet the continuous resident requirement in Appendix Continuous Residence during the period in ROB 14.1.

#### **Work requirement for settlement by a Representative of an Overseas Business**

ROB 16.1. The applicant's employer must confirm that they still require the applicant to work for them, that the applicant has been, and will continue to be, paid the appropriate salary, and that the applicant will be required for the foreseeable future.

#### **English language requirement for settlement by a Representative of an Overseas Business**

ROB 17.1. 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.

ROB 17.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

#### **Knowledge of language and life in the UK requirement for settlement by a Representative of an Overseas Business**

ROB 18.1. 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 Representative of an Overseas Business Route**

ROB 19.1. If the decision maker is satisfied all the suitability and relevant eligibility requirements are met for settlement by a Representative of an Overseas Business, the applicant will be granted settlement, otherwise the application will be refused.

ROB 19.2. If the application is refused, a person can apply for an Administrative Review under Appendix AR: Administrative Review.

## **Dependants of Representatives of Overseas Businesses**

### **Validity requirements for a dependent partner or dependent child of a Representative of an Overseas Business**

ROB.20.1. A person applying for entry clearance or permission to stay as a partner or child on the Representative of an Overseas Business route must apply online on the gov.uk website on the specified form as follows:

- (a) for entry clearance, “Join or accompany a family member” on the “Find and apply for other visas from outside the UK” form; or
- (b) for permission to stay, “Application to extend stay in the UK: FLR(IR)”.

ROB 20.2. An application for entry clearance or permission to stay as a partner or child on the Representative of an Overseas Business 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.

ROB 20.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

ROB 20.4. 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.

ROB 20.5. An application which does not meet all the validity requirements for a partner or child on the Representative of an Overseas Business route is invalid and may be rejected and not considered.

### **Suitability requirements for a partner or child on the Representative of an Overseas Business route**

ROB 21.1. The applicant must not fall for refusal under Part 9: grounds for refusal.



ROB 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 or child on the Representative of an Overseas Business route**

#### **Entry requirement for a partner or child on the Representative of an Overseas Business route**

ROB 22.1. A person seeking to come to the UK as a partner or child must apply for and obtain an entry clearance as a partner or child before they arrive in the UK.

ROB 22.2. A person applying for entry clearance as a partner or child on the Representative of an Overseas Business 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 of a Representative of an Overseas Business route**

ROB 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 Representative of an Overseas Business route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Representative of an Overseas Business route; or
- (c) P is settled or has become a British citizen, providing they had permission on a Representative of an Overseas Business route when they settled and the applicant had permission as their partner at that time.

ROB 23.2. If the applicant and the Representative of an Overseas Business 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 the Representative of an Overseas Business with another person must have permanently broken down; and
- (c) the applicant and the Representative of an Overseas Business must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

ROB 23.3. The relationship between the applicant and the Representative of an Overseas Business must be genuine and subsisting.

ROB 23.4. The applicant and the Representative of an Overseas Business must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the Representative of an Overseas Business route**

ROB 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 Representative of an Overseas Business route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Representative

- of an Overseas Business route; or
- (c) P is settled or has become a British citizen, providing P previously had permission on the Representative of an Overseas Business route and the applicant had permission as P's child at that time.

ROB 24.2. The applicant's parents must each be either applying for at the same time as the applicant or have permission (other than as a visitor) unless:

- (a) the parent with permission on the Representative of an Overseas Business route is the sole surviving parent; or
- (b) the parent with permission on the Representative of an Overseas Business route has sole responsibility for the child's upbringing; or
- (c) 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 Representative of an Overseas Business route.

#### **Care requirement for a dependent child on the Representative of an Overseas Business route**

ROB 25.1. If the child 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.

#### **Age requirement for a dependent child on the Representative of an Overseas Business route**

ROB 26.1. 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.

ROB 26.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Financial requirement for a partner or child on the Representative of an Overseas Business route**

ROB 27.1. The decision maker must be satisfied that the applicant or the Representative of an Overseas Business can and will adequately maintain and accommodate the applicant, and any other dependants in the UK, or applying for entry clearance, without recourse to public funds.

ROB 27.2. Funds must be shown as specified in Appendix Finance.

#### **Overseas business requirement for a partner or child on the Representative of an Overseas Business route**

ROB 28.1. If the person (P) in ROB 23.1. is a Sole Representative, the applicant must not have a majority stake in, or otherwise own or control a majority of the overseas business P represents, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

#### **Decision on application for a dependent partner and dependent child on the Representative of an Overseas Business route**

ROB 29.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the Representative of an Overseas Business route the application will be granted, otherwise the application will be refused.

ROB 29.2. 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 dependent partner and dependent child on the Representative of an Overseas Business route**

ROB 30.1. A partner will be granted:

- (a) permission which ends on the same date as the permission as the Representative of an Overseas Business; or
- (b) 2 years' permission if the Representative of an Overseas Business was (or is being) granted settlement as a Representative of an Overseas Business.

ROB 30.2. A dependent 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 30 months.

ROB 30.3. 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.

**Settlement by dependent partner and dependent child on the Representative of an Overseas Business route**

**Validity requirements for settlement by a dependent partner or dependent child on the Representative of an Overseas Business route**

ROB 31.1. A partner or child on the Representative of an Overseas Business route who is applying for settlement must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

ROB 31.2. 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.

ROB 31.3. The applicant must have, or have last been granted, permission as a partner or child on the Representative of an Overseas Business route.

ROB 31.4. An application which does not meet all the validity requirements for settlement as a partner or child on the Representative of an Overseas Business route is invalid and may be rejected and not considered.

**Suitability Requirements for settlement by a dependent partner and dependent child on the Representative of an Overseas Business route**

ROB 32.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ROB 32.2. 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 by a dependent partner or dependent child on the Representative of an Overseas Business route**

#### **Relationship requirement for settlement by a partner or child on the Representative of an Overseas Business route**

ROB 33.1. 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 on the Representative of an Overseas Business route; or
- (b) P is settled or has become a British citizen, providing P had permission on the Representative of an Overseas Business route when they settled and the applicant had permission as P's partner or child at that time.

ROB 33.2. 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 ROB 33.1. is the applicant's sole surviving parent; or
- (b) the person (P) in ROB 33.1. 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.

#### **Care requirement for settlement by a child on the Representative of an Overseas Business route**

ROB 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.

#### **Age requirement for settlement by a child on the Representative of an Overseas Business route**

ROB 35.1. 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.

ROB 35.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

#### **English language requirement for settlement by a partner or child on the Representative of an Overseas Business route**

ROB 36.1. 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.

ROB 36.2. 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 by a partner or child on the Representative of an Overseas Business route**

ROB 37.1. If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

### **Decision on an application for settlement by a partner or child on the Representative of an Overseas Business route**

ROB 38.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the Representative of an Overseas Business route, the applicant will be granted settlement, otherwise the application will be refused.

ROB 38.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Appendix UK Ancestry**

*The UK Ancestry route is for a Commonwealth citizen aged 17 or over who wants to live and work in the UK and who has a grandparent who was born in the UK or Islands.*

*A dependent partner and dependent children can apply under this route.*

*UK Ancestry is a route to settlement.*

### **Validity requirements for UK Ancestry**

UKA 1.1. A person applying for entry clearance or permission to stay on the UK Ancestry route must apply online on the gov.uk website on the specified form as follows:

- (a) for entry clearance, form “UK Ancestry, Right of Abode or Returning Residents visa”; or
- (b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

UKA 1.2. An application for entry clearance or permission to stay 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.

UKA 1.3. The applicant must be a Commonwealth citizen.

UKA 1.4. If applying for entry clearance, the applicant must be aged 17 or over on the date of their intended arrival in the UK.

UKA 1.5. An applicant who is in the UK on the date of application must have previously been granted permission on the UK Ancestry route as a person with UK Ancestry.

UKA 1.6. An application which does not meet all the validity requirements for the UK Ancestry route is invalid and may be rejected and not considered.

## **Suitability requirements for UK Ancestry**

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

UKA 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 UK Ancestry**

### **Entry requirements for UK Ancestry**

UKA 3.1. A person seeking to come to the UK on the UK Ancestry route must apply for and obtain entry clearance on the UK Ancestry route before they arrive in the UK.

UKA 3.2. A person applying for entry clearance on the UK Ancestry 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.

### **Grandparent born in the UK and Islands requirement**

UKA 4.1. The applicant must have a grandparent born in the UK or Islands.

### **Financial requirement for UK Ancestry**

UKA 5.1. The decision maker must be satisfied that the applicant can and will adequately maintain and accommodate themselves, and any dependants in the UK, or applying for entry clearance, without recourse to public funds.

UKA 5.2. Funds must be shown as specified in Appendix Finance.

UKA 5.3. In assessing whether the applicant meets the financial requirement in UKA 5.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

### **Work requirement for UK Ancestry**

UKA 6.1. The applicant must be able to work and intend to seek and take employment in the UK.

### **Parental consent requirement for UK Ancestry applicant aged under 18**

UKA 7.1. If the applicant is aged under 18 on the date of application, they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

UKA 7.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on an application for UK Ancestry**

UKA 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for UK Ancestry, the application will be granted, otherwise the application will be refused.

UKA 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 on the UK Ancestry route**

UKA 9.1. The applicant will be granted permission for 5 years.

UKA 9.2. The grant will be subject to all the following conditions:

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

### **Settlement on the UK Ancestry route**

#### **Validity requirements for settlement on the UK Ancestry route**

UKA 10.1. A person on the UK Ancestry route who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

UKA 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.

UKA 10.3. The applicant must be a Commonwealth citizen on the date of application.

UKA 10.4. An application which does not meet all the validity requirements for settlement on the UK Ancestry route is invalid and may be rejected and not considered.

#### **Suitability Requirements for settlement on the UK Ancestry route**

UKA 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKA 11.2. 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 on the UK Ancestry route**

UKA 12.1. The applicant must continue to meet the eligibility requirements of UKA 4.1 to UKA 6.1.

**Qualifying period requirement for settlement on the UK Ancestry route**

UKA 13.1. The applicant must have spent 5 years in the UK with permission on the UK Ancestry route as a person with UK Ancestry.

**Continuous residence requirement for settlement on the UK Ancestry route**

UKA 14.1. The applicant must meet the continuous residence requirement in Appendix Continuous Residence during the period in UKA 13.1.

**English language requirement for settlement on the UK Ancestry route**

UKA 15.1. 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.

UKA 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 on the UK Ancestry route**

UKA 16.1. 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 UK Ancestry route**

UKA 17.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement on the UK Ancestry route, the applicant will be granted settlement, otherwise the application will be refused.

UKA 17.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

**Dependants of a person with UK Ancestry****Validity requirements for a dependent partner or dependent child on the UK Ancestry route**

UKA 18.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the UK Ancestry route must apply online on the gov.uk website on the specified form as follows:

- (a) for entry clearance, “Join or accompany a family member” on the “Find and apply for other visas from outside the UK” form; or
- (b) for permission to stay, form “Application to extend stay in the UK: FLR(IR)”.

UKA 18.2. An application for entry clearance or permission to stay as a dependent partner or dependent child 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.

UKA 18.3. An applicant who is applying for permission to stay must be in the UK on the date of application 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.

UKA 18.4. An application which does not meet the validity requirements for a partner or child on the UK Ancestry route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child on the UK Ancestry route**

UKA 19.1. The suitability requirements for a dependent partner or dependent child on the UK Ancestry route are that they must not fall for refusal under Part 9: grounds for refusal.

UKA 19.2. 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 a dependent partner or dependent child on the UK Ancestry route**

#### **Entry requirement for a dependent partner or dependent child on the UK Ancestry route**

UKA 20.1. A person seeking to come to the UK as a partner or child must apply for and obtain an entry clearance as a partner or child before they arrive in the UK.

UKA 20.2. A person applying for entry clearance as a partner or child on the UK Ancestry 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 UK Ancestry route**

UKA 21.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission on the UK Ancestry route; or
- (b) P is, at the same time, applying for (and is granted) permission on the UK Ancestry route; or
- (c) if the applicant is applying for permission to stay, P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 21.2. If the applicant and the person with UK Ancestry 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 of the person with UK Ancestry with another person must have permanently broken down; and

- (c) the applicant and the person with UK Ancestry must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

UKA 21.3. The relationship between the applicant and the person with UK Ancestry must be genuine and subsisting.

UKA 21.4. The applicant and the person with UK Ancestry must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the UK Ancestry route**

UKA 22.1. The applicant must be the child of a person (P) and one of the following must apply:

- (a) P has permission on the UK Ancestry route; or
- (b) P is, at the same time, applying for (and is granted) permission on the UK Ancestry route; or
- (c) if the applicant is applying for permission to stay, P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 22.2. The applicant's parents must both be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent with permission on the UK Ancestry route is the sole surviving parent; or
- (b) the parent with permission on the UK Ancestry route has sole responsibility for the child's upbringing; or
- (c) 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 UK Ancestry route.

#### **Care requirement for a dependent child on the UK Ancestry route**

UKA 23.1. If the child 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.

#### **Age requirement for a dependent child on the UK Ancestry route**

UKA 24.1. 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.

UKA 24.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

#### **Financial requirement for a partner or child on the UK Ancestry route**

UKA 25.1. The decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant, the person with UK Ancestry, and any other dependants in the UK, without recourse to public funds.

UKA 25.2. Funds must be shown as specified in Appendix Finance.

UKA 25.3. In assessing whether the applicant meets the financial requirement in UKA 25.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

### **Decision on an application for a dependent partner and dependent child on the UK Ancestry route**

UKA 26.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the UK Ancestry route, the application will be granted, otherwise the application will be refused.

UKA 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 dependent partner and dependent child on the UK Ancestry route**

UKA 27.1. Unless UKA 27.2 applies, the applicant will be granted permission which ends on the same date as the person with UK Ancestry.

UKA 27.2. If the application is for permission to stay, and the person with UK Ancestry is being, or has been, granted settlement on the UK Ancestry route, or has become a British Citizen having previously had permission on the UK Ancestry route, the applicant will be granted permission to stay for 30 months.

UKA 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) permitted; 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 by a dependent partner and dependent child on the UK Ancestry route**

#### **Validity requirements for settlement by a dependent partner or dependent child on the UK Ancestry route**

UKA 28.1. A partner or child on the UK Ancestry route who is applying for settlement must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

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 a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK.

UKA 28.3. The applicant 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.

UKA 28.4. An application which does not meet all the validity requirements for settlement as

a partner or child on the UK Ancestry route is invalid and may be rejected and not considered.

### **Suitability requirements for settlement by a dependent partner and dependent child on the UK Ancestry route**

UKA 29.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

UKA 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 by a dependent partner or dependent child on the UK Ancestry route**

#### **Relationship requirement for settlement by a partner or child on the UK Ancestry route**

UKA 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 on the UK Ancestry route; or
- (b) P is settled or has become a British citizen, providing P had permission on the UK Ancestry route when they settled.

UKA 30.2. If applying as a partner, and the applicant and the person with UK Ancestry 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 of the person with UK Ancestry with another person must have permanently broken down; and
- (c) the applicant and the person with UK Ancestry must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

UKA 30.3. The relationship between the applicant and the person with UK Ancestry must be genuine and subsisting.

UKA 30.4. The applicant and the person with UK Ancestry must intend to live together throughout the applicant's stay in the UK.

UKA 30.5. 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 UKA 30.1. is the applicant's sole surviving parent; or
- (b) the person (P) in UKA 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.

#### **Care requirement for settlement by a child on the UK Ancestry route**

UKA 31.1. 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.

### **Age requirement for settlement by a child on the UK Ancestry route**

UKA 32.1. 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.

UKA 32.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

### **Financial requirement for settlement for a partner or child on the UK Ancestry route**

UKA 33.1. The decision maker must be satisfied that there will be adequate maintenance and accommodation for the applicant, the person with UK Ancestry, and any other dependants in the UK, without recourse to public funds.

UKA 33.2. Funds must be shown as specified in Appendix Finance.

UKA 33.3. In assessing whether the applicant meets the financial requirement in UKA 33.1, the decision maker may take into account credible promises of financial support from a third party, such as a relative or friend of the applicant.

### **English language requirement for settlement by a partner or child on the UK Ancestry route**

UKA 34.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening of at least level B1.

UKA 34.2. 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 by a partner or child on the UK Ancestry route**

UKA 35.1 If the applicant is aged 18 or over at the date of application, they must meet the Knowledge of Life in the UK requirement as set out in Appendix KOL UK.

### **Decision on an application for settlement by a partner or child on the UK Ancestry route**

UKA 36.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the UK Ancestry route the applicant will be granted settlement, otherwise the application will be refused.

UKA 36.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## **Appendix Global Talent**

*The Global Talent route is for people aged 18 or over in the field of science, engineering, humanities, medicine, digital technology or arts and culture who can show they have exceptional talent or exceptional promise.*

*There is a two-part application process. The first part is an application for endorsement (guidance on the relevant evidence and its format is set out from time to time by the Secretary of State on [gov.uk/global-talent](https://gov.uk/global-talent)); the second part is an application for entry clearance or*

*permission to stay.*

*A person can make the application for endorsement before making the application for permission, or they can make both applications at the same time.*

*A dependent partner and dependent children can apply under this route.*

*Global Talent is a route to settlement.*

## **Part 1- Global Talent Endorsement application**

### **Validity requirements for a Global Talent Endorsement application**

GTE 1.1. A person applying for Global Talent endorsement must apply on the specified form as follows:

- (a) all applicants must apply on “Apply for Global Talent endorsement - stage 1” online on the gov.uk website; and
- (b) applicants for endorsement by Tech Nation must also complete the additional form found on the Tech Nation website: <http://technation.io/visa/apply>.

GTE 1.2. An application for Global Talent endorsement must meet both the following requirements:

- (a) the endorsement application fee must have been paid; and
- (b) the application must be for endorsement by an endorsing body in the field relevant to the applicant.

GTE 1.3. An application which does not meet all of the validity requirements for a Global Talent endorsement is invalid and may be rejected and not considered.

### **Eligibility requirements for a Global Talent Endorsement application**

GTE 2.1. An application for endorsement must be made under one of the fields below and must meet the endorsement requirements for that field.

#### **Arts and Culture endorsement**

##### **Arts and Culture field track record requirements**

GTE 3.1. An applicant for endorsement in the field of Arts and Culture must:

- (a) be professionally engaged in producing outstanding performed, presented, distributed or internationally exhibited work; and
- (b) show regular professional engagement in their field in the last 5 years; and
- (c) show either a substantial track record in more than 1 country if evidencing exceptional talent, or a developing track record in 1 or more countries if evidencing exceptional promise.

##### **Arts and Culture field track record evidential requirements**

GTE 3.2. An applicant must provide 3 letters of recommendation of which:

- (a) 2 must be from well-established organisations acknowledged as experts in the applicant’s field, and at least one of the organisations must be based in the UK; and
- (b) the third must be from another well-established organisation, or an individual, with

recognised expertise in the applicant's field.

GTE 3.3. An applicant who is evidencing exceptional talent in their field must provide at least two of the following:

- (a) evidence from at least 2 countries (which can include their country of residence) of 2 or more examples of significant media recognition for their individual work; or
- (b) evidence of winning, or significantly contributing to winning, an international award for excellence; or
- (c) evidence from at least 2 countries (which can include their country of residence) of proof of appearances, performances, publications or exhibitions considered internationally significant in their field, or evidence of extensive international distribution and audiences for the applicant's work.

GTE 3.4. An applicant who is evidencing exceptional promise in their field must provide at least 2 of the following:

- (a) evidence from at least 1 country (which can include their country of residence) of at least 2 examples of recent media recognition for their individual work or their work as a contributor; or
- (b) evidence of winning, or significantly contributing to winning, or significantly contributing to being nominated or shortlisted for, or being nominated or shortlisted for, an international award for excellence; or
- (c) evidence from at least 1 country (which can include their country of residence) of proof of appearances, performances, publications or exhibitions recognised in their field, or evidence of international distribution and audiences for the applicant's work.

## **Architecture endorsement**

### **Architecture field track record requirement**

GTE 4.1. An applicant for endorsement in the field of Architecture must:

- (a) be professionally engaged in producing outstanding presented, published or internationally exhibited work; and
- (b) show regular professional engagement in their field in the last 5 years; and
- (c) show a substantial track record in more than 1 country if evidencing exceptional talent or show a developing track record in 1 or more countries if evidencing exceptional promise.

### **Architecture field track record evidential requirements**

GTE 4.2. An applicant must provide 3 letters of recommendation of which:

- (a) 2 must be from well-established organisations acknowledged as experts in the applicant's field, and at least 1 of the organisations must be based in the UK; and
- (b) the third must be from another well-established organisation, or an individual, with recognised expertise in the applicant's field.

GTE 4.3. An applicant who is evidencing exceptional talent in their field must provide at least 2 of the following:

- (a) evidence of winning, or significantly contributing to winning, an international award for excellence; or
- (b) evidence from at least 2 countries (which can include their country of residence) of a minimum of 2 examples of significant media recognition for their individual work; or
- (c) evidence from at least 2 countries (which can include their country of residence) of a

minimum of 2 examples of publications or exhibitions considered internationally significant in the applicant's field.

GTE 4.4. An applicant who is evidencing exceptional promise in their field must provide at least 2 of the following:

- (a) evidence of winning, significantly contributing to winning, or being nominated or shortlisted for, an international award for excellence in the last 5 years; or
- (b) evidence from at least 1 country (which can include their country of residence) of a minimum of 2 examples of recent media recognition for their individual work or their work as a contributor; or
- (c) evidence from at least 1 country (which can include their country of residence) of a minimum of 2 examples of publications or exhibitions in the last 3 years considered internationally significant in the applicant's field.

### **Fashion Design Industry endorsement**

#### **Fashion Design Industry field track record requirement**

GTE 5.1. An applicant for endorsement in the field of fashion design must:

- (a) have a leading design role in the fashion business; and
- (b) show regular professional engagement in the fashion design industry in the last 5 years; and
- (c) if evidencing exceptional talent, show professional engagement in producing outstanding work that has been sold or exhibited internationally through catwalk or other exhibitions and a substantial track record in more than 1 country; and
- (d) if evidencing exceptional promise, show a developing track record in 1 or more countries and professional engagement in producing outstanding work that has been recognised by leading industry players.

#### **Fashion Design Industry field track record evidential requirements**

GTE 5.2. An applicant must provide 3 letters of recommendation from established organisations with nationally or internationally recognised expertise in fashion and, where an applicant is evidencing exceptional talent, at least 1 letter must be from an organisation based in the UK.

GTE 5.3. An applicant who is evidencing exceptional talent in the fashion design industry field must provide at least 2 of the following:

- (a) evidence of winning, or significantly contributing to winning, an international award for excellence; or
- (b) evidence from at least 2 countries (which can include their country of residence) of a minimum of 2 examples of significant media recognition for their individual work; or
- (c) evidence of catwalk shows, presentations or exhibitions considered internationally significant in the fashion design industry; or
- (d) evidence of extensive distribution and sales of the applicant's collections via internationally renowned retailers, the applicant's retail outlet or their ecommerce platform.

GTE 5.4. An applicant who is evidencing exceptional promise in the fashion design industry must provide at least 2 of the following:

- (a) at least 2 examples of recent UK or international media recognition for their individual work; or



- (b) evidence of support and sponsorship through one of the following:
  - (i) British Fashion Council support schemes; or
  - (ii) Fashion East support scheme; or
  - (iii) The Sarabande Foundation; or
  - (iv) The Centre of Fashion Enterprise; or
  - (v) an international counterpart of the British Fashion Council; or
- (c) evidence of at least 1 order placed by a luxury retailer or boutique; or
- (d) evidence of recognition by leading industry players of an exceptional graduating collection.

## **Film and Television endorsement**

### **Film and Television field track record requirement**

GTE 6.1. An applicant for an exceptional talent endorsement in the field of Film and Television must show 1 of the following:

- (a) that they have won at any time a “Main Award” which means:
  - (i) an Academy Award; or
  - (ii) a British Academy of Film and Television Arts (BAFTA) (film, television, television craft, Cymru, Scotland, Games awards only); or
  - (iii) a Golden Globe; or
  - (iv) an Emmy Award; or
- (b) in the last 10 years they have been nominated for, or made a significant contribution to winning, or being nominated for any of the Main Awards; or
- (c) in the last 15 years, they have achieved a minimum of 2 nominations for the Main Awards; or
- (d) they have notable industry recognition through achieving international sales and a specified combination of awards from Pact’s Notable Industry List as set out in <https://www.pact.co.uk/services/global-talent-notable-awards-list.html>.

### **Film and Television field track record evidential requirements**

GTE 6.2. An applicant must provide 3 letters of recommendation of which:

- (a) 2 must be from well-established organisations acknowledged as experts in the film and television industry, at least 1 of these must be from an organisation based in the UK; and
- (b) 1 must be from another well-established organisation or from an individual with recognised expertise in the film or television industry.

## **Digital Technology endorsement**

### **Digital Technology field track record requirement**

GTE 7.1. An applicant for endorsement in the field of digital technology must show:

- (a) if they are a technical applicant, that they have proven technical expertise with the latest technologies in building, using, deploying or exploiting a technology stack and building technical infrastructure; or
- (b) if they are a business applicant, that they have proven commercial investment or product expertise in building digital products or leading investments in significant digital product businesses.

### **Digital Technology track record evidential requirements**

GTE 7.2. The applicant must provide all of the following with the Tech Nation online

application form:

- (a) a CV with career and publication history included; and
- (b) 3 dated letters of recommendation from 3 different well-established organisations acknowledged as experts in the digital technology field.

GTE 7.3. An applicant evidencing exceptional talent must:

- (a) show that they have been recognised as a leading talent in the digital technology sector; and
- (b) provide evidence of 2 of the following:
  - (i) a proven track record for innovation as a founder or senior executive of a product-led digital technology company or as an employee working on a new digital field or concept; or
  - (ii) proof of recognition for work beyond the applicant's occupation that contributes to the advancement of the field; or
  - (iii) they have made significant technical, commercial or entrepreneurial contributions to the field as a founder, senior executive or employee of a product-led digital technology company; or
  - (iv) they have demonstrated exceptional ability in the field by academic contributions, through research published or endorsed by an expert.

GTE 7.4. An applicant evidencing exceptional promise must:

- (a) show they have been recognised as having potential to be a leading talent in the digital technology field; and
- (b) provide evidence of at least 2 of the following:
  - (i) at least 2 examples of innovation as a founder of a product led digital technology company or as an employee working on a new digital field or concept; or
  - (ii) proof of recognition for work beyond the applicant's occupation that contributes to the advancement of the field; or
  - (iii) they have made significant technical, commercial or entrepreneurial contributions to the field as a founder or employee of a product-led digital technology company; or
  - (iv) at least 2 examples of exceptional ability in the field by academic contributions, or through research endorsed by an expert.

GTE 7.5. An applicant must provide evidence of any commercially successful established businesses, share ownership or businesses dissolved in the last 5 years where the applicant has been a founder or senior executive.

## **Science, engineering, humanities and medicine fields endorsement**

### **Science, engineering, humanities and medicine fields track record requirement**

GTE 8.1. An applicant for endorsement in the field of science, engineering, humanities and medicine must be an active researcher in an academic, industry or government research institution.

### **Fast track endorsement**

GTE 8.2. An applicant applying for endorsement on the fast track must provide evidence of one of the following:

- (a) that they hold, or have held in the 12 months before the date of application, a peer

- reviewed research fellowship or award named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy; or
- (b) that they have been appointed to an academic or research position at an approved UK Higher Education Institution or research institute named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy; or
  - (c) that they will be hosted or employed in a UK research organisation named on the UKRI published list and will provide critical contributions to work supported by a substantial research grant or award from an endorsed funder named on the UKRI published list.

GTE 8.3. An applicant applying on the fast track under GTE 8.2.(b) must have accepted the offer for the position at the approved institution or institute, where they must:

- (a) have responsibility for academic, research or innovation leadership and development;  
or
- (b) direct or lead an individual or team in:
  - (i) a research project or programme of work; or
  - (ii) an innovation project or a programme of work.

GTE 8.4. An applicant applying for endorsement on the fast track under GTE 8.2.(c) must either:

- (a) direct independently, or under the supervision of a Principle Investigator, a unique research or innovation project and meet all the following requirements:
  - (i) they must have a PhD qualification or equivalent research experience (including industrial or clinical research); and
  - (ii) they must actively participate in a relevant field in a University, research institute or industry; and
  - (iii) they must have their name or post listed on the grant or award as the Principle or co-investigator, Researcher Co-investigator, Post-doctoral researcher or Research Assistant, or an equivalent position acceptable to UKRI; or
- (b) make critical contributions to research by providing core technical or domain excellence or in developing new technologies and methodologies and meet both the following requirements:
  - (i) they must have a UK bachelor's degree or equivalent overseas research degree or equivalent research experience (including industrial or clinical research);  
and
  - (ii) they must have research experience within a University, Research Institute or Industry.

### **Fast Track endorsement - evidential requirements**

GTE 8.5. An applicant on the fast track applying under GTE 8.2.(a) must provide written confirmation from an awarding body named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy that they hold, or have held in the last 12 months, an eligible peer reviewed fellowship or award.

GTE 8.6. An applicant on the fast track applying under GTE 8.2.(b) must hold an eligible academic or research position at an approved UK Higher Education Institution or Research Institute named on the list published by the Royal Society, the Royal Academy of Engineering and the British Academy and they must provide a statement of guarantee from the Director of Human Resources, or equivalent, which confirms:

- (a) the job was advertised and an open competition was held, or where it was not, an

- explanation as to why; and
- (b) the applicant has accepted the job offer; and
- (c) the job title and department in which the applicant will be based; and
- (d) at least 2 references were received; and
- (e) at least 3 academic representatives from the employing institution were on the interview panel; and
- (f) at least 1 expert in the applicant's field was on the interview panel, or at least 1 relevant expert, independent of the employing institution, was consulted before the job offer was made.

GTE 8.7. An applicant on the fast track applying under GTE 8.2.(c) must show that there are at least 2 years remaining on their employment contract or hosting agreement and that they will be hosted or employed by a UKRI-approved UK research organisation and will provide critical contributions to work supported by a substantial research grant or award from an endorsed funder by:

- (a) providing written confirmation of the award from the endorsed funder which shows the award is worth at least £30,000 and covers a minimum of 2 years; and
- (b) confirming that the award is either;
  - (i) funded by a one-off grant or award that has been won in open competition; or
  - (ii) attributed to a large institutional, renewable award that is subject to periodic peer review; and
- (c) providing a declaration from the Director of Human Resources, or equivalent, at the UKRI-approved research organisation, which confirms all the following:
  - (i) the applicant is essential to the execution of the grant or award; and
  - (ii) at least 50% of the applicant's time will be spent working on the grant or award by the endorsed funder (Principal investigators and co-investigators can aggregate time spent on multiple eligible awards or grants to demonstrate this requirement); and
  - (iii) the applicant has accepted the job offer or hosting agreement; and
  - (iv) the job title and department in which the applicant will be based; and
  - (v) details of the robust recruitment process where the applicant was not named on the grant application.

### **Full peer review endorsement**

GTE 8.8. An applicant evidencing exceptional talent under full peer review endorsement must:

- (a) be an active researcher in a relevant field, typically in a university, research institute or in industry; and
- (b) have a PhD or equivalent research experience (including industrial or clinical research); and
- (c) meet 1 of the following requirements:
  - (i) they must be a member of their national academy or a foreign member of an academy of another country; or
  - (ii) they must have been awarded a prestigious internationally recognised prize; or
  - (iii) they must provide a letter of recommendation from a senior member of a reputable UK organisation concerned with research in the applicant's field.

GTE 8.9. An applicant evidencing exceptional promise under full peer review endorsement must:

- (a) be an active researcher in a relevant field, typically in a university, research institute

- or in industry; and
- (b) have a PhD or equivalent research experience (including industrial or clinical research); and
- (c) be at an early stage in their career; and
- (d) have been awarded, or have held in the last 5 years, a prestigious UK based research fellowship, an international fellowship or an advanced post judged by the endorsing body to be equivalent to such a fellowship.

**Full peer review endorsement evidential requirements**

GTE 8.10. A full peer review endorsement applicant must:

- (a) provide a CV which sets out their career and publication history; and
- (b) provide a letter of personal recommendation from an eminent person resident in the UK supporting the Global Talent application which includes 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 UK research excellence and wider society.

**Part 2- Application for entry clearance or permission on the Global Talent Route**

**Validity Requirements for Global Talent route**

GT 1.1. A person applying for entry clearance or permission to stay on the Global Talent route must apply online on the specified form on gov.uk website as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Global Talent using the UK Immigration: ID Check app (when available); or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Global Talent visa – stage 2
Applicants inside the UK	Global Talent permission to stay – stage 2

GT 1.2. An application for entry clearance or permission to stay 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 have been issued with an endorsement letter by a Home Office approved endorsing body; and
- (e) if applying for the first grant of entry clearance or permission to stay on the Global Talent route, the date of application must be no more than 3 months after the date on the endorsement letter; and
- (f) the endorsement must not have been withdrawn.

GT 1.3. 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.

GT 1.4. The applicant must be aged 18 or over on the date of application.

GT 1.5. A person 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.

GT 1.6. An application which does not meet all the validity requirements for the Global Talent route is invalid and may be rejected and not considered.

### **Suitability Requirements for Global Talent route**

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

GT 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 Global Talent route**

#### **Entry requirements for Global Talent route**

GT 3.1. A person seeking to come to the UK on the Global Talent route must apply for and obtain entry clearance on the Global Talent route before their arrival in the UK.

GT 3.2. A person applying for entry clearance on the Global Talent 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.

#### **Points requirement for Global Talent route**

GT 4.1. An applicant applying for entry clearance or permission to stay must be awarded 70 points based on the table below.

<b>Requirement</b>	<b>Points available</b>
An applicant making an initial application: <ul style="list-style-type: none"> <li>• has been issued with an endorsement letter by an endorsing body; and</li> <li>• the date of application is no more than 3 months after the date</li> </ul>	70

<ul style="list-style-type: none"> <li>on the endorsement letter; and</li> <li>• the endorsement has not been withdrawn by the endorsing body.</li> </ul>	
An applicant applying for an extension of their permission: <ul style="list-style-type: none"> <li>• has not had their endorsement withdrawn by the endorsing body; and</li> <li>• has met the earned money requirement.</li> </ul>	70
Total number of points required in each case	70

### **Points for initial application on the Global Talent route**

GT 4.2. The applicant must meet both of the following requirements:

- (a) the endorsement issued by the endorsing body must not have been withdrawn; and
- (b) the endorsing body must continue to be approved by the Home Office on the date of decision.

GT 4.3. If the requirements in GT 4.2. are met 70 points will be awarded for an initial application on the Global Talent route.

### **Points for extension of stay on the Global Talent route**

GT 5.1. An applicant who has, or last had, permission on the Global Talent route and is applying for an extension of permission must meet the following requirements:

- (a) the endorsement letter issued by a Home Office approved endorsing body must not have been withdrawn; and
- (b) the endorsing body must continue to be approved by the Home Office on the date of decision; and
- (c) the applicant must have earned money in the UK during their last period of permission in the field in which they were previously endorsed in the Global Talent route.

GT 5.2. An applicant who has held Global Talent permission in the 12 months immediately before the date of application will be considered under the extension of permission requirements in GT 5.1.

GT 5.3. If the requirements in GT 5.1. are met 70 points will be awarded for an application for an extension of stay on the Global Talent route.

### **Decision on Global Talent route**

GT 6.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Global Talent route are met the application will be granted, otherwise the application will be refused.

GT 6.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant on Global Talent route**

GT 7.1. Permission will be granted for the period of years the applicant requests, up to a maximum of 5 years on each application.

GT 7.2. There is no limit on the total period of permission that may be granted on the Global Talent route.

GT 7.3. 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.

## **Settlement by a person on the Global Talent route**

### **Validity requirements for settlement by a person on the Global Talent route**

GT 8.1. A person applying for settlement on the Global Talent route must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

GT 8.2. An application for settlement 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; and
- (e) the endorsement must not have been withdrawn.

GT 8.3. The applicant must have, or have last been granted, permission on the Global Talent route.

GT 8.4. An application which does not meet all the validity requirements for settlement on the Global Talent route is invalid and may be rejected and not considered.

### **Suitability requirements for settlement by a person on the Global Talent route**

GT 9.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 9.2. 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 by a person on the Global Talent route**

#### **Endorsement requirement for settlement by a person on the Global Talent route**

GT 10.1. The applicant must not have had their endorsement withdrawn by the endorsing body.

GT 10.2. The applicant must have earned money in the UK during their last period of permission in the field in which they were previously endorsed on the Global Talent route.

### **Qualifying period requirement for settlement by a person on the Global Talent route**



GT 11.1. The applicant must have spent a continuous period of 3 years in the UK if:

- (a) they were endorsed by the Royal Society, British Academy, Royal Academy of Engineering or UKRI; or
- (b) they were endorsed under the exceptional talent criteria by Arts Council England or Tech Nation.

GT 11.2. The applicant must have spent a continuous period of 5 years in the UK if they were endorsed under the exceptional promise criteria by Arts Council England or Tech Nation.

GT 11.3. The qualifying period must consist of time with continuous permission on any of (or any combination of), the following routes:

- (a) Global Talent; or
- (b) Innovator; or
- (c) Skilled Worker; or
- (d) T2 Minister of Religion; or
- (e) T2 Sports person; or
- (f) Tier 1 Migrant, other than Tier 1 (Graduate Entrepreneur).

#### **Continuous residence requirement for settlement by a person on the Global Talent route**

GT 12.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence.

#### **English language requirement for settlement by a person on the Global Talent route**

GT 13.1. 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.

GT 13.2. 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 by a person on the Global Talent route**

GT 14.1. 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 by a person on the Global Talent route**

GT 15.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement on the Global Talent route the applicant will be granted settlement, otherwise the application will be refused.

GT 15.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

#### **Dependants on the Global Talent route**

#### **Validity requirements for a dependent partner or dependent child on the Global Talent route**

GT 16.1. A person applying for entry clearance or permission to stay as a dependent partner

or dependent child on the Global Talent route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Global talent applicant, they can be included in the form “Global talent – stage 2” where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

GT 16.2. An application for entry clearance or permission to stay as a partner or child 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.

GT 16.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

GT 16.4. 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.

GT 16.5. 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.

GT 16.6. An application which does not meet all the validity requirements for the Global Talent route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child on the Global Talent route**

GT 17.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 17.2. 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 on the Global Talent route**

#### **Entry requirement for a dependent partner or dependent child on the Global Talent route**

GT 18.1. 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 on the Global Talent route before they arrive in the UK.

GT 18.2. A person applying for entry clearance as a partner or child on the Global Talent 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 dependent partner on the Global Talent route**

GT 19.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission on the Global Talent route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Global Talent route; or
- (c) P is settled or has become a British citizen, providing P had permission on the Global Talent route and the applicant had permission as P's partner at that time.

GT 19.2. If the applicant and their Global Talent 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 2 years before the date of application; and
- (b) any previous relationship of the applicant or their Global Talent partner with another person must have permanently broken down; and
- (c) the applicant and their Global Talent partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

GT 19.3. The relationship between the applicant and their Global Talent partner must be genuine and subsisting.

GT 19.4. The applicant and their Global Talent partner must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the Global Talent route**

GT 20.1. The applicant must be the child of a person (P) and one of the following must apply:

- (a) P has permission on the Global Talent route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Global Talent route; or

- (c) P is settled or has become a British citizen, providing P had permission on the Global Talent route when they settled and the applicant had permission as P's child at that time.

GT 20.2. The applicant's parents must each be either applying for at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission on the Global Talent route is the sole surviving parent; or
- (b) the parent applying for or with permission on Global Talent route 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 permission to come to, or stay in, the UK with the parent who has permission on the Global Talent route.

### **Care requirement for a dependent child on the Global Talent route**

GT 21.1. If the applicant is under the age of 18 years 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.

### **Age requirement for a dependent child on the Global Talent route**

GT 22.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of their parent or parents.

GT 22.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **Decision on an application as a dependent partner or dependent child on the Global Talent route**

GT 23.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child on the Global Talent route are met, the application will be granted, otherwise the application will be refused.

GT 23.2. 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 dependent partner or dependent child on the Global Talent route**

GT 24.1. A partner will be granted:

- (a) permission which ends on the same date as their partner's temporary permission on the Global Talent route; or
- (b) 3 years' permission if the partner was (or is being) granted settlement on the Global Talent route.

GT 24.2. 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.

GT 24.3. 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 sportsperson or sports coach; and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS, if the applicant is over age 18; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

### **Settlement as a dependent partner or dependent child on the Global Talent route**

#### **Validity requirements for settlement as a dependent partner or dependent child on the Global Talent route**

GT 25.1. A person applying for settlement as a dependent partner or dependent child on the Global Talent route must apply online on the gov.uk website on the specified form, “Settle in the UK in various immigration categories: form SET(O)”.

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.

GT 25.3. An application which does not meet the validity requirements for a dependent partner or dependent child on the Global Talent route is invalid and may be rejected and not considered.

#### **Suitability requirements for settlement as a dependent partner or dependent child on the Global Talent route**

GT 26.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GT 26.2. 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 Global Talent route**

#### **Relationship requirement for settlement for a dependent partner or child on the Global Talent route**

GT 27.1. 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 on the Global Talent route; or
- (b) P is settled or has become a British citizen, providing P had permission on the Global Talent route when they settled and the applicant had permission as P’s partner or child at that time.

GT 27.2. The applicant must have last been granted permission as a dependent partner or dependent child of the person (P) in GT 27.1.

GT 27.3. 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 GT 27.1. is the applicant's sole surviving parent; or
- (b) the person (P) in GT 27.1. 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 child settlement.

**Care requirement for settlement as a dependent child on the Global Talent route**

GT 28.1. If the child is under the age of 18 years 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.

**Age requirement for settlement as a dependent child on the Global talent route**

GT 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.

GT 29.2. If the child is aged 16 or over on the date of application, they must not be leading an independent life.

**Qualifying period requirement for settlement as a dependent partner on the Global Talent route**

GT 30.1. 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 GT 27.1.

**Continuous residence requirement for settlement as a dependent partner of on the Global Talent route**

GT 31.1. The applicant must meet the continuous resident requirement as set out in Appendix Continuous Residence during the period in GT 30.1.

**English language requirement for a dependent partner or dependent child on the Global Talent route**

GT 32.1. 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.

GT 32.2. 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 dependent partner or dependent child on the Global Talent route**

GT 33.1 If the applicant is aged 18 or over on the date of application, 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 partner or dependent child on the Global Talent route**

GT 34.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or dependent child on the Global Talent route, the applicant will be granted settlement, otherwise the application will be refused.

GT 34.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## Appendix Start-up

*The Start-up route is for a person seeking to establish a business in the UK for the first time.*

*The person must have an innovative, viable and scalable business idea which is supported by an endorsing body approved by the Home Office.*

*A person on the Start-up route can bring a dependent partner and dependent children to the UK.*

*Start-up is not a route to settlement. A person may be eligible to progress from Start-up to the Innovator route, which is a route to settlement.*

### Validity requirements for Start-up route

SU 1.1. A person applying for entry clearance or permission to stay on the Start-up route must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Start-up or Innovator using the UK Immigration: ID Check app (when available); or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Start-up or Innovator visa
Applicants inside the UK	Start-up or Innovator permission to stay

SU 1.2. An application for entry clearance or permission to stay 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 have been issued with an endorsement letter by an endorsing body dated no more than 3 months before the date of application and that endorsement must not have been withdrawn.

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

SU 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.

SU 1.5. A person 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.

SU 1.6. An application which does not meet all the validity requirements for the Start-up route is invalid and may be rejected and not considered.

### **Suitability requirements for the Start-up route**

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

SU 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 the Start-up route**

#### **Entry requirements for the Start-up route**

SU 3.1. A person seeking to come to the UK on the Start-up route must apply for and obtain entry clearance on the Start-up route before they arrive in the UK.

SU 3.2. A person applying for entry clearance on the Start-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.

#### **Points requirement for Start-up**

SU 4.1. The applicant must be awarded a total of 70 points from the table below.

<b>Requirement (mandatory)</b>	<b>Points available</b>
Business is innovative, viable and scalable.	25
The applicant has not previously established a business in the UK	25
English Language at level B2	10
Financial requirement	10
<b>Total number of points required</b>	<b>70</b>

#### **Innovative, viable and scalable business requirement for Start-up route**

SU 5.1. An applicant will meet the innovative, viable and scalable business venture requirement if all the following requirements are met:

- (a) the applicant has a genuine, original business plan that meets new or existing market



- needs and/or creates a competitive advantage; and
- (b) the applicant's business plan is realistic and achievable based on the applicant's available resources; and
- (c) the applicant has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business; and
- (d) there is evidence of structured planning and of potential for job creation and growth into national markets.

**No other established business in the UK requirement for Start-up route**

SU 6.1. The applicant must not have previously established any business in the UK which commenced trading, unless this business commenced trading during the applicant's last period of permission and that permission was for any of the following routes:

- (a) Start-up; or
- (b) Tier 1 (Graduate Entrepreneur); or
- (c) Student on the doctorate extension scheme.

**Genuine Start-up requirement**

SU 7.1. The applicant must be a genuine Start-up applicant.

**Financial requirement for the Start-up route**

SU 8.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement and do not need to show funds.

SU 8.2. If an applicant is applying for entry clearance or has been in the UK for less than 12 months at the date of application, they must have funds of at least £1,270.

SU 8.3. 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 unless their endorsing body confirms they have been awarded funding of at least the amount in SU 8.2.

**English language requirement for the Start-up route**

SU 9.1. 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.

SU 9.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

**Endorsement requirement for the Start-up route**

SU 10.1. The applicant must provide a letter from their endorsing body which includes all the following information:

- (a) the name of the endorsing body; and
- (b) the endorsement reference number; and
- (c) the name, telephone number, email and workplace address of a person at the endorsing body who will verify the contents of the letter to the Home Office if requested; and
- (d) the date of endorsement; and
- (e) the applicant's name, date of birth, nationality and passport or other travel document number; and
- (f) a short description of the applicant's business venture and the main products or services

- it will provide to its customers; and
- (g) confirmation that in the view of the endorsing body the applicant’s business is innovative, viable and scalable as set out at SU 5.1.; and
  - (h) confirmation that the endorsing body is satisfied that the applicant will spend the majority of their working time in the UK on developing their business venture; and
  - (i) confirmation that the endorsing body is satisfied the applicant is either the sole founder of the business or an instrumental member of the founding team; and
  - (j) confirmation the endorsing body is satisfied that the applicant has created and is relying on their own business plan.

**Decision on the Start-up route**

SU 11.1. If the decision- maker is satisfied that all the suitability and eligibility requirements are met for the Start-up route, the application will be granted, otherwise the application will be refused.

SU 11.2. If the application is refused the person can apply for Administrative Review under Appendix AR: Administrative Review.

**Conditions and period of grant on the Start-up route**

SU 12.1. 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.

SU 12.2. The applicant will be granted permission for a maximum period of 2 years, and a person must not be granted further permission which would result in them spending more than 2 years with permission on the Start-up route, or a combination of the Start-up route and the Tier 1 (Graduate Entrepreneur) route.

**Dependants on the Start-up route**

**Validity requirements for a dependent partner or dependent child on the Start-up route**

SU 13.1. An application as a partner or child on the Start-up route must be made online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Start-Up route applicant, they

	<p>can be included in the form “Start-Up or Innovator permission to stay” where the form allows dependants to be added.</p> <p>Otherwise:</p> <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>
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SU 13.2. An application for entry clearance or permission to stay as a dependent partner or dependent child 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.

SU 13.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

SU 13.4. 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.

SU 13.5. A person 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.

SU 13.6. An application which does not meet all the validity requirements is invalid and may be rejected and not considered.

**Suitability requirements for a dependent partner or dependent child on the Start-up route**

SU 14.1. The suitability requirements for a partner or child on the Start-up route are that they must not fall for refusal under Part 9: grounds for refusal.

SU 14.2. 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 and dependent child on the Start-up route**

**Entry requirement for a dependent partner and dependent child on the Start-up route**

SU 15.1. 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 before they arrive in the UK.

SU 15.2. A person applying for entry clearance as a partner or child on the Start-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 dependent partner on the Start-up route**

SU 16.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission on the Start-up route; or
- (b) P is, at the same time, applying for (and is granted) permission on the Start-up route.

SU 16.2. If the applicant and their Start-up 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 2 years before the date of application; and
- (b) any previous relationship of the applicant or their Start-up partner with another person must have permanently broken down; and
- (c) the applicant and their Start-up partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

SU 16.3. The relationship between the applicant and their Start-up partner must be genuine and subsisting.

SU 16.4. The applicant and their Start-up partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the Start-up route**

SU 17.1. The applicant must be the child of a person (P) and one of the following must apply:

- (a) P has permission on the Start-up route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Start-up route.

SU 17.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission on the Start-up route is the sole surviving parent; or
- (b) the parent applying for with permission on Start-up route has sole responsibility for the child's upbringing; or
- (c) 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 Start-up route.

### **Care requirement for a dependent child on the Start-up route**

SU 18.1. 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.

### **Age requirement for a dependent child on the Start-up route**

SU 19.1. The child must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of their parent or parents.

SU 19.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child on the Start-up route**

SU 20.1. 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.

SU 20.2. If an applicant is applying for entry clearance, or has been living in the UK for less than 12 months at the date of application, the applicant or Start-up partner/parent must have funds of:

- (a) at least £285 for a dependent 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.

SU 20.3. The funds must be in addition to any funds required by the Start-up applicant to meet the financial requirement and for any dependants in the UK or applying at the same time.

SU 20.4. The required level of funds must have been held for a 28-day period and as set out in Appendix Finance.

### **Decision on application for a dependent partner and dependent child on the Start-up route**

SU 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the Start-up route the application will be granted, otherwise the application will be refused.

SU 21.2. 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 dependent partner and dependent child on the Start-up route**

SU 22.1. A partner will be granted permission which ends on the same date as their partner's permission on the Start-up route

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

SU 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 Innovator**

*The Innovator route is for a person seeking to establish a business in the UK based on an innovative, viable and scalable business idea they have generated, or to which they have significantly contributed.*

*The application must be supported by an endorsing body.*

*An applicant will normally be expected to have funds of at least £50,000 to invest in their business and they must have a key role in the day to day management and development of the business.*

*A dependent partner and dependent children can apply on this route.*

*The Innovator route is a route to settlement.*

### **Validity requirements for an Innovator**

INN 1.1. A person applying for entry clearance or permission to stay as an Innovator must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either: <ul style="list-style-type: none"> <li>• Start-up or Innovator using the UK Immigration: ID Check app (when available); or</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul>
Applicants outside the UK	Start-up or Innovator visa
Applicants inside the UK	Start-up or Innovator permission to stay

INN 1.2. An application for entry clearance or permission to stay on the Innovator 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 have been issued with an endorsement letter by an endorsing body no more than 3 months before the date of application and that endorsement must not have been withdrawn.

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

INN 1.4. If the applicant has in the 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 have provided written consent to the application from that Government or agency.

INN 1.5. A person 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.

INN 1.6. An application which does not meet all the validity requirements for the Innovator route is invalid and may be rejected and not considered.

**Suitability requirements for an Innovator**

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

INN 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 an Innovator**

**Entry requirements for an Innovator**

INN 3.1. A person seeking to come to the UK as an Innovator must apply for and obtain entry clearance on the Innovator route before they arrive in the UK.

INN 3.2. A person applying for entry clearance as an Innovator 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.

**Genuine Innovator requirement**

INN 4.1. The applicant must be a genuine Innovator applicant.

**Points requirement for the Innovator route**

INN 5.1. The applicant must be awarded 70 points from the table below; of which 50 must either be under the new business criteria or under the same business criteria, but not both.

<b>Requirement</b>	<b>New or same business</b>	<b>Points available</b>
Business plan	New Business	10
Business venture is innovative, viable and scalable.	New Business	20
£50,000 available funds to invest or having been invested	New Business	20
Applicant’s previous permission was as in the Innovator, Start-up or	Same Business	10

Tier 1 (Graduate Entrepreneur) route and they are pursuing a business assessed by a Home Office approved endorsing body either for the previous endorsement or at a contact point.		
Business is active, trading and sustainable and demonstrates significant achievements against the business plan	Same Business	20
Applicant is active in day-to-day management and development of business	Same Business	20
English Language requirement at level B2	Mandatory for all applicants	10
Financial requirement	Mandatory for all applicants	10
Total number of points required		70

## Requirements for Innovator route where it is a new business

### Business Plan requirement for an Innovator

INN 6.1. The applicant must have an endorsement letter from an endorsing body which confirms that:

- (a) the applicant has either generated, or made a significant contribution to, the ideas in their business plan; and
- (b) the applicant will have a day-to-day role in carrying out the business plan.

### Innovative, viable and scalable business requirements for an Innovator

INN 7.1 The applicant must have an innovative, viable and scalable business venture and they must meet all the following requirements:

- (a) the applicant must have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage; and
- (b) the applicant's business plan must be realistic and achievable based on the applicant's available resources; and
- (c) the applicant must have, or be actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business; and
- (d) there must be evidence of structured planning and of potential for job creation and growth into national and international markets.

INN 7.2. The applicant must be supported by an endorsing body for this route which confirms in their endorsement letter that they consider that the applicant meets the above requirements.

### Investment funds requirement for an Innovator

INN 8.1. The applicant must show that they have at least £50,000 of funds available to invest, or which have been invested, in their business by one of the following:



- (a) providing confirmation from the endorsing body that it is providing the funds of at least £50,000; or
- (b) providing confirmation from the endorsing body that it has verified the funds are available from other sources (which can include the applicant); or
- (c) providing confirmation from the endorsing body that it has verified that at least £50,000 has already been invested in the applicant's business; or
- (d) providing evidence that the £50,000 of funds are available from another source.

INN 8.2. Where the business has one or more other team members who are applying for, or have been granted, permission on the Innovator route, there must be at least £50,000 available to, or which has been invested by, each team member.

INN 8.3. Where the requirement is being met under INN 8.1 (a), (b) or (c) the applicant must be supported by an endorsing body which confirms as part of their endorsement letter that they consider that the applicant meets those requirements.

INN 8.4. Where the requirement is being met under INN 8.1 (d) and any of the funds are being provided by a UK organisation which employs at least 10 people, the applicant must provide a letter from that organisation confirming this and which must include:

- (a) how they know the applicant; and
- (b) the amount of funding they are making available in pounds sterling (£); and
- (c) confirmation that this funding has not been promised to any other person or business for another purpose; and
- (d) the name and contact details (telephone number, email and workplace address) of an individual at the organisation who will verify the contents of the letter to the Home Office if requested.

INN 8.5. Where the requirement is being met under INN 8.1 (d) and any of the funds are being provided by an overseas organisation, a UK organisation which employs less than 10 people, or an individual, the applicant must provide all of the following:

- (a) a signed declaration from the funding provider, dated no more than 3 months before the date of application, setting out all of the following:
  - (i) how they know the applicant; and
  - (ii) the amount of funding they are making available in pounds sterling (£); and confirmation that this funding has not been promised to any other person or business for another purpose; and
  - (iii) the name and contact details (telephone number, email and workplace address) of an individual at the organisation who will verify the contents of the letter to the Home Office if requested; and
- (b) a letter from a legal representative (who is registered to practise legally in the country where the third party or the money is), confirming that the declaration and signature in (a) above is genuine; and
- (c) a bank letter, dated no earlier than 1 month before the date of application, confirming that the funds are held in a regulated financial institution(s) and if the institution is outside the UK, the letter must also confirm that the funds are transferrable to the UK.

INN 8.6. If any of the funds are held by the applicant, they must provide either of the following:

- (a) bank statements, showing the funds are held in the UK in an institution regulated by the Financial Conduct Authority. The statements must cover a consecutive 3 months, ending no earlier than 1 month before the date of application; or
- (b) a bank letter, dated no earlier than 1 month before the date of application, confirming that the funds are held in a regulated financial institution(s) and, if the institution is outside the UK, the letter must also confirm that the funds are transferrable to the UK.

INN 8.7. If the documents in INN 8.6. do not show that the applicant has held the funds for at least 3 months, the applicant must **also** provide the signed declaration and letter from a legal representative set out in INN 8.5 (a) and (b) in relation to the organisation or person who provided the funds to the applicant.

INN 8.8. If any of the funds have already been invested in the applicant's business, the applicant must provide either of the following, showing the amount that has been invested:

- (a) business accounts, showing the name of the accountant and the date they were produced; or
- (b) business bank statements.

INN 8.9. If any of the evidence in INN 8.4 to INN 8.8. show that the funds are available to the applicant's business rather than to the applicant, or have been invested in the business, the applicant must provide a Companies House document showing their connection to the business. This document is not needed if the endorsement letter confirms the applicant's connection to the business.

INN 8.10. Any funds in a foreign currency will be converted to pounds sterling (£) using the spot exchange rate which appeared on [www.oanda.com](http://www.oanda.com) on the date of application.

INN 8.11. Funds will not be accepted if they are held in a financial institution not permitted in Appendix Finance.

**Requirements for Innovator where it is the same business as the business in a previous endorsement under the Innovator, Start-up route or Tier 1 (Graduate Entrepreneur) route.**

**Business previously assessed by an endorsing body requirement**

INN 9.1. The applicant must be supported by an endorsing body which confirms that they are endorsing the application on the basis of a business they or another endorsing body have previously assessed while the applicant had permission on the Innovator Start-up route or Tier 1 (Graduate Entrepreneur).

INN 9.2. The endorsing body must confirm that they are satisfied that the applicant meets the new business requirements in INN 6.1 to INN 8.3., with the exception that applicants previously endorsed in the Start-up or Tier 1 (Graduate Entrepreneur) routes do not need to meet the investment funds requirement at INN 8.1 to INN 8.11.

**Business is active, trading and sustainable requirement for an Innovator**

INN 10.1. The applicant's business must be active, trading and sustainable and the applicant must have made significant progress against their business plan.

INN 10.2. The applicant's business must be registered with Companies House and the

applicant must be listed as a director or member of that business.

INN 10.3. The applicant must be supported by an endorsing body which has assessed the applicant's business and confirmed that it meets the requirements set out in INN10.1. and INN 10.2.

### **Day to day management requirement for an Innovator**

INN 11.1. The applicant must be involved in the day to day management and development of their business and provide a letter confirming this from an endorsing body.

### **English Language requirement for an Innovator**

INN 12.1. 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.

INN 12.2. The applicant must show they meet the English language requirement as specified in Appendix English Language.

### **Financial requirement for an Innovator**

INN 13.1. 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.

INN 13.2. 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.

INN 13.3. 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.

### **Decision on application as an Innovator**

INN 14.1. If the decision maker is satisfied that all the suitability and the relevant eligibility requirements for an Innovator are met, the application will be granted, otherwise the application will be refused.

INN 14.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant as an Innovator**

INN 15.1. The applicant will be granted permission for a maximum period of 3 years.

INN 15.2. The grant will be subject to the following conditions:

- (a) no access to public funds; and
- (b) no work, other than working for the business(es) the applicant has established 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.

INN 15.3. In INN 15.2.(b), working for the business(es) does not include any apprenticeship or any work pursuant to a contract of service, whether express or implied and whether oral or written, with another business, (which means successful applicants cannot fill a position or

hire their labour to another business, even if the work is undertaken through contracting with the applicant's own business or through a recruitment or employment agency).

## **Settlement by a person on the Innovator route**

### **Validity requirements for settlement by an Innovator**

INN 16.1. A person on the Innovator route who is applying for settlement must apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

INN 16.2. 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 have been issued with an endorsement letter by an endorsing body no more than 3 months before the date of application and that endorsement must not have been withdrawn.

INN 16.3. The applicant must have, or have last been granted, permission on the Innovator route.

INN 16.4. An application which does not meet all the validity requirements for settlement for a person on the Innovator route is invalid and may be rejected and not considered.

### **Suitability Requirements for settlement by an Innovator**

INN 17.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INN 17.2. 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 by an Innovator**

#### **Endorsement requirement for settlement by an Innovator**

INN 18.1. The applicant must provide an endorsement letter issued by an endorsing body, which includes all of the following information:

- (a) the name of the endorsing body; and
- (b) the endorsement reference number; and
- (c) the date of issue, which must be no earlier than 3 months before the date of application; and
- (d) the applicant's name, date of birth, nationality and passport number; and
- (e) a short description of the applicant's business venture and the main products or services it has provided; and
- (f) the name and contact details (telephone number, email and workplace address) of an individual at the endorsing body who will verify the contents of the letter to the Home

- Office if requested; and
- (g) confirmation that the applicant has shown significant achievements, judged against the business plan assessed in their previous endorsement; and
  - (h) confirmation that the applicant's business is registered with Companies House and the applicant is listed as a director or member of that business; and
  - (i) confirmation the business is active and trading; and
  - (j) confirmation that the business appears to be sustainable for at least the following 12 months, based on its assets and expected income, weighed against its current and planned expenses; and
  - (k) confirmation the applicant has demonstrated an active key role in the day-to-day management and development of the business; and
  - (l) confirmation the applicant's business venture has met at least two of the following requirements:
    - (i) at least £50,000 has been invested into the business and actively spent furthering the business; or
    - (ii) the number of the business's customers has at least doubled within the most recent three years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services; or
    - (iii) the business has engaged in significant research and development activity and has applied for intellectual property protection in the UK; or
    - (iv) the business has generated a minimum annual gross revenue of £1 million in the last full year covered by its accounts; or
    - (v) the business is generating a minimum annual gross revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas; or
    - (vi) the business has created the equivalent of at least 10 full-time jobs for settled workers; or
    - (vii) the business has created the equivalent of at least 5 full-time jobs for settled workers, each of which has a mean salary of at least £25,000 a year (gross pay, excluding any allowances).

INN 18.2. An applicant cannot meet the requirement at INN 18.1. by relying on the same criterion twice (for example, an applicant who has invested £100,000 (2 x £50,000) in their business venture will be considered to have met one criterion, not two).

INN 18.3. If the business venture has one or more other team members who are applying for, or have been granted, settlement on the Innovator route, they cannot share the same means of meeting these criteria (for example, if two applicants are relying on the requirement to have created 10 jobs, 20 jobs must have been created in total).

INN 18.4. If the applicant is relying on the criteria for creating jobs in INN 18.1.(l)(vi) or (vii) the following requirements must be met:

- (a) each job must have existed for at least 12 months and comply with all relevant UK legislation, including (but not limited to) the National Minimum Wage Act 1998 and the Working Time Regulations 1998; and
- (b) each job must involve an average of at least 30 hours of paid work per week, but two or more part time jobs held by different employees that when combined add up to 30 hours per week will represent the equivalent of a single full-time job, as long as each of the jobs has existed for at least 12 months; and

- (c) a job will be considered one for settled worker if the worker met the definition of settled worker in the rules in force at the time they started the job, and they remained employed for the whole claimed 12-month period, even if they ceased to be a settled worker at a later date.

### **Qualifying period requirement for settlement by an Innovator**

INN 19.1. The applicant must have spent at least 3 years in the UK with permission on the Innovator route.

### **Continuous requirement for settlement by an Innovator**

INN 20.1. The applicant must prove that they have met the continuous residence requirement as set out in Appendix Continuous Residence for the qualifying period in INN 19.1.

### **Knowledge of life in the UK requirement for settlement by an Innovator**

INN 21.1 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 by an Innovator**

INN 22.1. If the decision maker is satisfied all the suitability and eligibility requirements are met the application will be granted settlement, otherwise the application will be refused.

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

### **Dependants of an Innovator**

#### **Validity requirements for a dependent partner or dependent child on the Innovator route**

INN 23.1. An application as a dependent partner or dependent child on the Innovator route must be made online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
EEA national with a chipped passport	Either (as applicable): <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	Dependant partner visa Dependant child visa
Applicants inside the UK	If the dependant is applying at the same time as the Innovator, they can be included in the form “Start-Up or Innovator permission to stay” where the form allows dependants to be added. Otherwise: <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>

INN 23.2. An application for entry clearance or permission to stay as a partner or child on the Innovator 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.

INN 23.3. A person applying as a dependent partner must be aged 18 or over on the date of application.

INN 23.4. A person 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.

INN 23.5. An application which does not meet all the validity requirements for the Innovator route is invalid and may be rejected and not considered.

#### **Suitability requirements for dependent partner and dependent child on the Innovator route**

INN 24.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INN 24.2. 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 and dependent child on the Innovator route**

##### **Entry requirement for a dependent partner and dependent child on the Innovator route**

INN 25.1. 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 before they arrive in the UK.

INN 25.2. A person applying for entry clearance as the partner or child of an Innovator 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 dependent partner on the Innovator route**

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.

INN 26.2. If the applicant and their Innovator 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 Innovator partner with another person must have permanently broken down; and
- (c) the applicant and their Innovator partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

INN 26.3. The relationship between the applicant and their Innovator partner must be genuine and subsisting.

INN 26.4. The applicant and their Innovator partner must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the Innovator route**

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.

INN 27.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission on the Innovator route is the sole surviving parent; or
- (b) the parent applying for or with permission on Innovator route has sole responsibility for the child's upbringing; or
- (c) 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 Innovator route.

### **Care requirement for a dependent child on the Innovator route**

INN 28.1. 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 legislation and regulations.

### **Age requirement for a dependent child on the Innovator route**

INN 29.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of their parent or parents.

INN 29.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child on the Innovator route**

INN 30.1. 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.

INN 30.2. If an applicant is applying for entry clearance, or has been in the UK for less than



12 months at the date of application, the applicant or Innovator must have funds of:

- (a) at least £285 for a dependent 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.

INN 30.3. The funds held must be in addition to any funds required by the Innovator to meet the financial requirement or any dependants in the UK or applying at the same time.

INN 30.4. If INN 30.2. applies, the required level of funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a dependent partner and dependent child on the Innovator route**

INN 31.1. If the decision maker is satisfied that all the suitability and eligibility requirements are met for a dependent partner or dependent child on the Innovator route the application will be granted, otherwise the application will be refused.

INN 31.2. 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 dependent partner and dependent child on the Innovator route**

INN 32.1. A partner will be granted permission which either:

- (a) ends on the same date as their partner's permission on the Innovator route; or
- (b) for 3 years' if the partner was (or is being) granted settlement on the Innovator route.

INN 32.2. 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.

INN 32.3. 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.

### **Settlement for dependent partner and dependent child on the Innovator route**

#### **Validity requirements for settlement for dependent partner and dependent child on the Innovator route**

INN 33.1. A partner and child on the Innovator route who is applying for settlement must apply on the specified form "Settle in the UK in various immigration categories: form SET(O)".

INN 33.2. 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.

INN 33.3. The applicant must have, or have last been granted, permission as a partner or child of a person who has or who had permission on the Innovator route and who is either applying to settle at the same time or has already settled under the Innovator route.

INN 33.4. An application which does not meet all the validity requirements for settlement as a partner and child on the Innovator route is invalid and may be rejected and not considered.

### **Suitability Requirements for settlement by a dependent partner and dependent child on the Innovator route**

INN 34.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

INN 34.2. 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 by a dependent partner and dependent child on the Innovator route**

#### **Relationship requirement for settlement for a dependent partner or dependent child on the Innovator route**

INN 35.1. 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 on the Innovator route; or
- (b) P is settled or has become a British citizen, providing P had permission on the Innovator route when they settled and the applicant had permission as P's partner or child at that time.

INN 35.2. The applicant must have last been granted permission as a dependent partner or dependent child of the person (P) in INN 35.1.

INN 35.3. 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 INN 35.1. or applying as the dependent partner of the person (P) in INN 35.1 is the applicant's sole surviving parent; or
- (b) the person (P) in INN 35.1. or the person applying as the dependent partner of person (P) in INN 35.1 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.

#### **Care requirement for settlement as a dependent child on the Innovator route**

INN 36.1. 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.

#### **Age requirement for settlement as a dependent child on the Innovator route**

INN 37.1. The child must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of their parent or parents.

INN 37.2. If the applicant is aged 16 or over on the date of application they must not be leading an independent life.

**Qualifying period requirement for settlement as a dependent partner on the Innovator route**

INN 38.1. 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 INN 35.1.

**Continuous residence requirement for settlement as a dependent partner of on the Innovator route**

INN 39.1. The applicant must meet the continuous residence requirement as set out in Appendix Continuous Residence during the period in INN 38.1.

**English language requirement for a dependent partner or dependent child on the Innovator route**

INN 40.1. 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.

INN 40.2. 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 dependent partner or dependent child on the Innovator route**

INN 41.1. If the applicant is aged 18 or over at the date of application, 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 partner or dependent child on the Innovator route**

INN 42.1. If the decision maker is satisfied all the suitability and eligibility requirements are met for settlement as a dependent partner or child on the Innovator route, the application will be granted settlement, otherwise the application will be refused.

INN 42.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

**Appendix T5 (Temporary Worker) Seasonal Worker**

*This route is for workers in edible horticulture doing seasonal work in the UK with a sponsor.*

*A person on the Seasonal Worker route is not eligible to bring their dependants to the UK.*

*A Seasonal Worker may only stay in the UK for 6 months in any 12-month period.*

*Seasonal Worker is not a route to settlement.*

## **Validity requirements for a Seasonal Worker**

SAW 1.1. A person applying for entry clearance on the Seasonal Worker route must apply online on gov.uk on the “T5 (Temporary Worker) visa – Seasonal Worker” form.

SAW 1.2. An application for entry clearance 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 have a Certificate of Sponsorship from a sponsor that was issued no more than 3 months before the date of application.

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

SAW 1.4 The date of application must be no more than three months before the start date of the role, as stated by the Certificate of Sponsorship.

SAW 1.5. An application which does not meet all the validity requirements for the Seasonal Worker route is invalid and may be rejected and not considered.

## **Suitability requirements for a Seasonal Worker**

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

## **Eligibility requirements for a Seasonal Worker**

### **Entry requirement for a Seasonal Worker**

SAW 3.1. A person seeking to come to the UK on the Seasonal Worker route must apply for and obtain entry clearance as a Seasonal Worker before they arrive in the UK.

### **Sponsorship requirement for a Seasonal Worker**

SAW 4.1. The Certificate of Sponsorship must have been issued by a sponsor which:

- (a) is listed as A-rated on the Home Office’s published register of licensed sponsors; and
- (b) is still approved as a Sponsor on the date on which the application is decided.

SAW 4.2. The sponsor must not have withdrawn the job offer since the Certificate of Sponsorship was issued.

SAW 4.3. The Certificate of Sponsorship must 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).

SAW 4.4. The Certificate of Sponsorship must state the role is in the edible horticulture sector, which means those growing:

- (a) Protected Vegetables – those grown in glasshouse systems; or
- (b) Field Vegetables – those grown outdoors, including vegetables, herbs, leafy salads and potatoes; or
- (c) Soft Fruit – those grown outdoors or under cover e.g. in glasshouses or polytunnel. Includes strawberries, raspberries, blackcurrants, blueberries and all rabes and rubus

- species; or
- (d) Top Fruit (Orchard Fruit) - trees that bear fruit e.g. apples, plums, cherries, apricots; or
  - (e) Vine and Bines – both twining or climbing flexible stems of certain plants, e.g. hops is a bine, and grapes is a vine; or
  - (f) Mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species (typically grown indoors).

SAW 4.5. The Certificate of Sponsorship must confirm that the role conforms with all relevant legislation, such as the National Minimum Wage Act 1998, the relevant Agricultural Wages Order rate where this applies, and the Working Time Regulations.

### **Financial requirement for a Seasonal Worker**

SAW 5.1. Either:

- (a) the applicant must show they have funds of at least £1,270; or
- (b) the sponsor must certify 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 at least the amount of £1,270.

SAW 5.2. If SAW 5.1.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on an application as a Seasonal Worker**

SAW 6.1. If the decision maker is satisfied that all the eligibility and suitability requirements for a Seasonal Worker are met, the application will be granted, otherwise the application will be refused.

SAW 6.2. If the application is refused, the person can apply for Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for a Seasonal Worker**

SAW 7.1. The applicant will be granted permission for either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and after; or
- (b) a maximum period of 6 months stay in the UK in any 12-month period, whichever is shorter.

SAW 7.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work permitted only in the role the applicant is being sponsored for; 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 T5 (Temporary Worker) Youth Mobility Scheme**

*The Youth Mobility Scheme provides a cultural exchange programme that allows a person aged between 18 and 30, from participating countries and territories, to experience life in the UK for up to 2 years.*

*Dependants are not eligible to apply on this route.*

*The Youth Mobility Scheme route is not a route to settlement.*

### **Validity requirements for the Youth Mobility Scheme route**

YMS 1.1. A person applying for entry clearance under the Youth Mobility Scheme route must apply online on gov.uk on the specified form “Tier 5 (Temporary Worker) visa – Youth Mobility Scheme”.

YMS 1.2. An application for entry clearance on the Youth Mobility Scheme 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 have been issued with a Certificate of Sponsorship no more than 3 months before the date of application.

YMS 1.3. The applicant must be one of the following:

- (a) a British Overseas Citizen, British Overseas Territories Citizen or British National (Overseas); or
- (b) a national of a country or the holder of a passport issued by a territory, listed in Annex Youth Mobility Scheme: eligible nationals.

YMS 1.4. The applicant must be aged 30 or under on the date of application.

YMS 1.5. An application which does not meet all the validity requirements for the Youth Mobility Scheme route is invalid and may be rejected and not considered.

### **Suitability requirements for the Youth Mobility Scheme**

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

### **Eligibility requirements for the Youth Mobility Scheme**

#### **Entry requirement for the Youth Mobility Scheme**

YMS 3.1. A person seeking to come to the UK on the Youth Mobility Scheme route must apply for and obtain an entry clearance under the Youth Mobility Scheme route before their arrival in the UK.

YMS 3.2. A person applying for entry clearance on the Youth Mobility Scheme 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.

YMS 3.3. The applicant must not have previously spent time in the UK on the Youth Mobility Scheme route.

YMS 3.4. The applicant must be aged 18 or over on the date their entry clearance will become valid.

### **Financial requirement for the Youth Mobility Scheme**

YMS 4.1. The applicant must have funds of £ 2,530.

YMS 4.2. The applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

YMS 4.3. The applicant must not have any children aged under 18 who are either living with them or financially dependent upon them.

### **Sponsorship requirement for the Youth Mobility Scheme**

YMS 5.1. The applicant must be sponsored by their country of citizenship or the territory of which they are a rightful passport holder as follows:

- (a) if the applicant is a citizen of a country, or the rightful holder of a passport issued by a territory, that does not have Deemed Sponsorship Status, as set out in Appendix Youth Mobility Scheme: eligible nationals, the applicant must provide a Certificate of Sponsorship issued by that country or territory and must apply from that country or territory; or
- (b) if the applicant is a citizen of a country, or the rightful holder of a passport issued by a territory, that has Deemed Sponsorship Status the applicant's passport must be provided as evidence of sponsorship and the application may be made at any post worldwide which accepts such applications.

YMS 5.2. Where the applicant is a national of a country whose annual allocation of places available under this route is subject to invitation to apply arrangements operated in accordance with Appendix Youth Mobility Scheme: eligible nationals, the applicant must have been:

- (a) issued with an invitation to apply; and
- (b) have made their application within the period of time specified on the invitation.

YMS 5.3. The Certificate of Sponsorship must not have been cancelled by the country or territory since it was issued.

YMS 5.4. The country or territory which sponsored the applicant must not have reached its total annual allocation as set out in Appendix Youth Mobility Scheme: eligible nationals.

### **Decision on application for the Youth Mobility Scheme**

YMS 6.1. If the decision maker is satisfied that all the eligibility and suitability requirements are met for the Youth Mobility Scheme route, the application will be granted, otherwise the application will be refused.

YMS 6.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and condition of grant for the Youth Mobility Scheme**

YMS 7.1. The applicant will be granted permission for up to 2 years.

YMS 7.2. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work permitted, subject to YMS 7.3; 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.

YMS 7.3. Work is permitted subject to the following employment conditions:

- (a) no employment as a professional sportsperson (including as a sports coach); and
- (b) no self-employment, except where the following conditions are met:
  - (i) the person has no premises which they own, other than their home, from which they carry out their business; and
  - (ii) the total value of any equipment used in the business does not exceed £5,000; and
  - (iii) the person has no employees.

## **Appendix Youth Mobility Scheme: eligible nationals**

### **Countries and Territories participating in the T5 (Temporary Worker) Youth Mobility Scheme and annual allocation of places for 2020**

1.Places available for use by Countries and Territories with Deemed Sponsorship Status in 2020 are:

- Australia - 30,000 places
- New Zealand - 13,000 places
- Canada - 5,000 places
- Japan - 1,000 places
- Monaco - 1,000 places
- Taiwan - 1,000 places
- Hong Kong - 1,000 places
- Republic of Korea - 1,000 places

2.Places available for use by Countries and Territories without Deemed Sponsorship Status for 2020 are:

- San Marino - 1,000 places

3. Invitation to apply arrangements: In order to effectively and efficiently manage the release of the above allocations, the Home Office will operate the arrangements set out in paragraph 4 below, known as invitation to apply arrangements, in relation to the allocation of places available for use by nationals of the following countries with Deemed Certificate of Sponsorship Status:

- Japan
- Taiwan
- Hong Kong
- Republic of Korea

4. Under these arrangements:

- (a) a prospective applicant must submit an expression of interest in applying for entry clearance under the Youth Mobility Scheme relevant allocation (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, except that where the number of expressions of interest received in a calendar year exceeds the allocations specified above, the total number of invitations to apply in a calendar year shall not be less than the annual allocations specified above; and
  - (iii) place a time limit on the validity of an invitation to apply.

5. Annual quota arrangements: In order to ensure the continuity of the scheme, in the event that available places cannot be agreed for the purpose of annual renewal, either 1,000 or 50% of the previous year's places, or whichever is the greater, will automatically carry over into the next year.

#### **Appendix T5 (Temporary Worker) Religious Worker**

*The Religious Worker route is for a person who wants to support the activities of religious institutions in the UK by conducting religious work such as working in a religious order or undertaking non-pastoral work for a religious organisation.*

*A dependent partner and dependent children can apply under this route.*

*A Minister of Religion must apply under the T2 Minister of Religion route if their engagement in the UK involves leading a congregation in performing rites, rituals and preaching the essentials of the creed as its core duties.*

*The maximum time that can be spent in the UK on this route is 2 years. It is not a route to settlement.*

#### **Validity Requirements for a Religious Worker**

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

- (a) for entry clearance, form "Tier 5 (Temporary Worker) visa – Religious Worker"; or
- (b) for permission to stay, form "Tier 5 (Temporary Worker) leave to remain".

RW 1.2. An application for entry clearance or permission to stay as 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 have a Certificate of Sponsorship from a Sponsor that was issued to them no more than 3 months before the date of application.

RW 1.3. An applicant who is applying for permission to stay must have, or have last been granted, permission as a Religious Worker.

RW 1.4. An application which does not meet the validity requirements for a Religious Worker is invalid and may be rejected and not considered.

### **Suitability Requirements for a Religious Worker**

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

RW 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 Religious Worker**

#### **Entry requirements for a Religious Worker**

RW 3.1. A person seeking to come to the UK on the Religious Worker route must apply for and obtain entry clearance as a Religious Worker before they arrive in the UK.

RW 3.2. A person applying for entry clearance as Religious 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.

RW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application, unless they can show they were not in the UK at any time during those 12 months.

#### **Genuineness requirement for Religious Worker**

RW 4.1. 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 by paragraph RW 10.3.

#### **Sponsorship requirement for a Religious Worker**

RW 5.1. 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 Religious Worker and is applying to continue working for the same sponsor as in their last permission.

RW 5.2. The Certificate of Sponsorship must 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).

RW 5.3. The sponsor must not have withdrawn the job offer since the Certificate of Sponsorship was issued.

RW 5.4. The Certificate of Sponsorship must include all the following:

- (a) confirmation of the applicant's name and that they are being sponsored as a Religious Worker; and
- (b) confirmation that the role meets the requirements at RW 6.1; and
- (c) an outline of the duties involved in the role; and
- (d) confirmation of whether the applicant is a member of the sponsor's order, if the sponsor is a religious order; and
- (e) confirmation that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role; and
- (f) confirmation that the pay complies with or is exempt from National Minimum Wage Act 1998; and
- (g) details of the pay for the role; and
- (h) confirmation that the requirements of the Resident Labour Market Test, as set out in RW 5.5, in respect of the job, have been complied with, or that the applicant is applying for permission to stay and the Sponsor is the same Sponsor as in their last grant of permission as a Religious Worker.

RW 5.5. The requirements of the Resident Labour Market Test are:

- (a) that the role is supernumerary, such that it is over and above the Sponsor's normal staffing requirements and if the person filling the role was not there, it would not need to be filled by anyone else (with a full explanation of why it is supernumerary); or
- (b) that the role involves living mainly within and being a member of a religious order, which must be a lineage of communities or of people who live in some way set apart from society in accordance with their specific religious devotion, for example an order of nuns or monks; or
- (c) that the Sponsor holds national records of all available individuals, details of those records and confirms that the records show that no suitable settled worker is available to fill the role; or
- (d) that a national recruitment search was undertaken, and the following details are provided:
  - (i) where the role was advertised, which must be at least one of the following:
    - (1) a national form of media appropriate to the Sponsor's religion or denomination; or
    - (2) the Sponsor's own website, if that is how the Sponsor usually reaches out to its community on a national scale, that is where it normally advertises vacant positions, and the pages containing the advertisement are free to view without paying a subscription fee or making a donation; or
    - (3) Jobcentre Plus (or in Northern Ireland, Job Centre Online) or in the employment section of a national newspaper, if there is no suitable national form of media appropriate to the Sponsor's religion or denomination; and
  - (ii) any reference numbers of the advertisements; and
  - (iii) the period the role was advertised for, which must include at least 28 days during the 6 month period immediately before the date the Sponsor assigned the Certificate of Sponsorship to the applicant; and
  - (iv) confirmation that no suitable settled workers are available to be recruited for the role.

### **Religious work requirement**

RW 6.1. The role the applicant is applying for must meet all the following requirements:

- (a) the role must involve performing religious duties within, or directed by, the sponsor's organisation to support the activities of the religious institution; and
- (b) the religious duties must not include work which falls under a role of a Minister of Religion (which means the applicant must not have core duties of leading a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed).

### **Financial Requirement for a Religious Worker**

RW 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.

RW 7.2. If the applicant is applying for entry clearance or is applying for permission to stay and 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) 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.

RW 7.3. If RW 7.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for a Religious Worker**

RW 8.1. If the applicant is aged under 18 on the date of application they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

RW 8.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application for a Religious Worker**

RW 9.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Religious Worker route are met, the application will be granted, otherwise the application will be refused.

RW 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 for a Religious Worker**

RW 10.1. If the application was for entry clearance, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and after;
- or

(b) 24 months,  
whichever is shorter.

RW 10.2. If the application was for permission to stay, the applicant will be granted either

- (a) the period of the role on the Certificate of Sponsorship plus 14 days; or
- (b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Religious Worker and 24 months,  
whichever is shorter.

RW 10.3. The grant will be subject to all the following conditions:

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

### **Dependants of a T5 (Temporary Worker) Religious Worker**

#### **Validity requirements for the dependent partner or dependent child on the Religious Worker route**

RW 11.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the Religious Worker route must apply online on the gov.uk website on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the T5 (Temporary Worker) leave to remain form. If applying separately: <ul style="list-style-type: none"><li>• Dependant partner</li><li>• Dependant child</li></ul>

RW 11.2. An application for entry clearance or permission to stay as a dependent partner or child on the Religious Worker 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.

RW 11.3. An applicant who is in the UK on the date of application 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.

RW 11.4. An applicant who is applying as a dependent partner must be aged 18 or over on the date of application.

RW 11.5. An application which does not meet all the validity requirements for a partner or child on the Religious Worker route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child on the Religious Worker route**

RW 12.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

RW 12.2. 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 and dependent child on the Religious Worker route**

#### **Entry requirement for a dependent partner and dependent child on the Religious Worker route**

RW 13.1. A person seeking to come to the UK as a partner or child on the Religious Worker route must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

RW 13.2. A person applying for entry clearance as a partner or child on the Religious Worker 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 dependent partner on the Religious Worker route**

RW 14.1. The applicant must be the partner of a person (P) and one of the following must apply:

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

RW 14.2. If the applicant and the Religious Worker 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 the Religious Worker with another person must have permanently broken down; and
- (c) the applicant and the Religious Worker must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

RW 14.3. The relationship between the applicant and the Religious Worker must be genuine and subsisting.

RW 14.4. The applicant and the Religious Worker must intend to live together throughout the applicant's stay in the UK.

**Relationship requirement for a dependent child on the Religious Worker route**

RW 15.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a Religious Worker; or
- (b) as the partner of a Religious Worker.

RW 15.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission as a Religious Worker or as the partner of a Religious Worker is the sole surviving parent; or
- (b) the parent applying for or with permission as a Religious Worker or as the partner of a Religious Worker has sole responsibility for the child's upbringing; or
- (c) 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 Religious Worker route.

RW 15.3. If the applicant does not meet the requirement at RW 15.2. they must have been born during the Religious Worker's or their partner's current period of permission and must provide a full birth certificate showing the names of both parents.

**Care requirement for a dependent child on the Religious Worker route**

RW 16.1. If the applicant is under the age of 18 years 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.

**Age requirement for a dependent child on the Religious Worker route**

RW 17.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as a dependent child of the parent who has, or is applying for, entry clearance or permission to stay as a Religious Worker (regardless of the route under which the parent had permission at the time the child's last permission was granted).

RW 17.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

**Financial requirement for a dependent partner or dependent child on the Religious Worker route**

RW 18.1. 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.

RW 18.2. If an applicant is applying for entry clearance, or has been in the UK for less than 12 months at the date of application, either:

- (a) the applicant or the Religious Worker must have funds of at least:
  - (i) £285 for a dependent partner in the UK or applying to come to the UK; and
  - (ii) £315 for the first child in the UK or applying to come to the UK; and
  - (iii) £200 for each additional child in the UK or applying to come to the UK; or
- (b) the Sponsor of the Religious Worker must confirm they will, if necessary, maintain

and accommodate the applicant for at least the amount in RW 18.2. (a).

RW 18.3. The funds must be in addition to the funds required for the Religious Worker to meet the financial requirement and the funds required for any other dependants applying at the same time or already in the UK as a dependant of the Religious Worker.

RW 18.4. If RW18.2. (a) applies, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a dependent partner and dependent child on the Religious Worker route**

RW 19.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependant on the Religious Worker route are met, the application will be granted, otherwise the application will be refused.

RW 19.2. 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 dependent partner and dependent child on the Religious Worker route**

RW 20.1. A dependent partner will be granted permission which ends on the same date as their partner's permission on the Religious Worker route.

RW 20.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

RW 20.3. 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 T5 (Temporary Worker) Charity Worker**

*The Charity Worker route is for a person who wants to come to the UK to do voluntary work for no more than 12 months.*

*A dependent partner and dependent children can apply on this route.*

*The Charity Worker route is not a route to settlement.*

### **Validity Requirements for a Charity Worker**

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

- (a) for entry clearance, form "Tier 5 (Temporary Worker) visa – Charity Worker"; or



(b) for permission to stay, form “Tier 5 (Temporary Worker) leave to remain”.

CW 1.2. An application for entry clearance or permission to stay as 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 have a Certificate of Sponsorship that was issued to them no more than 3 months before the date of application.

CW 1.3. An applicant who is applying for permission to stay must have, or have last had, permission as a Charity Worker.

CW 1.4. An application which does not meet the validity requirements for a Charity Worker is invalid and may be rejected and not considered.

### **Suitability Requirements for a Charity Worker**

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

CW 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 Charity Worker**

#### **Entry requirements for a Charity Worker**

CW 3.1. A person seeking to come to the UK on the Charity Worker route must have applied for and obtained entry clearance as a Charity Worker before they arrive in the UK.

CW 3.2. A person applying for entry clearance as a Charity 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.

CW 3.3. An applicant for entry clearance must not have had permission as a Religious Worker or Charity Worker at any time during the 12 months immediately before the date of application unless they can show they were not in the UK at any time during those 12 months.

#### **Sponsorship requirement for a Charity Worker**

CW 4.1. 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 Charity Worker and is applying to continue working for the same sponsor as in their last permission.

CW 4.2. The date of application must be no more than 3 months before the start date of the charity work, as stated in the Certificate of Sponsorship.

CW 4.3. The Certificate of Sponsorship must 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).

CW 4.4. The sponsor must not have withdrawn the offer of charity work since the Certificate of Sponsorship was issued.

CW 4.5. The Certificate of Sponsorship must include confirmation that the role meets the requirement at CW 6.1.

### **Genuineness requirement for a Charity Worker**

CW 5.1. 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 by paragraph CW 10.3.

### **Voluntary work requirement for a Charity Worker**

CW 6.1. The charity work the applicant is applying to do must meet all the following requirements:

- (a) it is voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose; and
- (b) it must be voluntary work and not be paid or otherwise remunerated, including receipt of benefits in kind, except for reasonable expenses as defined in the National Minimum Wage Act 1998; and
- (c) the applicant must not be filling a permanent position, including on a temporary basis.

### **Financial Requirement for a Charity Worker**

CW 7.1. 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.

CW 7.2. If CW 7.1.(a) applies the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for a Charity Worker**

CW 8.1. If the applicant is aged under 18 they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

CW 8.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application for a Charity Worker**

CW 9.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Charity Worker route are met, the application will be granted, otherwise the application will be refused.

CW 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 for a Charity Worker**

CW 10.1. If the application is for entry clearance, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and after; or
  - (b) 12 months,
- whichever is shorter.

CW 10.2 If the application is for permission to stay, the applicant will be granted either

- (a) the period of the role on the Certificate of Sponsorship plus 14 days; or
  - (b) the difference between the period the applicant has already spent in the UK since their last grant of permission as a Charity Worker and 12 months,
- whichever is shorter.

CW 10.3. The grant will be subject to all the following conditions:

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

**Dependants on the Charity Worker route**

**Validity requirements for the dependent partner or child on the Charity Worker route**

CW 11.1. A person applying for entry clearance or permission to stay as a dependent partner or child on the Charity Worker route 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 main applicant, they can be added to the T5 (Temporary Worker) leave to remain form. If applying separately: <ul style="list-style-type: none"> <li>• Dependant partner</li> <li>• Dependant child</li> </ul>

CW 11.2. An application for entry clearance or permission to stay as a dependent partner or child on the Charity Worker 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.

CW 11.3. An applicant who is 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.

CW 11.4. An applicant who is applying as a dependent partner must be aged 18 or over on the date of application.

CW 11.5. An application which does not meet the validity requirements is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or dependent child on the Charity Worker route**

CW 12.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CW 12.2. 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 and child of a person on the Charity Worker route**

#### **Entry requirement for a dependent partner and child of a person on the Charity Worker route**

CW 13.1. A person seeking to come to the UK as a partner or child on the Charity Worker route must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

CW 13.2. A person applying for entry clearance as a partner or child on the Charity Worker 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 dependent partner on the Charity Worker route**

CW 14.1. The applicant must be the partner of a person (P) and one of the following must apply:

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

CW 14.2. If the applicant and the Charity Worker 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 the Charity Worker with another person must have permanently broken down; and
- (c) the applicant and the Charity Worker must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

CW 14.3. The relationship between the applicant and the Charity Worker must be genuine and subsisting.

CW 14.4. The applicant and the Charity Worker must intend to live together throughout the applicant's stay in the UK.

**Relationship requirement for a dependent child on the Charity Worker route**

CW 15.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a Charity Worker; or
- (b) as a partner of a Charity Worker.

CW 15.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission as a Charity Worker or as the partner of a Charity Worker is the sole surviving parent; or
- (b) the parent applying for or with permission as a Charity Worker or as the partner of a Charity Worker has sole responsibility for the child's upbringing; or
- (c) 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 Charity Worker route.

CW 15.3. If the applicant does not meet the requirement at CW 15.2. they must have been born during the Charity Worker's or their partner's current period of permission and must provide a full birth certificate showing the names of both parents.

**Care requirement for a dependent child of a person on the Charity Worker route**

CW 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 legislation and regulations.

**Age requirement for a dependent child of a person on the Charity Worker route**

CW 17.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as a dependent child of the parent who has or is applying for entry clearance or permission to stay as a Charity Worker (regardless of the route under which the parent had permission at the time the child's last permission was granted).

CW 17.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

**Financial requirement for a dependent partner or dependent child on the Charity Worker route**

CW 18.1. 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.

CW 18.2. If an applicant is applying for entry clearance, or has been in the UK for less than 12 months at the date of application, either:

- (a) the applicant or the Charity Worker must have funds of at least:
  - (i) £285 for a dependent partner in the UK or applying to come to the UK; and
  - (ii) £315 for the first child in the UK or applying to come to the UK; and
  - (iii) £200 for each additional child in the UK or applying to come to the UK; or
- (b) the Sponsor of the Charity Worker must confirm they will, if necessary, maintain and accommodate the dependent partner and dependent child for at least the sum in 18.2.(a).

CW 18.3. The funds must be in addition to the funds required for the Charity Worker to meet the financial requirement and the funds required for any dependant of the Charity Worker who is applying at the same time or is already in the UK as their dependant.

CW 18.4. If 18.2.(a) applies the funds must have held for a 28-day period and as specified in Appendix Finance.

### **Decision on application as a dependent partner or child of a person on the Charity Worker route**

CW 19.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependant on the Charity Worker route are met the application will be granted, otherwise the application will be refused.

CW 19.2. 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 dependent partner or child of a person on the Charity Worker route**

CW 20.1. A dependent partner will be granted permission which ends on the same date as their partner's permission on the Charity Worker route.

CW 20.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CW 20.3. The grant will be subject to the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is 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 T5 (Temporary Worker) Creative or Sporting Worker**

*The Creative or Sporting Worker route is for a person who wants to work within the creative or sporting sector.*

*A person can be granted permission for up to 12 months initially. A Creative Worker can apply to extend their stay up to a maximum of 24 months if they are still working for the same sponsor.*

*A Creative Worker is someone who can make a unique contribution to the UK's rich cultural life, for example, as an artist, dancer, musician or entertainer, or as a model contributing to the UK's fashion industry.*

*A Sporting Worker is someone who can make a significant contribution to their sport at the highest level in the UK.*

*A dependent partner and dependent children can apply on this route.*

*The Creative or Sporting Worker route is not a route to settlement.*

### **Validity Requirements for the Creative or Sporting Worker route**

CSP 1.1. A person applying for entry clearance or permission to stay as a Creative or Sporting Worker must apply online on gov.uk on the specified form as follows:

- (a) for entry clearance, form "Tier 5 (Temporary Worker) visa – Creative and Sporting";  
or
- (b) for permission to stay, form "Tier 5 (Temporary Worker) leave to remain".

CSP 1.2. An application for entry clearance or permission to stay as a Creative or Sporting 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 no more than 3 months before the date of application.

CSP 1.3. An applicant who is applying for permission to stay must be in the UK and must have, or have last had:

- (a) entry clearance or permission to stay on the T5 (Temporary Worker) Creative or Sporting Worker route; or
- (b) permission as a standard visitor who has been in the UK undertaking permitted activities in the sports or creative sectors where the applicant had been assigned the Certificate of Sponsorship in CSP 1.2(d) before they entered the UK.

CSP 1.4. An application which does not meet the validity requirements is invalid and may be rejected and not considered.

### **Suitability Requirements for a Creative or Sporting Worker**

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

CSP 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 Creative or Sporting Worker**

### **Entry requirements for a Creative or Sporting Worker**

CSP 3.1. A person seeking to come to the UK on the Creative or Sporting Worker route must apply for and obtain entry clearance on the Creative or Sporting Worker route before they arrive in the UK except where CSP 3.2 applies.

CSP 3.2. A person arriving in the UK and seeking entry as a Creative or Sporting Worker and who does not have a valid entry clearance on that route may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (b) the applicant has a valid Certificate of Sponsorship from an approved sponsor for the T5 (Temporary Worker) Creative or Sporting Worker route; and
- (c) if the applicant is a sportsperson, the sponsor must also have had an endorsement for the applicant from the appropriate governing body under Appendix M before assigning the Certificate of Sponsorship; and
- (d) if the applicant has consecutive engagements, the total length of all the periods of engagement, together with any gap between those engagements, is 3 months or less,
- (e) if the applicant does not have consecutive engagements, the total length of period of engagement, or engagements, is 3 months or less; and
- (f) the person otherwise meets the requirements to be granted permission as a Creative or Sporting Worker.

CSP 3.3. A person applying for entry clearance as a Creative or Sporting 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.

### **Sponsorship requirement for a Creative or Sporting Worker**

CSP 4.1. If the applicant is a Creative Worker, the sponsor must ensure that:

- (a) the applicant complies with their relevant Code of Practice under Appendix T5 Creative Workers Codes of Practice, where one exists for their occupation; or
- (b) the role appeared in the shortage occupation list in Appendix Shortage Occupation Lists; or
- (c) before assigning the Certificate of Sponsorship, the sponsor took into account the needs of the resident labour market in that field and was satisfied that the work could not be carried out by a settled worker.

CSP 4.2. If the applicant is a Sporting Worker, the sponsor must have an endorsement for the applicant from the appropriate governing body under Appendix M before assigning the Certificate of Sponsorship which confirms both:

- (a) the player or coach is internationally established at the highest level and/or will make a significant contribution to the development of their sport at the highest level in the UK; and
- (b) the role could not be filled by a settled worker.

CSP 4.3. 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 Creative or Sporting Worker and is applying to continue working for the same sponsor as in their last permission.

CSP 4.4. The date of application must be no more than three months before the start date of the role as stated by the Certificate of Sponsorship.

CSP 4.5. The Certificate of Sponsorship must 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).

CSP 4.6. The sponsor must not have withdrawn the job offer since the Certificate of Sponsorship was issued.

CSP 4.7. The Certificate of Sponsorship must include all the following:

- (a) confirmation that the role meets the relevant requirements at CSP 4.1. or CSP 4.2; and
- (b) an outline of the duties involved in the role.

CSP 4.8. If the Certificate of Sponsorship records that the applicant is being sponsored for more than one engagement by the same sponsor, there must be no more than 14 days between each individual engagement.

CSP 4.9. If the applicant has consecutive engagements, each sponsor must assign its own Certificate of Sponsorship to the applicant, and each Certificate of Sponsorship must meet the requirements in CSP 4.1. to CSP 4.8.

### **Genuineness requirement for a Creative or Sporting Worker**

CSP 5.1. 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 CSP 9.5.

### **Financial Requirement for a Creative or Sporting Worker**

CSP 6.1. 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.

CSP 6.2. If the applicant is applying for entry clearance, or is applying for permission to enter under CSP 3.2, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must show they 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.

CSP 6.3. If CSP 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for a Creative or Sporting Worker aged under 18**

CSP 7.1. If the applicant is aged under 18 at the date of application they must have written

consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

CSP 7.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application for a Creative or Sporting Worker**

CSP 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Creative or Sporting Worker route are met, the application will be granted, otherwise the application will be refused.

CSP 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 as a Creative or Sporting Worker**

CSP 9.1. If the application is for entry clearance, the applicant will be granted:

- (a) a period starting 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the role on the Certificate of Sponsorship plus 14 days before and after, if the applicant does not have consecutive engagements; or
- (c) 12 months,

whichever is shorter.

CSP 9.2. If the application is for permission to enter, in accordance with CSP 3.2, the applicant will be granted permission to enter for:

- (a) a period starting up to 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the role on the Certificate of Sponsorship plus up to 14 days before and 14 days after, if the applicant does not have consecutive engagements; or
- (c) 3 months,

whichever is shorter.

CSP 9.3. Unless CSP 9.4. applies, if the application is for permission to stay, the applicant will be granted:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the role on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) the difference between the period the applicant has already spent in the UK as a Creative or Sporting Worker and 12 months,

whichever is shorter.

CSP 9.4. If the applicant is applying for permission to stay as a Creative Worker and the sponsor is the same sponsor as in the application which led to the applicant's last grant of permission, the applicant will be granted:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the role on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) 12 months; or
- (d) the difference between the period the applicant has already spent in the UK as a Creative or Sporting Worker and 24 months, whichever is shorter.

CSP 9.5. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role(s) the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) for a Sporting Worker the following work is also permitted:
  - (i) employment for their national team while that team is in the UK; and
  - (ii) playing in British University College Sport competitions; and
  - (iii) temporary engagement as a sports broadcaster providing guest expert commentary on a particular sporting event; and
- (e) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (f) if Part 10 applies, the applicant will be required to register with the police.

### **Dependants on the Creative or Sporting Worker route**

#### **Validity requirements for the dependent partner or child on the Creative or Sporting Worker route**

CSP 10.1. A person applying for entry clearance or permission to stay as a dependent partner or child on the Creative or Sporting Worker route must apply online on the gov.uk website on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the T5 (Temporary Worker) leave to remain form. If applying separately: <ul style="list-style-type: none"> <li>• Dependant partner</li> <li>• Dependant child</li> </ul>

CSP 10.2. An application for entry clearance or permission to stay as a partner or child on the Creative or Sporting Worker 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.

CSP 10.3. An applicant who is applying for permission to stay must be in the UK on the date of application 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.

CSP 10.4. An applicant who is applying as a dependent partner must be aged 18 or over on the date of application.

CSP 10.5. An application which does not meet the validity requirements for a dependent partner or child on the Creative or Sporting Worker route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or child on the Creative or Sporting Worker route**

CSP 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CSP 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 dependent partner or child on the Creative or Sporting Worker route**

#### **Entry requirement for a dependent partner or child on the Creative or Sporting Worker route**

CSP 12.1. A person seeking to come to the UK as a partner or child on the Creative or Sporting Worker route must apply for and obtain entry clearance as a partner or dependent child before they arrive in the UK unless CSP 12.2. applies.

CSP 12.2. A person arriving in the UK and seeking entry as a partner or child on the Creative or Sporting Worker route who does not have a valid entry clearance may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (b) the applicant is seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CSP 3.2.; and
- (c) the applicant meets the requirements to be granted permission as a partner or child on the Creative or Sporting Worker route.

CSP 12.3. A person applying for entry clearance as a partner or child of a Creative or Sporting 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 requirements for a dependent partner on the Creative or Sporting Worker route**

CSP 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 Creative or Sporting Worker; or
- (b) P is, at the same time, applying for (and is granted) permission as a Creative or Sporting Worker.

CSP 13.2. If the applicant and the Creative or Sporting Worker 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 the Creative or Sporting Worker with another person must have permanently broken down; and
- (c) the applicant and the Creative or Sporting Worker must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

CSP 13.3. The relationship between the applicant and the Creative or Sporting Worker must be genuine and subsisting.

CSP 13.4. The applicant and the Creative or Sporting Worker must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the Creative or Sporting Worker route**

CSP 14.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a Creative or Sporting Worker; or
- (b) as the partner of a Creative or Sporting Worker.

CSP 14.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission as a Creative or Sporting Worker or as the partner of a Creative or Sporting Worker is the sole surviving parent; or
- (b) the parent applying for or with permission as a Creative or Sporting Worker or as the partner of a Creative or Sporting Worker has sole responsibility for the child's upbringing; or
- (c) 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 Creative or Sporting Worker route.

CSP 14.3. If the applicant does not meet the requirement at CSP 14.2. they must have been born during the Creative or Sporting Worker's or their partner's current period of permission and must provide a full birth certificate showing the names of both parents.

#### **Care requirement for a dependent child of a person on the Creative or Sporting Worker route**

CSP 15.1. 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.

#### **Age requirement for a dependent child of a person on the Creative or Sporting Worker route**

## **route**

CSP 16.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of the parent who has or is applying for entry clearance or permission to stay as a Creative or Sporting Worker (regardless of the route under which the parent had permission at the time the child's last permission was granted).

CSP 16.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

## **Financial requirement for a dependent partner or dependent child on the Creative or Sporting Worker route**

CSP 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.

CSP 17.2. If an 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 or the Creative or Sporting Worker must have funds of at least:
  - (i) £285 for a dependent partner in the UK or applying to come to the UK; and
  - (ii) £315 for the first child in the UK or applying to come to the UK; and
  - (iii) £200 for each additional child in the UK or applying to come to the UK; or
- (b) The A-rated Sponsor of the Creative or Sporting Worker must confirm they will, if necessary, maintain and accommodate the dependent partner and dependent child for at least the amount in CSP 17.2. (a).

CSP 17.3. The funds must be in addition to the funds required for the Creative or Sporting Worker to meet the financial requirement and the funds required for any dependant of the Creative or Sporting Worker who is applying at the same time or is already in the UK as a dependant of the Creative or Sporting Worker.

CSP 17.4. If CSP 17.2. (a) applies the funds must have been held for a 28-day period and as specified in Appendix Finance.

## **Decision on application for a dependent partner or child of a person on the Creative or Sporting Worker route**

CSP 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependent partner or child on the Creative or Sporting Worker route are met, the application will be granted, otherwise the application will be refused.

CSP 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 dependent partner or child of a person on the Creative or Sporting Worker route**

CSP 19.1. A dependent partner will be granted permission which ends on the same date as the Creative or Sporting Worker's permission.

CSP 19.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

CSP 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 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 T5 (Temporary Worker) International Agreement Worker**

*The International Agreement Worker 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, employees of overseas governments and international organisations, or under the General Agreement on Trade in Services (GATS) or another agreement under which the UK has commitments.*

*A person on the International Agreement Worker route can stay for a maximum period of between 6 months and 2 years depending on the international agreement.*

*A dependent partner and dependent children can apply on this route.*

*A person who wants to come to the UK under GATS intra-company transfer commitments must apply under the Intra-Company routes.*

*The International Agreement route is not a route to settlement.*

### **Validity Requirements for the International Agreement Worker route**

IA 1.1. A person applying for entry clearance or permission to stay as an International Agreement Worker must apply online on gov.uk on the specified form as follows:

- (a) for entry clearance, form “Tier 5 (Temporary Worker) visa – International Agreement”; or
- (b) for permission to stay, form “Tier 5 (Temporary Worker) leave to remain”.

IA 1.2. An application for entry clearance or permission to stay as an International Agreement 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 from an approved Sponsor that was issued to them no more than 3 months before the date of application.

IA 1.3. An applicant who is applying for permission to stay must be in the UK on the date of application and must have, or have last had, permission as an International Agreement Worker.

IA 1.4. The date of application must be no more than three months before the start date of the role stated in the Certificate of Sponsorship.

IA 1.5. An application which does not meet all the validity requirements for an International Worker is invalid and may be rejected and not considered.

### **Suitability Requirements for an International Agreement Worker**

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

IA 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 an International Agreement Worker**

#### **Entry requirement for an International Agreement Worker**

IA 3.1. A person seeking to come to the UK on the International Agreement Worker route must apply for and obtain entry clearance as an International Agreement Worker before they arrive in the UK.

IA 3.2. A person applying for entry clearance as an International Agreement 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.

#### **Sponsorship requirement for an International Agreement Worker**

IA 4.1 The Certificate of Sponsorship must have been issued by a sponsor who:

- (a) is listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as an International Agreement Worker and is applying to continue working for the same sponsor as in their last permission; and
- (b) is still approved on the date on which the application is decided.

IA 4.2. The Certificate of Sponsorship must 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).

IA 4.3. The sponsor must not have withdrawn the job offer since the Certificate of Sponsorship was issued.

IA 4.4. The Certificate of Sponsorship must include confirmation that the role meets the relevant requirements at IA 6.1, depending on the role.

#### **Genuineness requirement for International Agreement Worker**

IA 5.1. The applicant must genuinely intend to, and be able to, undertake the role for which they are sponsored.

#### **International Agreement requirement**

IA 6.1. The role the applicant is applying to do must be as one of the following (and the applicant must also meet the specific requirements for that work):

- (a) a private servant in a diplomatic household; or



- (b) an employee of an overseas government or other international organisation established under an international treaty signed by UK; or
- (c) the work is under a contract to supply services to the sponsor in the UK by an overseas undertaking established in the territory of a party to the General Agreement on Trade in Services (GATS), or any other agreement (that has been concluded, and is in force), and that service falls within the scope of the commitments in that agreement on either:
  - (i) contractual service suppliers; or
  - (ii) independent professionals.

**Private servant in diplomatic household requirements**

IA 7.1. The applicant must be aged 18 years or over at the date of application.

IA 7.2. The applicant must be employed as a private servant by, and in the household of, either:

- (a) a named member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna Convention on Diplomatic Relations; or
- (b) a named official employed by an international organisation recognised by the UK government. with diplomatic privileges or immunities under UK or international law.

IA 7.3. Where the applicant had permission under the rules in place from 6 April 2012 and is applying to extend their permission they must:

- (a) be working for the same employer; and
- (b) have continued to work for that employer throughout their time in the UK with permission as a T5 Temporary Worker.

IA 7.4. The applicant must not intend to undertake any other role for the sponsor other than as a private servant in the specified household.

IA 7.5. The applicant must intend to work full time in the role they are being sponsored for.

IA 7.6. The applicant must not be a relative of the employer, or employer's spouse, either by blood or by marriage (including but not limited to, the spouse or unmarried partner, child, parent, grandparent or sibling of either the employer or the employer's spouse).

IA 7.7. The applicant must intend to leave the UK at the end of their permitted stay.

IA 7.8. The applicant must be paid at least the level of the national minimum wage throughout their stay.

IA 7.9. The applicant must provide the evidence of employment terms and conditions as set out in Appendix 7.

IA 7.10. The applicant must provide a signed statement from the sponsor confirming that the role will not constitute work done in relation to the employer's family household within the meaning of regulation 57 of the National Minimum Wage Regulations 2015.

**Employee of an overseas government or other international organisation requirement**

IA 8.1. The applicant must be under a contract of employment with the overseas government

or international organisation.

IA 8.2. The applicant must not intend to take any other form of role for the sponsor other than that for which the Certificate of Sponsorship was assigned.

### **Contractual Service Supplier requirement**

IA 9.1. The applicant must be employed by a service supplier that has been contracted to provide a service to the sponsor in the United Kingdom which falls within the scope of the sectors specified in the relevant commitments in respect of contractual service suppliers as set out in the agreements mentioned at paragraph IA 6.1.(c) above. The service supplier must:

- (a) not have a commercial presence in the UK; and
- (b) be established in the country or territory that is a signatory to the agreement under which they are supplying services.

IA 9.2. The sponsor must be the final consumer of the services provided under the contract.

IA 9.3. The services contract must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract. The period of the contract awarded to the applicant's employer must not exceed 12 months.

IA 9.4. The applicant must be a national of the country in which the overseas undertaking is established or, where the application is covered by a commitment in the General Agreement on Trade in Services and the overseas undertaking is established in a country which has made a notification under with Article XXVIII(k)(ii)(2) of that agreement, a permanent resident of that country.

IA 9.5. The applicant must have been an employee of the service supplier for at least 12 months immediately before the date of application.

IA 9.6. The applicant must provide evidence of the employment in IA 9.5 in the form of:

- (a) formal payslips from the employer and showing the employer's name; or
- (b) payslips accompanied by a letter from the applicant's employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic; or
- (c) personal bank or building society statements or building society book which cover the 12 months (ending no more than 31 days before the date of application) which show transactions by the service supplier covering the full specified period (but the statements must not be mini-statements obtained from an Automated Teller Machine).

IA 9.7. The applicant must show they have a university degree or equivalent level technical qualification unless they are supplying one of the following services in which case the qualification requirements in the following table apply:

<b>Services</b>	<b>Qualification</b>
Fashion and modelling	None required
Chef de cuisine	An advanced technical qualification
Entertainment services (excluding audio-visual services under the EU - CARIFORUM economic partnership agreement)	None required
management consulting services and	University degree

services related to management consulting (managers and senior consultants)	
Advertising or translation	Relevant qualifications
Technical testing and analysis	University degree or a relevant technical qualification

IA 9.8. The applicant must hold any professional qualifications or registrations required to provide the services under UK law, regulations or sectoral requirements.

IA 9.9. The applicant must have at least 3 years professional experience in the sector in which they are supplying services unless they are supplying chef de cuisine services under the EU – CARIFORUM economic partnership agreement, in which case the applicant must have at least 6 years relevant experience at the level of chef de cuisine.

IA 9.10. Where the applicant has last been granted entry clearance or permission as an International Agreement Worker, and is applying for permission to stay:

- (a) the applicant must meet the requirements in IA 9.1 to IA 9.9; or
- (b) the Certificate of Sponsorship must be issued by the same sponsor, and for the purpose of the same contract to provide services.

#### **Independent Professional requirement**

IA 10.1. The applicant must have been contracted to provide a service to the sponsor in the UK which falls within the scope of the sectors specified in the relevant commitments in respect of independent professionals as set out in the agreements mentioned at IA 6.1.(c) above. The applicant must:

- (a) not have a commercial presence in the UK; and
- (b) have established a business in the country or territory that is signatory to the agreement under which they are supplying services; and
- (c) be a national of that country.

IA 10.2. The sponsor must be the final consumer of the services provided under the contract.

IA 10.3. The services contract must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract. The period of the contract awarded to the independent professional must not exceed 12 months.

IA 10.4. The applicant must show they have a university degree or a technical qualification demonstrating knowledge of an equivalent level.

IA 10.5. The applicant must hold any professional qualifications or registrations required to provide the services under UK law, regulations or sectoral requirements.

IA 10.6. The applicant must have at least 6 years of experience in the sector in which they are supplying services.

IA 10.7 Where the applicant has last been granted entry clearance or permission as an International Agreement Worker, and is applying for permission to stay:

- (a) the applicant must meet the requirements in IA 10.1. to IA 10.6; or

- (b) the Certificate of Sponsorship must be issued by the same sponsor and for the purpose of the same contract to provide services.

### **Financial Requirement for an International Agreement Worker**

IA 11.1. 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.

IA 11.2. Where the applicant is applying for entry clearance or permission to stay and 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) 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.

IA 11.3. If IA 11.2. applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for an International Agreement Worker aged under 18**

IA 12.1. If the applicant is aged under 18 on the date of application they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

IA 12.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision on application as an International Agreement Worker**

IA 13.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the International Agreement Worker route are met, the application will be granted, otherwise the application will be refused.

IA 13.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Period and conditions of grant for an International Agreement Worker**

IA 14.1. If the application is for entry clearance as a contractual service supplier or independent professional, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
- (b) 6 months,

whichever is shorter (subject to IA 14.6.).

IA 14.2. If the application is for permission to stay as a contractual service supplier or independent professional, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14

days after that period; or  
(b) the difference between the period the applicant has already spent in the UK since their last grant of permission as an International Agreement Worker and 6 months, whichever is shorter (subject to IA 14.6.).

IA 14.3. If the application is for entry clearance as a private servant in a diplomatic household or employee of an overseas government or organisation, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
  - (b) 24 months,
- whichever is shorter.

IA 14.4. Unless IA 14.5. applies, if the application is for entry clearance or permission to stay as a private servant in a diplomatic household or employee of an overseas government or international organisation, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
  - (b) the difference between the period the applicant has already spent in the UK since their last grant of permission on a Tier 5 (Temporary Worker) route and 24 months,
- whichever is shorter.

IA 14.5. If the applicant is a private servant in a diplomatic household who has spent more than 3 years continuously in the UK as a T5 Temporary Worker and their application is for permission to stay, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period; or
  - (b) the difference between the period the applicant has already spent in the UK since their first grant of permission on a Tier 5 (Temporary Worker) route and 5 years,
- whichever is shorter.

IA 14.6. An applicant may not be granted permission as a contractual service supplier or independent professional for a total period of more than 6 months in any 12-month period (the relevant 12 months includes the period of permission the applicant is applying for).

IA 14.7. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted in the role the applicant is being sponsored for; and
- (c) supplementary employment is permitted only for a person being sponsored for a job as an employee of overseas governments or international organisations but not as:
  - (i) a private servant in a diplomatic household; or
  - (ii) a contractual service supplier; or
  - (iii) an independent professional; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies the applicant will be required to register with the police.

IA 14.8. If the applicant is being sponsored as a private servant in a diplomatic household, IA 14.7.(a) does not prevent them from taking employment as a domestic worker in a different household from the one specified in the Certificate of Sponsorship.

### **Settlement by a Private Servant in a diplomatic household**

### **Validity requirements for settlement by a Private Servant in a diplomatic household**

IA 15.1. A person applying for settlement as a Private Servant in a diplomatic household must apply online on the gov.uk website on the specified form “Settle in the UK in various immigration categories: form SET(O)”.

IA 15.2. 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.

IA 15.3. The applicant must have, or have last been granted, permission on the International Agreement Worker route as a private servant in a diplomatic household.

IA 15.4. An application which does not meet all the validity requirements for settlement as a Private Servant in a diplomatic household is invalid and may be rejected and not considered.

### **Suitability Requirements for settlement as a Private Servant in a diplomatic household**

IA 16.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 16.2. 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 Private Servant in a diplomatic household**

#### **Qualifying period requirement for settlement as a Private Servant in a diplomatic household**

IA 17.1. The applicant must have been granted their last entry clearance as an International Agreement Worker, working as a private servant in a diplomatic household under the rules in place before 6 April 2012.

IA 17.2. The applicant must have spent a continuous period of 5 years lawfully in the UK with entry clearance or permission as an International Agreement Worker, working as a private servant in a diplomatic household.

#### **Continuous residence requirement for settlement as a Private Servant in a diplomatic household**

IA 18.1. The applicant must meet the continuous requirement as specified in Appendix Continuous Residence during the period in IA 17.2.

#### **English language requirement for settlement as a Private Servant in a diplomatic household**

IA 19.1. 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.

IA 19.2. 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 Private Servant in a diplomatic household**

IA 20.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

**Decision on an application for settlement by Private Servant in a diplomatic household**

IA 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements for settlement as a Private Servant in a diplomatic household are met, the applicant will be granted settlement, otherwise the application will be refused.

IA 21.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

**Dependants on the International Agreement Worker route**

**Validity requirements for a dependent partner or child on the International Agreement Worker route**

IA 22.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the International Agreement Worker route must apply online on the gov.uk website on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the T5 (Temporary Worker) leave to remain form. If applying separately: <ul style="list-style-type: none"><li>• Dependant partner</li><li>• Dependant child</li></ul>

IA 22.2. An application for entry clearance or permission to stay as a partner or child on the International Agreement Worker 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.

IA 22.3. 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 had, 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.

IA 22.4. An applicant who is applying as a dependent partner must be aged 18 or over on the date of application.

IA 22.5. An application which does not meet the validity requirements is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or child on the International Agreement Worker route**

IA 23.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

IA 23.2. 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 and child on the International Agreement Worker route**

#### **Entry requirement for a dependent partner and dependent child on the International Agreement Worker route**

IA 24.1. A person seeking to come to the UK as a partner or child on the International Agreement Worker route must apply for and obtain an entry clearance as a partner or child before they arrive in the UK.

IA 24.2. A person applying for entry clearance as a partner or child on the International Agreement Worker 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 dependent partner on the International Agreement Worker route**

IA 25.1. The applicant must be the partner of a person (P) and one of the following must apply:

- (a) P has permission as an International Agreement Worker; or
- (b) P is, at the same time, applying for (and is granted) permission as an International Agreement Worker.

IA 25.2. If the applicant and the International Agreement Worker 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 the International Agreement Worker with another person must have permanently broken down; and



- (c) the applicant and the International Agreement Worker must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

IA 25.3. The relationship between the applicant and the International Agreement Worker must be genuine and subsisting.

IA 25.4. The applicant and the International Agreement Worker must intend to live together throughout the applicant's stay in the UK.

### **Relationship requirement for a dependent child on the International Agreement Worker route**

IA 26.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as an International Agreement Worker; or
- (b) as the partner of an International Agreement Worker.

IA 26.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission as an International Agreement Worker or as the partner of an International Agreement Worker is the sole surviving parent; or
- (b) the parent applying for or with permission as an International Agreement Worker or as the partner of an International Agreement Worker has sole responsibility for the child's upbringing; or
- (c) 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 International Agreement Worker route.

IA 26.3. If the applicant does not meet the requirement at IA 26.2. they must have been born during the International Agreement Worker's or their partner's current period of permission and must provide a full birth certificate showing the names of both parents.

### **Care requirement for a dependent child on the International Agreement Worker route**

IA 27.1. If the applicant is under the age of 18 years on the date of application there must be suitable arrangements for the child's care and accommodation in the UK which comply with relevant UK legislation and regulations.

### **Age requirement for a dependent child on the International Agreement Worker route**

IA 28.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of the person (P) in IA 26.1.

IA 28.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child on the International Agreement Worker route**

IA 29.1. 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.

IA 29.2. If an 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 or the International Agreement Worker must have funds of at least:
  - (i) £285 for a dependent partner in the UK or applying to come to the UK; and
  - (ii) £315 for the first child in the UK or applying to come to the UK; and
  - (iii) £200 for each additional child in the UK or applying to come to the UK; or
- (b) the Sponsor of the International Agreement Worker must confirm they will, if necessary, maintain and accommodate the applicant for the first month of their stay for at least the amount in IA 26.2.(a).

IA 29.3. The funds must be in addition to the funds required for the International Agreement Worker to meet the financial requirement and the funds required for any dependant of the International Agreement Worker who is applying at the same time or is already in the UK as a dependant of the International Agreement Worker.

IA 29.4. If IA 29.2. (a) applies the funds must have been held for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a dependent partner and dependent child on the International Agreement Worker route**

IA 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner and dependent child on the International Agreement Worker route, are met the application will be granted, otherwise the application will be refused.

IA 30.2. 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 dependent partner and dependent child on the International Agreement Worker route**

IA 31.1. A dependent partner will be granted permission which ends on the same date as their partner's permission on the T5 (Temporary Worker) International Agreement Worker route.

IA 31.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

IA 31.3. The grant will be subject to the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is 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.

### **Settlement for dependent partner and dependent child on the International Agreement Worker route**

#### **Validity requirements for settlement for dependent partner and dependent child of a Private Servant in a diplomatic household**

IA 32.1. A dependent partner or a dependent child of a Private Servant in a diplomatic apply online on the gov.uk website on the specified form "Settle in the UK in various immigration categories: form SET(O)".

IA 32.2. An application for settlement as a dependent partner or dependent 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 a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be in the UK.

IA 32.3. The applicant must have, or have last been granted, permission as a dependent partner or a dependent child of a Private Servant in a diplomatic household on the International Agreement Worker route.

IA 32.4. An application which does not meet all the validity requirements for settlement for dependent partner or dependent child of a Private Servant in a diplomatic household on the International Agreement Worker route is invalid and may be rejected and not considered.

### **Suitability Requirements for settlement by a dependent partner and dependent child of a Private Servant in a diplomatic household**

IA 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal

IA 33.2. 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 by a dependent partner and dependent child of a Private Servant in a diplomatic household on the International Agreement Worker route**

#### **Relationship requirement for settlement by a dependent partner of a Private Servant in a diplomatic household**

IA 34.1. The applicant's partner must be either:

- (a) a private servant in a diplomatic household; or
- (b) be settled or a British citizen, providing they had permission as a private servant in a diplomatic household when they settled and the applicant had permission as their dependent partner at that time.

IA 34.2. The applicant and their partner must have been living together in the UK in a marriage or civil partnership, or in a relationship similar to marriage or civil partnership, for the 5 years immediately before the date of application.

#### **Qualifying period requirement for settlement by a dependent partner of a Private Servant in a diplomatic household**

IA 35.1. The applicant must have been in the UK with permission as the partner of the private servant in a diplomatic household for the last 5 years.

#### **Continuous residence requirement for settlement by a dependent partner of a Private Servant in a diplomatic household**

IA 36.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence during the period in IA 35.1.

**English language requirement for settlement by a dependent partner of a Private Servant in a diplomatic household**

IA 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.

IA 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 by a dependent partner of a Private Servant in a diplomatic household**

IA 38.1. The applicant must meet the Knowledge of Life in the UK requirement as specified in Appendix: KOL UK.

**Eligibility requirements for settlement as a dependent child of a Private Servant in a diplomatic household**

**Relationship requirement for settlement by a dependent child of a Private Servant in a diplomatic household**

IA 39.1. A parent of the applicant must have been granted settlement as a person on the International Agreement Worker route as a private servant in a diplomatic household.

IA 39.2. The parent must previously have had permission on the International Agreement Worker route as a private servant in a diplomatic household and the applicant must have had permission as their dependent child at that time.

IA 39.3. The applicant's other parent must be being granted settlement at the same time, or be settled or a British citizen, unless any of the following apply:

- (a) the first parent is the sole surviving parent; or
- (b) the first parent 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.

IA 39.4. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

**English language requirement for settlement by a dependent child of a Private Servant in a diplomatic household**

IA 40.1. 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.

IA 40.2. 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 by a dependent child of a Private Servant in a diplomatic household**

IA 41.1. Unless an exemption applies, they must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.

### **Decision on an application for settlement by a dependent partner or dependent child of a Private Servant in a diplomatic household**

IA 42.1. If the decision maker is satisfied all the suitability and eligibility requirements for settlement for a dependent partner or child on the International Agreement Worker route are met the applicant will be granted settlement, otherwise the application will be refused.

IA 42.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Appendix T5 (Temporary Worker) Government Authorised Exchange Worker route**

*The Government Authorised Exchange Worker route is for a person who wants to come to the UK on an approved scheme for a period of no more than 12 or 24-months (depending on the scheme).*

*A dependent partner and dependent children can apply on this route.*

*The Government Authorised Exchange route is not a route to settlement.*

### **Validity Requirements for the Government Authorised Exchange Worker route**

GAE 1.1. A person applying for entry clearance or permission to stay as a Government Authorised Exchange Worker must apply online on the gov.uk website on the specified form as follows:

- (a) for entry clearance, form “Tier 5 (Temporary Worker) visa – Government Authorised Exchange”; or
- (b) for permission to stay, form “Tier 5 (Temporary Worker) leave to remain”.

GAE 1.2. An application for entry clearance or permission to stay as a Government Authorised Exchange 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 no more than 3 months before the date of application.

GAE 1.3. 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 maintenance, they must provide written consent to the application from that Government or agency.

GAE 1.4. The date of application must be no more than three months before the start date of the role, as stated by the Certificate of Sponsorship.

GAE 1.5. An application which does not meet the validity requirements for a Government Authorised Exchange Worker is invalid and may be rejected and not considered.

## **Suitability Requirements for a Government Authorised Exchange Worker**

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

GAE 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 Government Authorised Exchange Worker**

### **Entry requirements for a Government Authorised Exchange Worker**

GAE 3.1. A person seeking to come to the UK on the Government Authorised Exchange Worker route must have applied for and obtained entry clearance under this route before they arrive in the UK.

GAE 3.2. A person applying for entry clearance as Government Authorised Exchange 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.

### **Previous permission requirement for a Government Authorised Exchange Worker**

GAE 4.1. An applicant applying for permission to stay must be in the UK and must have, or have last been granted, permission on one of the following routes:

- (a) a Government Authorised Exchange Worker; or
- (b) a Student, who meets the requirements in GAE 4.2. and who is or was last sponsored by either:
  - (i) a higher education provider with a track record of compliance; or
  - (ii) an overseas higher education institution, to do a short-term study abroad programme in the UK.

GAE 4.2. Where the applicant has, or last had, permission as a Student:

- (a) the applicant must have completed a UK recognised bachelor's or postgraduate degree during that last period of permission; and
- (b) the applicant must currently be sponsored for either:
  - (i) a period of postgraduate professional training or work experience which is required to gain a professional qualification or registration in the same field as their degree; or
  - (ii) an internship for up to 12 months which is directly related to their degree; and
- (c) the applicant must not be filling a permanent vacancy; and
- (d) the sponsor must not intend to employ the applicant in the UK once the training or work experience is completed.

### **Sponsorship requirement for a Government Authorised Exchange Worker**

GAE 5.1. The Certificate of Sponsorship must have been issued by a sponsor which is listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Government Authorised Exchange Worker, and is applying to continue working for the same sponsor as in their last permission.

GAE 5.2. The Certificate of Sponsorship must 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).

GAE 5.3. The sponsor must not have withdrawn the offer since the Certificate of Sponsorship was issued.

GAE 5.4. The Certificate of Sponsorship must include confirmation of all the following:

- (a) the role meets the requirements of the individual exchange scheme as set out in Appendix N; and
- (b) the role does not fill a vacancy in the workforce; and
- (c) the role appears in Table 1 or Table 2 of Appendix Skilled Occupations.

GAE 5.5. 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 by paragraph GAE 9.3.

### **Financial Requirement for a Government Authorised Exchange Worker**

GAE 6.1. 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.

GAE 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months at 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.

GAE 6.3. If GAE 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Parental consent requirement for a Government Authorised Exchange Worker aged under 18**

GAE 7.1. If the applicant is aged under 18 they must have written consent from:

- (a) both parents; or
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

GAE 7.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

### **Decision for a Government Authorised Exchange Worker**

GAE 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Government Authorised Exchange Worker route are met, the application will be

granted, otherwise the application will be refused.

GAE 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 Government Authorised Exchange Worker**

GAE 9.1. If the application is for entry clearance, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days before and after;  
or
- (b) 24 months, unless the applicant is applying on a Work Experience Programme, in which case 12 months,

whichever is shorter

GAE 9.2. If the application is for permission to stay, the applicant will be granted either:

- (a) the period of the role on the Certificate of Sponsorship plus 14 days; or
  - (b) the difference between the period the applicant has already spent in the UK since their last grant of permission on a Tier 5 (Temporary Worker) Government Authorised Exchange Worker route and 24 months, unless the applicant is applying on a Work Experience Programme, in which case 12 months,
- whichever is shorter.

GAE 9.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role the applicant is being sponsored for, including volunteering and job shadowing if recorded on the Certificate of Sponsorship; and
- (c) supplementary employment is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS; and
- (e) if Part 10 applies, the applicant will be required to register with the police.

### **Dependants on the Government Authorised Exchange Worker route**

#### **Validity requirements for the dependent partner or child on the Government Authorised Exchange Worker route**

GAE 10.1. A person applying for entry clearance or permission to stay as a dependent partner or child on the Government Authorised Exchange Worker route must apply online on gov.uk on the specified form as follows:

<b>Location of partner or child</b>	<b>Specified form</b>
Outside the UK	Dependant partner visa Dependant child visa
Inside the UK	If applying at the same time as the main applicant, they can be added to the T5 (Temporary Worker) leave to remain form. If applying separately: <ul style="list-style-type: none"><li>• Dependant partner</li><li>• Dependant child</li></ul>

GAE 10.2. An application for entry clearance or permission to stay as a dependent partner or



child on the Government Authorised Exchange Worker 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.

GAE 10.3. 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 had, 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.

GAE 10.4. An applicant who is applying as a dependent partner must be aged 18 or over on the date of application.

GAE 10.5. An application which does not meet the validity requirements for a dependent partner or child on the Government Authorised Exchange route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or child of a person on the Government Authorised Exchange Worker route**

GAE 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

GAE 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 dependent partner and child of a person on the Government Authorised Exchange Worker route**

#### **Entry requirement for a dependent partner or child of a person on the Government Authorised Exchange Worker route**

GAE 12.1. A person seeking to come to the UK as a partner or child on the Government Authorised Exchange Worker route must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

GAE 12.2. A person applying for entry clearance as a partner or child on the Government Authorised Exchange Worker 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 dependent partner on the Government Authorised Exchange Worker route**

GAE 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 Government Authorised Exchange Worker; or
- (b) P is, at the same time, applying for (and is granted) permission as a Government Authorised Exchange Worker.

GAE 13.2. If the applicant and the Government Authorised Exchange Worker 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 the Government Authorised Exchange Worker with another person must have permanently broken down; and
- (c) the applicant and the Government Authorised Exchange Worker must not be so closely related that they would not be allowed to marry or form a civil partnership in the UK.

GAE 13.3. The relationship between the applicant and the Government Authorised Exchange Worker must be genuine and subsisting.

GAE 13.4. The applicant and the Government Authorised Exchange Worker must intend to live together throughout the applicant's stay in the UK.

#### **Relationship requirement for a dependent child on the Government Authorised Exchange Worker route**

GAE 14.1. The applicant must be the child of a parent who has, or is at the same time being granted permission:

- (a) as a Government Authorised Exchange Worker; or
- (b) as a partner of a Government Authorised Exchange Worker.

GAE 14.2. The applicant's parents must each be either applying at the same time as the applicant, or be present in the UK with permission (other than as a visitor) unless:

- (a) the parent applying for or with permission as a Government Authorised Exchange Worker or as the partner of a Government Authorised Exchange Worker is the sole surviving parent; or
- (b) the parent applying for or with permission as a Government Authorised Exchange Worker or as the partner of a Government Authorised Exchange Worker has sole responsibility for the child's upbringing; or
- (c) 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 Government Authorised Exchange Worker route.

GAE 14.3. If the applicant does not meet the requirement at GAE 14.2. they must have been born during the Government Authorised Exchange Worker's or their partner's current period of permission and must provide a full birth certificate showing the names of both parents.

#### **Care requirement for a dependent child of a person on the Government Authorised Exchange Worker route**

GAE 15.1. 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.

### **Age requirement for a dependent child of a person on the Government Authorised Exchange Worker route**

GAE 16.1. The applicant must be under the age of 18 at the date of application, unless they were last granted permission as the dependent child of the parent who has or is applying for entry clearance or permission to stay as a Government Authorised Exchange Worker (regardless of the route under which the parent had permission at the time the child's last permission was granted).

GAE 16.2. If the applicant is aged 16 or over at the date of application, they must not be leading an independent life.

### **Financial requirement for a dependent partner or dependent child on the Government Authorised Exchange Worker route**

GAE 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.

GAE 17.2. If an applicant is applying for entry clearance, or has been in the UK for less than 12 months at the date of application, either:

- (a) the applicant or the Government Authorised Exchange Worker must have funds of at least:
  - (i) £285 for a dependent partner in the UK or applying to come to the UK; and
  - (ii) £315 for the first child in the UK or applying to come to the UK; and
  - (iii) £200 for each additional child in the UK or applying to come to the UK; or
- (b) the Sponsor of the Government Authorised Exchange Worker must confirm they will, if necessary, maintain and accommodate the dependent partner and dependent child for the first month of their stay up to at least the amount in GAE 17.2.(a).

GAE 17.3. The funds must be in addition to the funds required by the Government Authorised Exchange Worker to meet the financial requirement and the funds required for any dependant of the Government Authorised Exchange Worker who is applying at the same time or is already in the UK as a dependant of the Government Authorised Exchange Worker.

GAE 17.4. If 17.2.(a) applies, they must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

### **Decision on application for a dependent partner and dependent child of a person on the Government Authorised Exchange Worker route**

GAE 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependant on the Government Authorised Exchange Worker route are met, the application will be granted, otherwise the application will be refused.

GAE 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 dependent partner and dependent child of a person on the Government Authorised Exchange Worker route**

GAE 19.1. A dependent partner will be granted permission which ends on the same date as their partner's permission on the Government Authorised Exchange Worker route.

GAE 19.2. A dependent child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

GAE 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 for employment as a professional sports person, including as a sports coach; and
- (c) study is permitted, subject to the condition in Appendix ATAS; and
- (d) if Part 10 applies, the applicant will be required to register with the police.

## **Appendix T5 Creative Workers codes of practice**

*Where a person is applying under Appendix T5 (Temporary Worker) Creative or Sporting Worker, as a creative worker or part of and their entourage, operating in dance, theatre, film and television, or as a model in the fashion industry, their sponsor must follow the relevant code of practice specified below and comply with the other requirements.*

### **Ballet**

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Appropriate salary rate	Payment must be commensurate with industry standards set out at: <a href="http://www.equity.org.uk">www.equity.org.uk</a> .
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	<ol style="list-style-type: none"><li>1. The dancer is required for continuity The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to coming to the UK. The "same production" means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment, press cuttings, cast list.</li><li>2. The dancer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country). The sponsor must be able to supply proof that this requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.</li><li>3. The dancer is engaged by a unit company A unit company is a ballet company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to supply proof that this requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the applicant is engaged by the unit company for the production in the UK, e.g. contract of employment.</li></ol>

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## Ballet

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4. The dancer is recruited from a specified school for a specified company

The applicant is recruited from:

(a) the English National Ballet School for English National Ballet;

(b) the Royal Ballet School for the Royal Ballet; or

(c) the Royal Ballet School or Elmhurst School for Dance for Birmingham Royal Ballet.

The Sponsor must be able to supply proof that, at the time of recruitment, the applicant was or recently had been a student at the school concerned, e.g. a letter of confirmation from the school, and proof that the applicant has been engaged by the company concerned, e.g. contract of employment, letter of confirmation from the company.

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Required advertising media for other posts

At least one of:

- The Stage
  - Dance Europe
  - The Spotlight Link
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## Dancers (in dance forms other than ballet)

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Appropriate salary rate

Payment must be commensurate with industry standards set out at: [www.equity.org.uk](http://www.equity.org.uk).

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Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market

1. The dancer is required for continuity

The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to it coming to the UK. The “same production” means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment, press cuttings, cast list.

2. The dancer has international status

The applicant is internationally famous in their field. (This is different to being well-known only in one country.)

The sponsor must be able to supply proof that the requirement is met, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.

3. The dancer is engaged by a unit company

A unit company is a dance company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to supply proof that the requirement is met, e.g. contract of employment.

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## Dancers (in dance forms other than ballet)

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4. The dancer performs in a certain style unlikely to be available in the UK

It would not be reasonable to expect the sponsor to recruit in the UK because a style is required which would be unlikely to be available in the UK labour force. The sponsor must be able to supply proof that:

- (a) a certain style is required; and
  - (b) the individual performs in that style, e.g. press cuttings, awards, publicity material, proof of training.
- 

Required advertising media for other posts At least one of:	Dance agencies The Stage Dance Europe Juice The Spotlight
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## Performers in film and television

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Appropriate salary rate	Payment must be at least at the level of the appropriate UK market rates, which can be obtained from Equity at <a href="http://www.equity.org.uk">www.equity.org.uk</a> .
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Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	<p>1. The work is for continuity The sponsor must be able to supply proof that the overseas national has worked on, or will be working on the same production overseas for at least one month. Where a sponsor wishes to issue a Certificate of Sponsorship for reasons of continuity involving a performer that has worked on the same piece of work overseas for less than one month, the Sponsor must notify Equity at least 5 working days prior to the issuing of the certificate with details of the filming schedules. This is in order to verify that the applicant is being genuinely engaged for reasons of continuity. Sponsors may issue Certificates of Sponsorship for performers to enter the UK to undertake post-production work only and provided that such post-production work solely relates to their own role in the film or TV production. For such Certificate of Sponsorship, neither the one month requirement nor prior notice to Equity procedure applies. The Sponsor must be able to supply documentary proof that the performer has worked on, or will be working on, the same production outside the UK for at least a month e.g. contracts, press cuttings, cast lists, etc.</p> <p>2. The performer has international status The sponsor must be able to provide proof the applicant is known internationally, or they have demonstrable international box-office appeal e.g. press cuttings, awards, accolades, publicity material,</p>
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## Performers in film and television

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television/radio interviews, film and TV credits; or documentary proof that the performer has demonstrable international box-office appeal through international box office figures for films they have starred in or led as a principal performer.

### 3. Highly specialist or unusual roles

For certain highly specialist or unusual roles, it may not be possible or reasonable to recruit from the UK because the role requires specific or specialist attributes, including but not limited to: physical appearance; physical talent and linguistic or vocal skills. In such circumstances, where appropriate, Sponsors should first attempt to conduct searches in the UK as set out in category 3 to a reasonable degree. However, it is recognised that the extent of such searches within the UK shall be proportionate to the rarity and specialty of the attributes of the role. The Sponsor must be able to provide proof:

- that the role requires certain highly specialist attributes; and
- that the performer possesses those attributes; and
- of the casting process and casting considerations; and
- of reasonable and appropriate searches in the UK (if applicable); and
- a list of any UK candidates who were unavailable at the required time.

### 4. Featured guest in an entertainment programme, or subject of a factual programme

The applicant must be a featured guest on an entertainment programme or subject of a factual programme. For example, actors, comedians or other performers booked to appear on a chat show or a professional variety show, or scheduled to be subject of an arts programme or documentary. The sponsor must be able to provide:

- A formal letter from the broadcaster or producer or copy of the relevant section of the commissioning agreement confirming the reason the migrant is required (e.g. to feature in an entertainment programme); and
- The name of the programme concerned; and
- Details of any recording or filming schedules.

### 5. Performers who are tied to the finance of the production

The applicant must be necessary to a production because the finance is contingent on the particular performer being cast in the film or TV production. The sponsor must be able to provide a formal letter of confirmation from the production's principal financier.

### 6. Performers who do not meet the key criteria but who are

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## Performers in film and television

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commercially important

The applicant must be commercially important to the production. This may be demonstrated by a formal letter in support from a principal financier, or distributor. The sponsor must give prior notice to Equity providing supporting evidence detailing: description of the role and film, and the reasons why advertising was not appropriate and a letter in support. The sponsor must provide Equity with:

- the details of the performer(s) required, role, description of the production; and
- the reasons why the role has not been advertised; and,
- a formal letter in support of the applicant from a financier or distributor; and
- if the performer is an up-and-coming performer, or cast to appeal to a particular overseas audience, then evidence of their CV, reviews, previous work, awards/accolades, and/or evidence of audience appeal would be required.

### 7. International Co-productions

Sponsors issuing CoSs to performers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence:

- Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or
- Interim certification from the UK Film Council Certification Department.

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Required advertising media for other posts

A resident labour search in accordance with standard industry practice, which will normally involve engagement of casting agents within the EEA and contacting performers' agents, and may include advertising on Equity's job information service

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Additional evidence required for stunt performers

The sponsor must also demonstrate that the applicant possesses the equivalent qualifications, skills and competence to UK industry standards. This may be demonstrated by either

- 1) a reference in support from a UK-based expert with demonstrable knowledge of the UK stunt industry; or
- 2) evidence of competence at a level equivalent to UK industry

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## Performers in theatre or opera

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Appropriate salary rate

Payment should be commensurate with industry standards set out at: [www.equity.org.uk](http://www.equity.org.uk).

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## Performers in theatre or opera

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Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market

1. The performer is required for continuity  
The applicant has worked for a period of one month or more during the past year, on the same production outside the UK prior to it coming to the UK. The “same production” means one which is largely the same in terms of direction and design as the production outside the UK. The sponsor must be able to provide proof that the performer is currently working, or has worked, on the same production outside the UK and has done so, or did so, for at least one month during the past year, e.g. contract of employment, press cuttings, cast list.

2. The performer has international status  
The applicant is internationally famous in his field. (This is different to being well-known only in one country.) The sponsor must be able to provide proof that the performer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.

3. The performer is engaged by a unit company  
A unit company is a theatre or opera company which exists in a country outside the UK and has put on at least one production in that country. The sponsor must be able to provide proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the individual is engaged by the unit company for the production in the UK, e.g. contract of employment.

4. The performer has a certain attribute unlikely to be available in the UK  
The role requires an attribute which would be unlikely to be available in the UK labour force, e.g. a certain physical appearance, physical talent, or linguistic or vocal skill. The sponsor must be able to provide proof that  
(a) the role requires a certain attribute; and  
(b) the individual has that attribute.

5. The performer is the subject of an exchange under one of the UK theatre industry’s exchange programmes  
The applicant satisfies the requirements of either of the exchange programmes with the United States and Australia operated by the theatre industry. Sponsors wishing to use this category must contact Equity in the first instance.

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Required advertising media for other posts

At least one of:  
• The Stage  
• PCR

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## Workers in film and television

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Appropriate salary rate      Payment of migrant workers in all cases must not be below the UK market rates found on the PACT and BECTU websites at [www.pact.co.uk](http://www.pact.co.uk) and [www.bectu.org.uk](http://www.bectu.org.uk).

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Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market

1. The worker is a Senior Creative Grade

The applicant must possess the skills and experience of a Senior Creative Grade for the following roles:

- Producer
- Director
- Director of Photography (Cinematographer)
- Production Designer
- Costumer Designer
- Hair/Make Up Supervisor
- Editor
- Composer
- Visual Effects Supervisor
- Sound Designer
- Script Writer

The sponsor must be able to provide documentary proof that the worker has the skills and experience in that role e.g. film and TV credits, qualifications, CV, press cuttings, awards, accolades, publicity material, television/radio interviews.

2. The worker is required for production continuity

The applicant must be providing significant creative input and have worked on or will be working in a post involving creative input on the same piece of work overseas for at least one month.

The sponsor must demonstrate that the applicant has a direct working relationship with a Senior Creative Grade as listed in Category 1. For example, a first assistant editor might work directly with an Editor on the same piece of work overseas. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a case based on production continuity. Sponsors must be able to provide:

- Evidence that the role involves creative input and the worker possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades; and
  - Evidence that the worker is currently, or has worked on, or will be working on the same production outside the UK for at least a month and evidence of current working relationship with a key Creative grade in Category 1 i.e. contracts, letters of engagement, casting lists, CV, references in support, credits, press cuttings; and
  - In the circumstances where more than one additional worker is sponsored, the case must be set out in supporting documentation from the Sponsor.
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### 3. Other key creative workers

The applicant must be providing key creative input and have a significant previous working relationship with a Senior Creative Grade as listed in Category 1. A “significant” previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a creative case.

The Home Office will notify BECTU promptly of the issuing of certificates of sponsorship for camera, editing and grip grades, and 1st Assistant Directors and BECTU may request sight of the evidence in support for such grades.

The Home Office will notify the Production Guild promptly of the issuing of certificates of sponsorship for the following grades: Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant), Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant and the Production Guild may request sight of the evidence in support for such roles.

Sponsors must be able to provide:

- Evidence that the applicant is in a creative or technical role and possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades etc; and
- Evidence of the applicant’s previous working relationship with a key Creative Grade in category 1.e.g. CV, references in support, credits, press cuttings; and
- In the circumstances where more than one additional worker is sponsored per Department head, the case must be set out in a supporting documentation from the Sponsor.

### 4. The role is highly specialist, where advertising is demonstrably not appropriate

For certain highly specialist roles, it would not be reasonable to expect an employer to undertake a resident labour market search. One example would be a role which requires particular attributes considered unlikely to be available from the resident labour force, for example where the role involves the application of highly specialist skills or new technology or proprietary technology or special effect, or unique knowledge. The Sponsor must be able to provide documentary proof that it would not be reasonable to expect the sponsor to undertake a resident labour market search

## Workers in film and television

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e.g. in relation to the above example, proof that the role requires certain highly specialised skills e.g. job description; and that the applicant possesses those skills e.g. qualifications, CV, credits. For all roles under this category, UKBA will notify BECTU promptly of the issuing of certificates of sponsorship and BECTU may request sight of the evidence in support for such grades.

### 5. International Co-productions

Sponsors issuing certificates of sponsorship to workers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence:

- Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or
- Interim certification from the UK Film Council Certification Department.

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### Required advertising media for other posts

- For roles where formal advertising is not the usual industry practice for recruiting for a particular role:

For these roles, the sponsor must carry out suitable and reasonable searches of the resident labour market, such as contacting agents, organisations, diary services or semi-formal worker networks. Where such informal recruitment methods are used, the sponsor must demonstrate a reasonable period within which it has searched the resident labour market, this should be for a least a period of two weeks.

- Where formal advertising is usual for a role:

For these roles, the sponsor must advertise the role to suitably qualified resident workers in an appropriate journal, newspaper, website or online directory. The choice of advertising medium should be appropriate for the particular role. The following advertising media may be appropriate: searching relevant online directories such as the Knowledge Online, Production Base, or through industry organisations such as the Production Guild. Other forms of advertising may be appropriate depending on the type of role. For longer terms contracts, advertisements in Guardian Media, Broadcast, Screen International, Marketing Week would be appropriate.

Under this category, in the case of camera, editing and grip grades, and 1st Assistant Directors, the Home Office shall promptly notify BECTU of the issuing of certificates of sponsorship and BECTU may request sight of the evidence of the steps to search for resident labour for these roles.

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## Workers in film and television

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Under this category, in the case of Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant) Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant grades, 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

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Additional evidence required for Personal Assistants to Directors and Producers of international status

Sponsors may issue a Certificate of Sponsorship to a single, non-technical, non-creative personal assistant who supports a Director or Producer under category 1, who has demonstrable international status i.e. are known worldwide for international box office success.

The Sponsor must notify BECTU promptly of the issuing of a certificate under this category for a PA to a Director and must notify the Production Guild promptly of the issuing of a certificate for a PA to a Producer. They may request sight of the evidence in support for such roles. Sponsors issuing certificates to applicants under this category must be able to supply proof that:

- the applicant has a significant previous working relationship with the Director or Producer (a “significant” previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples); and
  - the migrant works only as a personal assistant to the Director/Producer and does not undertake creative or technical duties; and
  - the Director or Producer is of international status i.e. known worldwide, or they have demonstrable box-office appeal worldwide.
  - the worker has the skills and experience in that role e.g. a reference in support from the Director or Producer, film and TV credits, qualifications, and CV
  - 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
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## Models in the fashion industry

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Appropriate salary rate      Payments should be commensurate with industry standards and comply with the National Minimum Wage rate to which they are entitled by the law in force at the relevant time.

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Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market      1 Top models

These are people who are recognised not just as models but may, also, be personalities in their own right. They are high earners and, for the most part, will come to the UK with pre-booked work. A sponsor must be able to supply evidence that the model has international status, e.g. publications, publicity materials, press engagements, relevant social media presence.

### 2 Commercial models

These are those models who have sufficient a level of experience that they are already established, if not in the UK, certainly in their own or other markets. They may already be known to UK clients or will certainly have been pre-marketed, however, photographs alone are not sufficient, except for models flying in for a particular job. Sponsors issuing a CoS must be able provide the following evidence:

- i. Evidence of previous engagements or of commercial status in the UK, and/or
- ii. Evidence of working in markets other than the UK

### 3 The model is required for continuity

The model has worked for the same client, within the past two years, prior to coming to the UK. The sponsor must be able to provide evidence, e.g. confirmation of past and intended bookings.

### 4 New faces

Will have experience but may be entirely new to the UK market, or on a second or third visit. The New Face Model will have shown considerable promise and, being the 'latest' face, are likely be much sought after, particularly by photographers and print or digital media alike. Models must meet 65% of the eligibility criteria for the Modelling Industry, as endorsed by the British Fashion Council. Sponsors must be able to provide evidence of which criteria are met.

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Required endorsement for those falling outside the above criteria      A British Fashion Council approved panel will be put in place to endorse specific models with real potential that are unable to fulfil the required four criteria, which is most likely to occur

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## Models in the fashion industry

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within the New Faces category. Applications will still be required to be scored against the criteria and the supporting documents submitted to the Panel to enable them to make a decision.

Sponsors must be able to demonstrate panel approval when issuing a CoS.

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### Appendix Service Providers from Switzerland

*The Service Providers from Switzerland route allows eligible employers, companies or self-employed individuals to execute contracts with a party based in the UK for a period not exceeding 90 days per calendar year. The contract must have been signed and commenced on or before the specified date.*

*It is the responsibility of the employer or company or self-employed individual, to ensure that the total number of days worked by its employees, or the self-employed individual, does not exceed 90 in each calendar year. The 90-day limitation applies irrespective of the number of eligible contracts that are held.*

*This route does not allow for dependants to accompany or join the Service Provider from Switzerland in the UK.*

### Validity requirements for Service Providers from Switzerland

SPS 1.1. A person applying for entry clearance as a Service Provider from Switzerland must apply online on gov.uk on the specified form “Other work visas for the UK (non points-based working visas)” on the “Find and apply for other visas from outside the UK” form.

SPS 1.2. The applicant 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:
  - (i) if they are a Swiss national, a valid national identity card or passport; or
  - (ii) if they are not a Swiss national, a passport or other travel document that satisfactorily establishes their identity and nationality.

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

SPS 1.4. An application which does not meet all the validity requirements for a Service Provider from Switzerland is invalid and may be rejected and not considered.

### Suitability requirements for Service Providers from Switzerland

SPS 2.1. Subject to SPS 2.2. an application must be refused on grounds of suitability where either of the following apply at the date of the decision:

- (a) the applicant is subject to a deportation order or a decision to make a deportation order; or
- (b) the applicant is subject to an exclusion order or exclusion decision.

SPS 2.2. Where a decision under SPS 2.1 relates to conduct before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for “an EEA decision” read “a decision under SPS 2.1”).

SPS 2.3. An application may be refused on grounds of suitability if, at the date of decision, the decision maker is satisfied that it is proportionate to refuse the application because:

- (a) in relation to the application and whether or not to the applicant’s knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the application; or
- (b) in respect of conduct committed on or before 11pm on 31 December 2020, on grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that for these purposes for “an EEA decision” read “a decision under paragraph SPS 2.3”); or
- (c) in respect of conduct committed after 11pm on 31 December 2020, on the grounds that the presence of the applicant in the UK is not conducive to the public good; or
- (d) subject to SPS 2.4, the applicant is the subject of an Islands deportation order as defined by paragraph 3(6) of Schedule 4 to the Immigration Act 1971; or
- (e) subject to SPS 2.4, the applicant is the subject of an Islands exclusion decision which is a direction given by the relevant Minister or other authority in the Islands concerned that the applicant must be refused entry to the Island concerned on the grounds that their presence there would not be conducive to the public good.

SPS 2.4. Where a decision under SPS 2.3 (d) or (e) relates to conduct on or before 11pm on 31 December 2020, the decision maker must be satisfied that the order or decision is justified on the grounds of public policy, public security or public health in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in applying this provision for “an EEA decision” read “a decision under SPS 2.3”).

## **Eligibility requirements for Service Providers from Switzerland**

### **Entry requirement for Service Providers from Switzerland**

SPS 3.1. A person seeking to come to the UK as a Service Provider from Switzerland must have applied for and obtained entry clearance as a Service Provider from Switzerland before they arrive in the UK.

### **Services requirement for Service Providers from Switzerland**

SPS 4.1. An applicant who is a Swiss national must be either established in self-employment in the territory of Switzerland, or habitually employed in the territory of Switzerland by an eligible employer or company.



SPS 4.2. A Swiss national seeking entry as self-employed must be registered as self-employed with the appropriate tax authority in the territory of Switzerland.

SPS 4.3. An applicant who is not a Swiss national must be legally integrated into the regular labour market of Switzerland, be habitually employed in the territory of Switzerland by an eligible employer or company and, if required, they must provide a copy of their Swiss residence or work permit.

SPS 4.4. An applicant will be considered to be legally integrated into the regular labour market of Switzerland where they;

- (a) are an EEA national who holds the relevant residence status that enables them to work in Switzerland; or
- (b) are a non-EEA, non-Swiss national who can evidence that they have permission to reside and have been working for an extended period within the regular labour market of Switzerland.

SPS 4.5. An applicant will not be required to show evidence of permission to reside in Switzerland if they are a Swiss national or of a nationality which is, and continues to be, party to the Agreement on the Free Movement of Persons (subject to any transitional measures that may be in place).

SPS 4.6. An employer or company will only be considered eligible where it:

- (a) is a company or employer formed in accordance with the laws of Switzerland; and
- (b) has their registered office, central administration or principal place of business in the territory of Switzerland; and
- (c) remains active and trading.

SPS 4.7. The applicant must provide the evidence specified in SPS 4.9. (as modified in SPS 4.10. in the case of a self-employed Swiss national) to show that they are required to travel to the UK for the purpose of providing a service under an eligible contract concluded between themselves (if self-employed), or their employer, and a client in the UK.

SPS 4.8. An 'eligible contract' is a contract where;

- (a) it is a written contract (including in electronic form) between a Swiss employer or company, and a UK employer or company (formed in accordance with UK Companies law) or an individual established in the UK; and
- (b) it is signed and dated before 11pm on 31 December 2020; and
- (c) the performance of which has started on or before 11pm on 31 December 2020.

SPS 4.9. In the case of an applicant who is employed by an employer or company, the evidence required at SPS.4.7. must;

- (a) be a letter (which can be electronic) from the employer or company; and
- (b) be signed by a senior member of the organisation; and
- (c) include the author's credentials; and
- (d) include a copy of the eligible contract; and
- (e) include details on why the applicant is required to travel to the UK to execute the eligible contract; and
- (f) confirm the applicant has any necessary professional qualifications to allow them to execute the contract; and

- (g) confirm that the employer or company has not already used the 90 day per calendar year limitation to execute this or any other eligible contract that they hold.

SPS 4.10. In the case of a self-employed Swiss national, the evidence required at SPS 4.7. must be a letter of self-certification which meets all the criteria at SPS 4.9. (except SPS 4.9.(a) and SPS 4.9.(b), and for SPS 4.9.(g) must confirm that the applicant has not already used their 90 per calendar year limitation).

### **90 day limitation requirement for Service Providers from Switzerland**

SPS 5.1. The eligible employer, company or self-employed service provider must not have met or exceeded the 90 day per calendar year limitation.

### **Genuineness requirement for Service Providers from Switzerland**

SPS 6.1. The applicant must be a genuine Service Provider from Switzerland, meaning that:

- (a) the applicant will not remain in the UK after the end of their permission; and
- (b) the applicant will not live in the UK for extended periods through frequent and successive visits, or make the UK their main home; and
- (c) the applicant must be genuinely seeking entry as a Service Provider from Switzerland.

SPS 6.2. The applicant must not while in the UK intend to:

- (a) access public funds; or
- (b) access medical treatment on the NHS (other than in an emergency); or
- (c) study; or
- (d) get married or form a civil partnership; or
- (e) give notice of marriage or civil partnership.

### **Decision on an application as a Service Provider from Switzerland**

SPS 7.1. If the decision maker is satisfied that all the requirements for a Service Provider from Switzerland are met the application will be granted, otherwise the application will be refused.

SPS 7.2. If the application is refused an application can be made for an Administrative Review under Appendix AR(EU): Admin Review.

### **Period and conditions of grant for Service Providers from Switzerland**

SPS 8.1. The grant will be for one of the following periods (whichever is shorter);

- (a) the end date of the eligible contract; or
- (b) the end date of the employee's work contract (where such contract is a fixed term contract); or
- (c) the day preceding the expiry date of the person's permission to reside in Switzerland (where the applicant requires such permission); or
- (d) the 31 December 2025.

SPS 8.2. A Service Provider from Switzerland may enter and leave the UK multiple times during the period for which they have permission, but can only stay in the UK for up to 90 days in each calendar year as a Service Provider from Switzerland.

SPS 8.3. The employer or company posting staff to the UK (or the individual in the case of the self-employed Swiss national) is responsible for ensuring that the total work on any and all eligible contracts does not exceed 90 days per calendar year irrespective of the number of

staff granted permission under this SPS

SPS 8.4. The grant will be subject to all the following conditions:

- (a) no more than 90-days work in each calendar year; and
- (b) no work other than on the eligible contract (including self-employment and voluntary work); and
- (c) no study; and
- (d) no access to public funds.

### **Cancellation of entry clearance or permission of a Service Provider from Switzerland**

SPS 9.1. A person's entry clearance or permission as a Service Provider from Switzerland may be cancelled where the decision maker is satisfied that it is proportionate to do so where:

- (a) the cancellation is justified on grounds of public policy, public security or public health, on the basis of the person's conduct on or before 11pm on 31 December 2020, in accordance with regulation 27 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that for an "EEA decision" read "a decision under paragraph SPS 9.1"); or
- (b) the cancellation is justified on the ground that it is conducive to the public good, on the basis of the person's conduct after 11pm on 31 December 2020; or
- (c) the cancellation is justified on grounds that, in relation to an application made under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application) and the information, representation or documentation was material to the decision to grant the application under this Appendix; or
- (d) the cancellation is justified on grounds that the person has breached a condition of their permission as set out in SPS 8.4. unless further permission was granted in the knowledge of the breach; or
- (e) the cancellation is justified on grounds that the applicant or the eligible company or employer ceases to satisfy the Service Requirement at SPS 4.1. to SPS 4.6. or the 90 day limitation requirement at SPS 5.1.; or
- (f) an agreement dealing with the movement of natural persons for the purposes of the supply of services in accordance with the parties' rights and obligations under the General Agreement on Trade in Services of the World Trade Organisation is concluded and applied between the UK and Switzerland.

### **Appendix Hong Kong British National (Overseas)**

*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) citizen who is ordinarily resident in Hong Kong or the UK.*

*A dependent partner and a dependent child of a British National (Overseas) citizen 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) citizen. 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) citizen.*

*The Hong Kong British National (Overseas) routes allow work and study in the UK and are routes to settlement.*

## **BN(O) Status Holder route**

### **Validity requirements for Status Holder route**

HK 1.1. A person applying for entry clearance or permission to stay as a BN(O) Status Holder must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas); or</li> <li>• hold a passport issued by the Hong Kong Special Administrative Region.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

HK 1.2. An application for entry clearance or permission to stay as a BN(O) Status Holder 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 established their identity and nationality.

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

HK 1.4. An application which does not meet all the validity requirements for a BN(O) Status Holder is invalid and may be rejected and not considered.

### **Suitability requirements for BN(O) Status Holder**

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

HK 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 BN(O) Status Holder**

#### **Entry requirements for BN(O) Status Holder**

HK 3.1. A person seeking to come to the UK as a BN(O) Status Holder must apply for and

obtain entry clearance as a BN(O) Status Holder before they arrive in the UK.

HK 3.2. A person applying for entry clearance as a BN(O) Status Holder 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.

#### **BN(O) Status holder requirement**

HK 4.1. The applicant must be a British National (Overseas) under the Hong Kong (British Nationality) Order 1986.

#### **Ordinary residence in Hong Kong requirement for BN(O) Status Holder**

HK 5.1. An applicant applying for entry clearance must be ordinarily resident in Hong Kong at the date of application.

HK 5.2. An applicant applying for permission to stay must be in the UK, and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

#### **Financial requirement for BN(O) Status Holder**

HK 6.1. If the applicant is applying for permission to stay and has been living in the UK for 12 months or more on the date of application, they will meet the financial requirement.

HK 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the applicant can adequately maintain and accommodate themselves without recourse to public funds for at least 6 months.

HK 6.3. For the purposes of HK 6.2. accommodation will not be regarded as adequate if:

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

HK 6.4. The applicant may rely on credible promises of future third party support.

HK 6.5. Funds must be shown as specified in Appendix Finance.

#### **In-country tuberculosis certificate requirement for BN(O) Status Holder**

HK 7.1. If the applicant is applying for permission to stay and:

- (a) their last grant of permission was for less than 6 months; and
- (b) the applicant was present in a country listed in Appendix T of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 7.2. In HK 7.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 7.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 7.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 7.4. The list of approved centres in the UK, updated from time to time, can be found at <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>.

**Decision for BN(O) Status Holder**

HK 8.1. If the decision-maker is satisfied that all the suitability and eligibility requirements for a BN(O) Status Holder are met, the application will be granted, otherwise the application will be refused.

HK 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 BN(O) Status Holder**

HK 9.1. The applicant will be granted permission for either:

- (a) a period of 5 years, where the applicant has applied for a period of 5 years; or
- (b) a period of 30 months, where the applicant has applied for a period of 30 months.

HK 9.2. The permission will be granted 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.

**Dependants on the BN(O) Status Holder route**

**Validity requirements for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 10.1. A person applying for entry clearance or permission to stay as a dependent partner or BN(O) Household Child on the BN(O) Status Holder route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"> <li>- hold a passport which shows they are registered as a British National (Overseas); or</li> <li>- hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>- are EEA nationals.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

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 established their identity and nationality.

HK 10.3. An application which does not meet the validity requirements for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) Status Holder route**

HK 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 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 or BN(O) Household Child on the BN(O) Status Holder route**

#### **Entry requirements for a partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 12.1. A person seeking to come to the UK as a partner or BN(O) Household child on the BN(O) Status Holder route must apply for and obtain entry clearance as a partner or BN(O) Household child before they arrive in the UK.

HK 12.2. A person applying for entry clearance on the BN(O) Status Holder 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 requirement for dependent partner on the BN(O) Status Holder route**

HK 13.1. If the applicant is applying for permission to stay and they have permission as a dependent partner on the BN(O) Status Holder route on the date of application, they will meet the relationship requirement.

HK 13.2. If the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a partner on the BN(O) Status Holder route they must meet the relationship requirement in HK 13.3. to HK 13.7.

HK 13.3. The applicant must be the partner of a person who is making an application for entry clearance or permission to stay on the BN(O) Status Holder route at the same time as the applicant.

HK 13.4. The applicant must be aged 18 or over at the date of application.

HK 13.5. If the applicant and the BN(O) Status Holder are not married or in a civil partnership, all 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 the BN(O) Status Holder with another person must have permanently broken down; and
- (c) they must not be so closely related that they would not be allowed to marry in the UK.

HK 13.6. The relationship between the applicant and the BN(O) Status Holder must be genuine and subsisting.

HK 13.7. The applicant and the BN(O) Status Holder form part of the same household on the date of application and must intend to live together throughout the applicant's stay in the UK.

HK 13.8. In HK 13.7. A person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

#### **Financial requirement for dependent partner on the BN(O) Status Holder route**

HK 14.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 14.2. If the applicant is applying for entry clearance or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the applicant or the BN(O) Status Holder are able to maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 14.3. For the purposes of HK 14.2. accommodation will not be regarded as adequate if:

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

HK 14.4. The applicant or the BN(O) Status Holder may rely on credible promises of future third party support.

HK 14.5. The applicant or the BN(O) Status Holder must show that they have the required funds as specified in Appendix Finance.

#### **Relationship requirement for BN(O) Household Child on the BN(O) Status Holder route**

HK 15.1. The applicant must be:

- (a) the child of a parent who has, or is at the same time being granted, entry clearance or permission as either:
  - (i) a BN(O) Status Holder; or
  - (ii) the partner of a BN(O) Status Holder; or
- (b) the grandchild of a grandparent who has, or is at the same time being granted, entry clearance or permission as either:
  - (i) BN(O) Status Holder, or
  - (ii) the partner of a BN(O) Status Holder.



HK 15.2. If the applicant is applying for entry clearance or permission to stay and has not previously had permission as a BN(O) Household Child on the BN(O) Status Holder route they must:

- (a) make an application at the same time as a parent or grandparent who is applying for entry clearance or permission on the BN(O) Status Holder route; and
- (b) form part of the same household as the BN(O) Status Holder on the date of application.

HK 15.3. In HK 15.2.(b) a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

HK 15.4. Each of the applicant's parents must either be 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 with permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder is the sole surviving parent; or
- (b) the parent with permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder has sole responsibility for the child's upbringing; or
- (c) there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who has permission on the Hong Kong BN(O) route; or
- (d) the applicant falls within HK 15.1(b) and there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent or grandparent who has permission as a BN(O) Status Holder on the Hong Kong BN(O) route.

#### **Care requirement for a BN(O) Household Child on the BN(O) Status Holder route**

HK 16.1. The applicant must live with a parent who has permission on the BN(O) Household Member route during their stay in the UK, unless they can demonstrate a valid reason why they should not live with that parent.

HK 16.2. There must be suitable arrangements for the child's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

#### **Age requirement for a BN(O) Household Child on the BN(O) Status Holder route**

HK 17.1. The applicant must be under the age of 18 at the date of application.

#### **Financial requirement for a BN(O) Household Child on the BN(O) Status Holder route**

HK 18.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 18.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the BN(O) Status Holder or their partner is able to maintain and accommodate the BN(O) Household Child adequately in the UK without recourse to public funds for at least 6 months.

HK 18.3. For the purposes of HK 18.2 accommodation will not be regarded as adequate if

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 18.4. The BN(O) Status Holder or their partner may rely on credible promises of future third party support.

HK 18.5. The BN(O) Status Holder or their partner must show that they have the required funds as specified in Appendix Finance.

**Ordinary residence in Hong Kong requirement for dependent partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 19.1. If the applicant is applying for entry clearance as a dependant partner or BN(O) Household Child, the applicant must be ordinarily resident in Hong Kong at the date of application.

HK 19.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

**In-country tuberculosis certificate requirement for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 20.1. If the applicant is applying for permission to stay and:

- (a) their last grant of permission was for less than 6 months; and
- (b) the applicant was present in a country listed in Appendix T of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 20.2. In HK 20.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 20.3. The in-country tuberculosis requirement is met if the applicant has provided a medical certificate described in HK 20.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 20.4. The list of approved centres in the UK, updated from time to time, can be found at: <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>.

**Decision on application for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) route**

HK 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent BN(O) Household Child on the BN(O) Status Holder route are met the application will be granted, otherwise the application will be refused.

HK 21.2. 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 dependent partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 22.1. A partner who does not have permission on the BN(O) Status Holder route on the date of application, will be granted permission which ends on the same date as the permission

of the BN(O) Status Holder.

HK 22.2. If the partner has permission on the Hong Kong BN(O) route on the date of application, they will be granted permission for either:

- (a) 30 months, if the partner applied for 30 months; or
- (b) 5 years, if the partner applied for 5 years.

HK 22.3. A BN(O) Household Child who does not have permission on the BN(O) Status Holder route on the date of application, will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who made their application at the same time as the applicant and who is being granted permission.

HK 22.4. If the BN(O) Household Child has permission on the BN(O) Status Holder route on the date of application they will,

- (a) where the BN(O) Household Child is applying as the dependent of one parent or grandparent with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, be granted permission that ends on the same date as that parent or grandparent; or
- (b) where the BN(O) Household Child is applying as the dependent of both parents or grandparents with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, be granted permission that ends on the same date as those parents or grandparents or, if different, the same date as the parent or grandparent whose permission ends first.

HK 22.5. 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.

### **BN(O) Household Member route**

#### **Validity requirements for the BN(O) Household Member route**

HK 23.1. A person applying for entry clearance or permission to stay on the BN(O) Household Member route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"><li>- hold a passport which shows they are registered as a British National (Overseas); or</li><li>- hold a passport issued by the Hong Kong Special Administrative Region; or</li><li>- are EEA nationals.</li></ul>	Either: <ul style="list-style-type: none"><li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li><li>• Hong Kong British National (Overseas) Visa</li></ul>
Other applicants	Hong Kong British National (Overseas) Visa

HK 23.2. An application for entry clearance or permission to stay on the BN(O) Household Member 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 established their identity and nationality.

HK 23.3. The applicant must have been born on or after 1 July 1997.

HK 23.4. The applicant must be aged 18 or over on the date of application.

HK 23.5. The applicant must not have or have last had permission as a BN(O) Adult Dependent Relative on the BN(O) Status Holder route.

HK 23.6. An application which does not meet the validity requirements for the BN(O) Household Member route is invalid and may be rejected and not considered.

### **Suitability requirements for the BN(O) Household Member route**

HK 24.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 24.2. 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 the BN(O) Household Member route**

#### **Entry requirement for a BN(O) Household Member**

HK 25.1. A person seeking to come to the UK on the BN(O) Household Member route must apply for and obtain entry clearance on the BN(O) Household Member route before they arrive in the UK.

HK 25.2. A person applying for entry clearance as a BN(O) Household Member 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 BN(O) Household Member**

HK 26.1. If the applicant is applying for permission to stay and they have permission on the Hong Kong British National (Overseas) route on the date of application, they will meet the relationship requirement.

HK 26.2. If the applicant is applying for entry clearance or permission to stay and they do not have permission on the Hong Kong British National (Overseas) route on the date of application, the applicant:

- (a) must be the child of a person who is being granted permission on the BN(O) Status Holder route at the same time that the applicant is being granted permission; and
- (b) must form part of the same household as the BN(O) Status Holder.

HK 26.3. In HK 26.2. a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

### **Financial requirement for a BN(O) Household Member**

HK 27.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 27.2. If the applicant is applying for entry clearance, or is applying for permission to stay and they have been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the applicant, or a person who is being granted permission on the BN(O) Status Holder route at the same time as the applicant, is able to, and will, maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 27.3. For the purposes of HK 27.2 accommodation will not be regarded as adequate if:

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 27.4. The applicant or the person on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 27.5. The applicant or the person on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

### **Ordinary residence in Hong Kong requirement for a BN(O) Household Member**

HK 28.1. An applicant applying for entry clearance as a BN(O) Household Member must be ordinarily resident in Hong Kong on the date of application.

HK 28.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong.

### **In-country tuberculosis certificate requirement for a BN(O) Household Member**

HK 29.1. If the applicant is applying for permission to stay and:

- (a) their last grant of permission was for less than 6 months; and
- (b) the applicant was present in a country listed in Appendix T of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 29.2. In HK 29.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 29.3. The in-country tuberculosis certificate requirement is met if the applicant has provided a medical certificate described in HK 29.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 29.4. The list of approved centres in the UK, updated from time to time, can be found at:

<https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>.

### **Decision on application for a BN(O) Household Member**

HK 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

HK 30.2. If the application is refused the person can apply for an Administrative Review under Appendix AR: Administrative Review.

### **Conditions and period of grant for a BN(O) Household Member**

HK 31.1. If the applicant does not have permission on the Hong Kong British National (Overseas) route on the date of application, the applicant will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who is part of the same household as the applicant.

HK 31.2. If the applicant has permission on the Hong Kong British National (Overseas) route on the date of application, they will be granted permission for either:

- (a) 30 months, if the applicant applied for 30 months; or
- (b) 5 years, if the applicant applied for 5 years.

HK 31.3. 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 condition in Appendix ATAS; and
- (d) if Part 10 applies the applicant will be required to register with the police.

### **Dependants of BN(O) Household Members**

#### **Validity requirements for a dependent partner or dependent child of a BN(O) Household Member on the Hong Kong BN(O) route**

HK 32.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child on the BN(O) Household Member route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"> <li>- hold a passport which shows they are registered as a British National (Overseas); or</li> <li>- hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>- are EEA nationals.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

HK 32.2. An application for entry clearance or permission to stay as a dependent partner or child on the BN(O) Household Member 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.

HK 32.3. An applicant who is a dependent child must be the child of a person who is making an application for entry clearance or permission to stay on the BN(O) Household Member route at the same time as the applicant.

HK 32.4. An application which does not meet the validity requirements for a dependent partner or dependent child on the BN(O) Household Member route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or child on the BN(O) Household Member route**

HK 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 33.2. 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 child on the BN(O) Household Member route**

#### **Entry requirements for a partner or child on the BN(O) Household Member route**

HK 34.1. A person seeking to come to the UK as a partner or child on the BN(O) Household Member route must apply for and obtain entry clearance as a partner or child before they arrive in the UK.

HK 34.2. A person applying for entry clearance as the dependent partner or child of a BN(O) Household Member 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 dependent partner of a BN(O) Household Member**

HK 35.1. If the applicant is applying for permission to stay and they have permission as a partner on the BN(O) Household Member route on the date of application, they will meet the relationship requirements.

HK 35.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the BN(O) Household Member route they must meet the relationship requirement as set out in HK 35.3. to HK 35.9.

HK 35.3. The applicant must be the partner of a person who is making an application for entry clearance or permission to stay on the BN(O) Household Member route at the same time as the applicant.

HK 35.4. The applicant and the BN(O) Household Member must both be aged 18 or over at the date of application.

HK 35.5. If the applicant and the BN(O) Household Member are not married or in a civil partnership, all 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 the BN(O) Household Member with another person must have permanently broken down; and
- (c) they must not be so closely related that they would not be allowed to marry in the UK.

HK 35.6. The relationship between the applicant and the BN(O) Household Member must be genuine and subsisting.

HK 35.7. The applicant and the BN(O) Household Member must form part of the same household on the date of application.

HK 35.8 In HK 35.7. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.

HK 35.9. The applicant and the BN(O) Household Member must intend to live together throughout the applicant's stay in the UK.

#### **Financial requirement for partner of a BN(O) Household Member**

HK 36.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 36.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route at the same time as the applicant is being granted permission, is able to maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least 6 months.

HK 36.3 For the purposes of HK 36.2. accommodation will not be regarded as adequate if

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 36.4. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 36.5. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

#### **Relationship requirement for dependent child of a BN(O) Household Member**

HK 37.1. The applicant must be the child of a parent who has, or is at the same time being granted, permission as:

- (a) a BN(O) Household Member or



(b) the partner of a BN(O) Household Member.

HK 37.2. Each of the applicant's parents must either be 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 with permission as a BN(O) Household Member or the partner of a BN(O) Household Member is the sole surviving parent; or
- (b) the parent with permission as a BN(O) Household Member or the partner of a BN(O) Household Member has sole responsibility for the child's upbringing; or
- (c) there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who has permission on the BN(O) Household Member route.

HK 37.3. If the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a child on the BN(O) Household Member route they must form part of the same household as the BN(O) Household Member on the date of application.

HK 37.4 In HK 37.3. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.

#### **Care requirement for a dependent child of a BN(O) Household Member**

HK 38.1. The applicant must live with a parent who has permission on the BN(O) Household Member route during their stay in the UK, unless they can demonstrate a valid reason why they should not live with that parent.

HK 38.2. There must be suitable arrangements for the applicant's care and accommodation in the UK, which must comply with relevant UK legislation and regulations.

#### **Age requirement for a dependent child of a BN(O) Household Member**

HK 39.1. The applicant must be under the age of 18 at the date of application.

#### **Financial requirement for child of a BN(O) Household Member**

HK 40.1. If the applicant is applying for permission to stay and has been living in the UK for 12 months or more on the date of application, they will meet the financial requirement.

HK 40.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the UK with permission for less than 12 months on the date of application, the decision maker must be satisfied that the BN(O) Household Member, their partner or a person who is being granted permission on the BN(O) Status Holder route at the same time as the applicant is being granted permission, is able to and will maintain and accommodate the applicant adequately in the UK without recourse to public funds for at least six months.

HK 40.3. For the purposes of HK 40.2. accommodation will not be regarded as adequate if

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 40.4. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 40.5. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

**Ordinary residence in Hong Kong requirement for partner or child of a BN(O) Household Member**

HK 41.1. If the applicant is applying for entry clearance as a dependent partner or child the applicant must be ordinarily resident in Hong Kong at the date of application.

HK 41.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

**In-country tuberculosis requirement for partner or child of a BN(O) Household Member**

HK 42.1. If the applicant is applying for permission to stay and:

- (a) their last grant of permission was for less than 6 months;
- (b) the applicant was present in a country listed in Appendix T of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 42.2. In HK 42.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 42.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 42.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 42.4. The list of approved centres in the UK, updated from time to time, can be found at: <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>.

**Decision on application for a dependent partner or child of a BN(O) Household Member on the Hong Kong BN(O) route**

HK 43.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependent partner or dependent child on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

HK 43.2. 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 dependent partner or child of a BN(O) Household Member**

HK 44.1. A partner who does not have permission on the BN(O) Household Member route on the date of application, will be granted permission which ends on the same date as the BN(O) Household Member's permission.

HK 44.2. If the partner has permission on the Hong Kong BN(O) route on the date of application, a partner will be granted permission for either:

- (a) 5 years, if the partner applied for 5 years; or
- (b) 30 months, if the partner applied for 30 months.

HK 44.3. A child who does not have permission on the BN(O) Household Member route on the date of application, will be granted permission which ends on the same date as the BN(O) Household Member's permission.

HK 44.4. A child who has permission on the BN(O) Household Member route on the date of application will:

- (a) where the child is applying as the dependent of one parent with permission on the BN(O) Household Member route, be granted permission that ends on the same date as that parent; and
- (b) where the child is applying as the dependent of both parents with permission on the BN(O) Household Member route, be granted permission that ends on the same date as those parents or, if different, the same date as the parent whose permission ends first.

HK 44.5. 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.

### **Adult Dependent Relative of a BN(O) Status Holder**

#### **Validity requirements for a BN(O) Adult Dependant Relative on the BN(O) Status Holder route**

HK 45.1. A person applying for entry clearance or permission to stay as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"> <li>- hold a passport which shows they are registered as a British National (Overseas); or</li> <li>- hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>- are EEA nationals.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

HK 45.2. An application for entry clearance or permission to stay as a BN(O) Adult Dependent Relative 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 established their identity and nationality.

HK 45.3. The applicant must be aged 18 years or over on the date of application.

HK 45.4. The applicant must be the parent, grandparent, brother, sister, son or daughter of a person who is making an 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.

HK 45.5. An application which does not meet the validity requirements for a BN(O) Adult Dependent Relative on the BN(O) Status Holder route is invalid and may be rejected and not considered.

**Suitability requirements for a BN(O) Adult Dependent Relative on the BN(O) Status Holder route**

HK 46.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 46.2. 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 BN(O) Adult Dependent Relative on the BN(O) Status Holder route**

**Entry requirements for a BN(O) Adult Dependent Relative**

HK 47.1. A person seeking to come to the UK as a BN(O) Adult Dependent Relative on the BN(O) Status Holder route must apply for and obtain entry clearance as a BN(O) Adult Dependant Relative before they arrive in the UK.

HK 47.2. A person applying for entry clearance as the dependent partner or child of a BN(O) Household Member 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 BN(O) Adult Dependent Relative**

HK 48.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependent Relative on the BN(O) Status Holder route on the date of application, they will meet the relationship requirement.

HK 48.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the Hong Kong BN(O) route they must be the parent, grandparent, brother, sister, son or daughter of a person who is making an application for entry clearance or permission to stay as a BN(O) Status Holder or as the partner of a BN(O) Status Holder at the same time as the applicant.

HK 48.3. Where the applicant is the parent or grandparent of a BN(O) Status Holder or of the partner of a BN(O) Status Holder, the applicant must not be in a subsisting relationship with a partner unless:

- (a) that partner is also the parent or grandparent of the BN(O) Status Holder or of the partner of a BN(O) Status Holder; and
- (b) that partner is applying for entry clearance or permission to stay at the same time as the applicant.

### **Dependency requirement for a BN(O) Adult Dependent Relative**

HK 49.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependent Relative on the BN(O) Status Holder route on the date of application, they will meet the dependency requirement.

HK 49.2 Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the Hong Kong BN(O) route the applicant must:

- (a) as a result of age, illness or disability require long-term personal care to perform everyday tasks; and
- (b) form part of the same household as the BN(O) Status Holder who has, or is at the same time being granted, permission; and
- (c) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder, to obtain the required level of help in Hong Kong, if the BN(O) Status Holder or the partner of the BN(O) Status Holder move to the UK, either because the help:
  - (i) is not available, and there is no person in Hong Kong who can reasonably provide it; or
  - (ii) is not affordable.

HK 49.3 In HK 49.2.(b) a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

HK 49.4. Where the applicant and their partner are the parents or grandparents of the BN(O) Status Holder, or of the partner of the BN(O) Status Holder, the applicant, or their partner, must:

- (a) as a result of age, illness or disability require long-term personal care to perform everyday tasks; and
- (b) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder, to obtain the required level of help in Hong Kong if the BN(O) Status Holder or the partner of the BN(O) Status Holder move to the UK either because the help:
  - (i) is not available and there is no person in Hong Kong who can reasonably provide it; or
  - (ii) is not affordable.

### **Financial requirement for a BN(O) Adult Dependent Relative**

HK 50.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or more on the date of application, they will meet the financial requirement.

HK 50.2. If the BN(O) Adult Dependent Relative is applying for entry clearance, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, the decision maker must be satisfied that the BN(O) Status Holder or their partner is able to and will maintain and accommodate the BN(O) Adult Dependent Relative adequately in the UK without recourse to public funds for at least 6 months.

HK 50.3 For the purposes of HK 50.2. accommodation will not be regarded as adequate if:

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 50.4. The BN(O) Status Holder or their partner may rely on credible promises of future third party support.

HK 50.5. The BN(O) Status Holder or their partner must show that they have the required funds as specified in Appendix Finance.

### **Ordinary residence in Hong Kong requirement for a BN(O) Adult Dependent Relative**

HK 51.1. If the applicant is applying for entry clearance as a BN(O) Adult Dependent Relative the applicant must be ordinarily resident in Hong Kong on the date of application.

HK 51.2. An applicant applying for permission to stay must be in the UK and must be ordinarily resident in the UK, the Bailiwick of Guernsey, Bailiwick of Jersey, the Isle of Man or Hong Kong on the date of application.

### **In-country tuberculosis certificate requirement for a BN(O) Adult Dependent Relative**

HK 52.1. If the applicant is applying for permission to stay and:

- (a) their last grant of permission was for less than 6 months; and
- (b) the applicant was present in a country listed in Appendix T of these rules for more than six months immediately prior to their last grant of permission,

the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

HK 52.2. In HK 52.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

HK 52.3. The in-country tuberculosis requirement is met where the applicant provided a medical certificate described in HK 52.1. as part of a successful application for entry clearance in the 12 months before the date of application.

HK 52.4. The list of approved centres in the UK, updated from time to time, can be found at: <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>.

### **Decision on application as a BN(O) Adult Dependent Relative**

HK 53.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a BN(O) Adult Dependent Relative are met the application will be granted, otherwise the application will be refused.

HK 53.2. 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 BN(O) Adult Dependent Relative**

HK 54.1. If the applicant does not have permission on the BN(O) Status Holder route on the date of application, they will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who is part of the same household as the applicant.

HK 54.2. If the BN(O) Adult Dependent Relative has permission on the BN(O) Status Holder route on the date of application, they will be granted permission which ends on the same date as the permission of a BN(O) Status Holder or where relevant the partner of a BN(O) Status Holder who has, or is at the same time being granted, permission.

HK 54.3. 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.

### **Settlement on the Hong Kong BN(O) route**

#### **Validity requirements for Settlement on the Hong Kong BN(O) route**

HK 55.1. A person applying for settlement on the Hong Kong BN(O) route must apply online on the gov.uk website on the specified form as follows:

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who: <ul style="list-style-type: none"> <li>- hold a passport which shows they are registered as a British National (Overseas); or</li> <li>- hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>- are EEA nationals.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

HK 55.2. An application for settlement on the Hong Kong BN(O) 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;
- (d) the applicant must have, or have last had, permission on the Hong Kong BN(O) route; and
- (e) the applicant must be in the UK.

HK 55.3. An application which does not meet the validity requirements for settlement on the BN(O) route is invalid and may be rejected and not considered.

#### **Suitability requirements for settlement on the Hong Kong BN(O) route**

HK 56.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 56.2. 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 on the Hong Kong BN(O) route**

**Relationship requirement for settlement as a dependent child on the Hong Kong BN(O) route**

HK 57.1. Where the applicant is under 18 on the date of application the additional requirements in HK 57.2. to HK 57.4. must be met.

HK 57.2. The applicant must have last been granted permission as a dependent child on the Hong Kong BN(O) route.

HK 57.3 The applicant's parent must:

- (a) at the same time, be being granted settlement on the Hong Kong BN(O) route; or
- (b) be settled or a British citizen.

HK 57.4. The applicant's other parent (who is not the parent in HK 57.3.) must be being granted settlement at the same time, or be settled or a British citizen, unless:

- (a) the parent in HK 57.3. is the applicant's sole surviving parent; or
- (b) the parent in HK 57.3. 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.

**Care requirement for settlement as a dependent child on the Hong Kong BN(O) route**

HK 58.1. 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.

**Relationship requirement for settlement as an adult dependant relative on the Hong Kong BN(O) route**

HK 59.1. Where the applicant has or last had permission as an adult dependant relative on the Hong Kong BN(O) route, they must be the parent, grandparent, brother, sister, son or daughter of a person who:

- (a) last had permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder and who is at the same time being granted settlement on the Hong Kong BN(O) route; or
- (b) is settled and whose last grant of permission prior to settlement was as a BN(O) Status Holder or the partner of a BN(O) Status Holder; or
- (c) is a British citizen.

**English language requirement for settlement on the Hong Kong BN(O) route**

HK 60.1. 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.

HK 60.2. 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 Hong Kong BN(O) route**

HK 61.1. If the applicant is aged 18 or over, and under 65 on the date of application, they must meet the Knowledge of Life in the UK requirement as specified in Appendix KOL UK.



### **Qualifying period for settlement on the BN(O) route**

HK 62.1. The applicant must have spent a continuous period of 5 years with permission on a route in these rules under which a person can settle, of which the most recent grant of permission must have been on the Hong Kong BN(O) route.

### **Continuous Residence requirement for settlement on the Hong Kong BN(O) route**

HK 63.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence.

### **Decision on an application for settlement on the Hong Kong BN(O) route**

HK 64.1. If the decision maker is satisfied all the suitability and eligibility requirements are met the applicant will be granted settlement, otherwise the application will be refused.

HK 64.2. If the application is refused, a request can be made for an Administrative Review under Appendix AR: Administrative Review.

### **Appendix ATAS: Academic Technology Approval Scheme (ATAS)**

*The ATAS requirement is a requirement to obtain a valid ATAS certificate, issued by the Counter Proliferation and Arms Control Centre, and to provide it with an application to study any of the specified subjects listed in this Appendix.*

*ATAS seeks to prevent the transfer of information, knowledge or technology which could develop, advance or support an Advanced Conventional Military Technology (ACMT) and Weapon of Mass Destruction (WMD) programme or their means of delivery.*

*The ATAS condition is a requirement to obtain a valid ATAS certificate prior to commencing study in any of the specified subjects.*

*A person must meet the ATAS requirement if they are aged 16 or over and are applying to study under the Student or Short-term Study route in relation to postgraduate study in one of the specified subjects.*

*A person is subject to the ATAS condition if they have been granted permission under any immigration route that imposes this condition on study.*

*A person is exempt from the ATAS requirement and ATAS condition if they are a national of one of the countries listed in this Appendix.*

### **ATAS requirement**

ATAS 1.1. An applicant (who is not a national of a country listed at ATAS 3.1.) requires a valid ATAS certificate for the course of study for which the Confirmation of Acceptance for Studies was assigned if the course is for a subject set out at ATAS 4.1. which:

- (a) leads to a master's degree; or
- (b) leads to a PhD; or
- (c) leads to another postgraduate qualification; or
- (d) is a period of study or research which is part of an overseas postgraduate qualification.

ATAS 1.2. The applicant must provide a print-out of the valid ATAS certificate for the

course of study to show that the ATAS requirement is met.

### **ATAS condition**

ATAS 2.1. The ATAS condition means the person (who is not a national of a country listed at ATAS 3.1), must have a valid ATAS certificate before commencing study (unless ATAS 2.2 applies) in a subject listed at ATAS 4.1. which:

- (a) leads to a master's degree; or
- (b) leads to a PhD; or
- (c) leads to another postgraduate qualification; or
- (d) is a period of study or research which is part of an overseas postgraduate qualification.

ATAS 2.2. If a Student intends to continue study on a course of study subject to the ATAS requirement, they must apply for a new ATAS certificate where:

- (a) the completion date of the course of study has changed and will be delayed by more than 3 months; or
- (b) the course content or research proposal of the course of study change, and the application for a new certificate must be made within 28 days of the change in (a) or (b) being known to the Student.

### **Nationals who are exempt from the ATAS requirement and condition**

ATAS 3.1. A person does not need to meet the ATAS requirement, and will not be subject to the ATAS condition, if they are a national of any of the following countries:

Australia  
Austria  
Belgium  
Bulgaria  
Canada  
Croatia  
Republic of Cyprus  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Iceland  
Ireland  
Italy  
Japan  
Latvia  
Liechtenstein  
Lithuania  
Luxembourg  
Malta  
Netherlands  
New Zealand  
Norway

Poland  
Portugal  
Romania  
Singapore  
Slovakia  
Slovenia  
South Korea  
Spain  
Sweden  
Switzerland  
United States of America

### **Academic Subjects relevant to ATAS**

ATAS 4.1. The ATAS requirement and ATAS condition apply to the following subjects:

(a) doctorates or master's by research in:

#### **Subjects allied to Medicine:**

CAH codes:

CAH02-02-01 - Pharmacology

CAH02-02-02 - Toxicology

CAH02-02-03 - Pharmacy

CAH10-01-06 - Bioengineering, Medical and Biomedical Engineering

CAH02-03-12 - Others in subjects allied to Medicine

#### **Biological Sciences:**

CAH codes:

CAH03-01-02 - Biology (non-specific)

CAH03-01-03 - Ecology and Environmental Biology

CAH03-01-06 - Zoology

CAH03-01-04 - Microbiology and Cell Science

CAH03-01-05 - Plant Sciences

CAH10-02-05 - Biotechnology

CAH03-01-07 - Genetics

CAH02-03-10 - Biomedical Sciences (non-specific)

CAH03-01-08 - Molecular Biology, Biophysics and Biochemistry

CAH03-01-01 - Biosciences (non-specific)

CAH03-01-10 - Others in Biological Sciences

#### **Veterinary Sciences, Agriculture and related subjects:**

CAH codes:

CAH05-01-02 - Others in Veterinary Sciences

CAH06-01-02 - Agricultural sciences

#### **Physical Sciences:**

CAH codes:

CAH-07-02-01 – Chemistry

CAH-07-03-03 - Materials Science

CAH07-01-01 - Physics

CAH07-01-02 - Astronomy

CAH12/01/05 - Others in Geographical Studies

CAH07/03/01 - Physical Sciences (non-specific)  
CAH08-01-01 - Sciences (non-specific)  
CAH08-01-02 - Natural Sciences (non-specific)

**Mathematical and Computer Sciences:**

CAH codes:

CAH09-01-01 - Mathematics  
CAH09-01-02 - Operational Research  
CAH11-01-01 - Computer Science  
CAH11-01-02 - Information Technology  
CAH11-01-03 - Information Systems  
CAH11-01-04 - Software Engineering  
CAH11-01-05 - Artificial Intelligence

**Engineering:**

CAH codes:

CAH10-01-01 - Engineering (non-specific)  
CAH10-01-07 - Civil Engineering  
CAH10-01-02 - Mechanical Engineering  
CAH10-01-04 - Aeronautical and Aerospace Engineering  
CAH10-01-05 - Naval Architecture  
CAH10-01-08 - Electronic and Electrical Engineering  
CAH10-01-09 - Chemical, Process and Energy Engineering

**Technologies:**

CAH codes:

CAH10-02-03 - Polymers and Textiles  
CAH10-02-01 - Minerals Technology  
CAH10-02-02 - Materials Technology  
CAH10-02-04 - Maritime Technology

(b) taught master's in:

CAH codes:

CAH07-03-03 - Materials Science  
CAH07-01-01 - Physics (including Nuclear Physics)  
CAH10-01-02 - Mechanical Engineering  
CAH10-01-04 - Aeronautical and Aerospace Engineering  
CAH10-01-09 - Chemical, Process and Energy Engineering  
CAH10-02-01 - Minerals Technology  
CAH10-02-02 - Materials Technology.

**Appendix English Language**

*This Appendix sets out how the English language requirement is met.*

*It applies only to applications under Appendix Student, Appendix Skilled Worker, Appendix Representatives of an Overseas Business, Appendix T2 Minister of Religion, Appendix T2 Sportsperson, Appendix UK Ancestry, Appendix Global Talent, Appendix Start-up, Appendix Innovator, Appendix T5 (Temporary Worker) International Agreement Worker, Appendix Hong Kong British National (Overseas) and Appendix ECAA Extension of Stay.*

*The route sets out whether the English language requirement must be met and at what level.*

### **Exemption**

EL 1.1. An applicant for settlement is exempt from the English language requirement if at the date of application:

- (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.

### **How the requirement is met**

EL 2.1. The English language requirement is met if any of the requirements in EL 3 to EL 6 are met.

EL 2.2. The English language requirement is also met by a person applying for entry clearance or permission to stay as a Student if any of the requirements in EL 7.1. to EL 8.4. are met.

EL 2.3. The English language requirement is also met by a person applying for entry clearance or permission to stay as a Skilled Worker route if:

- (a) the requirements in EL 7.1. and EL 7.2. are met: or
- (b) the requirement in EL 9.1. is met.

EL 2.4. The English language requirement is also met by a person applying for entry clearance or permission to stay on the Start-up or Innovator routes if the requirements in EL 7.1. and EL 7.2. are met.

EL 2.5. The English language requirement is also met by a dependent partner or dependent child applying for settlement if they meet the requirements in paragraph 3.2. of Appendix KOLL.

### **Met in a previous application**

EL 3.1. An applicant will meet the English language requirement if they have already shown they met the requirement, at the level required for their current application, in a previous successful application for entry clearance or permission to stay.

### **Majority English speaking country**

EL 4.1. An applicant will meet the English language requirement if they are a national of any of the following majority-English-speaking countries:

- Antigua and Barbuda
- Australia
- The Bahamas
- Barbados
- Belize
- Canada
- Dominica
- Grenada
- Guyana
- Jamaica

Malta  
New Zealand  
St Kitts and Nevis  
St Lucia  
St Vincent and the Grenadines  
Trinidad and Tobago  
United States of America

### **Academic qualification**

EL 5.1. An applicant will meet the English language requirement if they have an academic qualification which meets one of the requirements at EL 5.2. and is proven by the required evidence under EL 5.3. or EL 5.4.

EL 5.2. The requirements are that the applicant has:

- (a) a bachelor's degree, master's degree or doctorate awarded in the UK; or
- (b) a degree or degree-level qualification taught in a university or college in a majority-English-speaking country listed in EL 4.1. (except Canada), or Ireland, which meets or exceeds the recognised standard of a bachelor's degree, master's degree or doctorate awarded in the UK; or
- (c) a degree or degree level qualification which meets, or exceeds, the recognised standard of a UK bachelor's degree; master's degree or doctorate and was taught or researched in English.

EL 5.3. The requirement at EL 5.2. must be proven by one of:

- (a) a certificate from the awarding body; or
- (b) a transcript issued by the university or college that awarded the qualification; or
- (c) an official letter from the university or college that awarded the qualification containing information equivalent to a degree certificate.

EL 5.4. If the qualification was awarded by a body from outside the UK, the requirement at EL 5.2. must, in addition to the requirement at EL 5.3, be proven by confirmation from UK NARIC that the qualification meets the requirements at EL 5.2(b) or EL 5.2(c).

### **English language test**

EL 6.1. An applicant will meet the English language requirement if they have provided a valid digital reference number from an approved provider showing they have passed an approved English language test to the required level in the two years before the date of application.

*The list of approved tests and providers, updated from time to time, can be found at [www.gov.uk/government/publications/guidance-on-applying-for-uk-visa-approved-english-language-tests](http://www.gov.uk/government/publications/guidance-on-applying-for-uk-visa-approved-english-language-tests).*

### **GCSE or A Level English**

EL 7.1. An applicant applying for entry clearance or permission to stay under Appendix Student, Appendix Skilled Worker, Appendix Start-up or Appendix Innovator 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 in a UK school undertaken while they were aged under 18.

EL 7.2. The requirement at EL 7.1. must be proven by either:

- (a) a certificate from the awarding body; or
- (b) an official transcript issued by the awarding body.

### **Additional ways Students can meet the English language requirement**

EL 8.1. An applicant under Appendix Student will meet the English language requirement if they are applying for a course of study at degree level or above and are sponsored by a higher education provider with a track record of compliance who states on the Confirmation of Acceptance for Studies that they have assessed the applicant's English language ability and how they have assessed it.

EL 8.2. Where an assessment under EL 8.1. has been carried out the Confirmation of Acceptance for Studies entry must confirm that the applicant has a knowledge of English equivalent to level B2, or above, of the Council of Europe's Common European Framework for Language Learning in all 4 components (reading, writing, speaking and listening) or that the requirement at ST 15.3. is met.

EL 8.3. An applicant under Appendix Student will meet the English language requirement if they have taken an approved English test and been exempted from a component of that test by the test provider due to a disability, and the student sponsor has confirmed that they are satisfied the English language ability of the applicant is sufficient to undertake the course of study.

EL 8.4. An applicant under Appendix Student will meet the English language requirement if they are applying for a short-term study abroad programme of up to six months and both:

- (a) the study abroad programme is part of a course of study at degree level or above at an overseas higher education institution in the United States of America; and
- (b) UK NARIC confirm that the course of study overseas will lead to an academic (not a professional or vocational) qualification at UK bachelor's degree level or above.

### **Medical professional regulation for Skilled Workers**

EL 9.1. An applicant applying for entry clearance or permission to stay under Appendix Skilled Worker will meet the English language requirement if they are being sponsored to work as a doctor, dentist, nurse or midwife, and have passed an English Language assessment which is accepted by the relevant regulated professional body as a requirement for registration.

### **Appendix KOL UK**

*This Appendix sets out how the Knowledge of Life in the UK requirement is met by a person applying for settlement.*

*It applies only to applications under Appendix Student, Appendix Skilled Worker, Appendix Representatives of an Overseas Business, Appendix T2 Minister of Religion, Appendix T2 Sportsperson, Appendix UK Ancestry, Appendix Global Talent, Appendix Innovator, Appendix T5 (Temporary Worker) International Agreement Worker, Appendix Hong Kong British National (Overseas) and Appendix ECAA Extension of Stay.*

*Applications for settlement under other routes must continue to apply Appendix KOLL.*

### **Exemption**

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.

### **Knowledge of Life in the UK requirement**

KOL 2.1. An applicant will meet the Knowledge of Life in the UK requirement if they:

- (a) provide a valid digital reference number from an educational institution or other person approved for this purpose by the Secretary of State showing they have passed the Life in the UK test; or
- (b) are resident in the Isle of Man, and provide a valid digital reference number from an educational institution or other person approved for this purpose by the Lieutenant Governor showing they have passed the Isle of Man's Life in the UK test; or
- (c) are resident in the Bailiwick of Guernsey or in the Bailiwick of Jersey, and provide a valid digital reference number from an educational institution or other person approved for that purpose by the Lieutenant Governor of Guernsey or Jersey showing they have passed the "Citizenship Test".

### **Appendix Finance**

*This Appendix sets out how the financial requirement must be met.*

*The routes set out the requirements for the amount of funds and length of time they must be held.*

*This Appendix applies to applications under these routes: Appendix Student, Appendix Short-term Student, Appendix Child Student, Appendix Parent of a Child Student, Appendix Skilled Worker, Appendix Intra-company routes, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Start-up, Appendix Innovator, Appendix T2 Minister of Religion, Appendix T2 Sportsperson, Appendix UK Ancestry, Appendix T5 (Temporary Worker) Seasonal Worker, Appendix T5 (Temporary Worker) Youth Mobility Scheme, Appendix T5 (Temporary Worker) Creative Workers and Sportsperson, Appendix T5 (Temporary Worker) Religious Worker, Appendix T5 (Temporary Worker) Charity Workers, Appendix T5 (Temporary Worker) International Agreement Workers, Appendix T5 (Temporary Worker) Government Authorised Exchange Workers, and Appendix Hong Kong British National (Overseas).*

### **Currency**

FIN 1.1. Where money is held in one or more foreign currencies, this will be converted into pound sterling (£) using the spot exchange rate which appears on [www.oanda.com](http://www.oanda.com) for the date of the application.

### **Financial institutions**

FIN 2.1. Funds will not be considered if they are held in a financial institution where any of the following apply:



- (a) the decision maker is unable to make satisfactory verification checks; or
- (b) the financial institution is not regulated by the appropriate regulatory body for the country in which that institution is operating; or
- (c) the financial institution does not use electronic record keeping.

### **Overdrafts**

FIN 3.1. Overdraft facilities will not be counted towards meeting financial requirements.

### **Requirement to have legally earned or acquired funds, savings, or income**

FIN 4.1. If funds, savings or income were earned or acquired when the applicant was in the UK, they must have been earned or acquired lawfully and while the applicant had permission and was not in breach of any conditions attached to that permission.

### **Account holders**

FIN 5.1. Accounts relied on must be in the name of the applicant (either alone or as a joint account holder), unless one of the following applies:

- (a) the account is in the name of the applicant's partner who is applying for entry clearance or permission to stay at the same time or has been granted permission; or
- (b) the applicant is applying as a Child Student, or Student, or dependent child, and the account is in the name of their parent, or their legal guardian; or
- (c) the applicant is applying as a Child Student and they are being cared for by a close relative, or a private foster care arrangement has been made which complies with the requirements in CS 9.3. to CS 9.5, and the account is in the name of the applicant's close relative or private foster carer; or
- (d) the requirements for the route under which the applicant is applying state that an account in the name of a third party may be relied upon and the account is in the name of that third party.

FIN 5.2. The applicant, or account holder in FIN.5.1, must have control of the funds.

FIN 5.3. If the applicant is applying as a Student or Child Student and they are relying on funds held in an account in the name of a parent or legal guardian as specified in FIN 5.1. they must provide proof of that relationship and written consent from the parent or legal guardian to use those funds.

### **Third party support**

FIN 6.1. Promises of future third-party support will not be accepted as evidence of funds, except where this is specified in the route under which the applicant is applying.

### **Dates of financial evidence**

FIN 7.1. The most recently dated piece of financial evidence must be dated within 31 days before the date of application.

FIN 7.2. The length of time for which funds are held will be calculated by counting back from the date of the closing balance on the most recently dated piece of financial evidence.

FIN 7.3. The financial evidence provided must cover the whole period of time for which the funds must be held.

### **Accounts**

FIN 8.1. Funds may be held in any form of personal bank or building society account (including current, deposit, savings, pension from which the funds can be withdrawn or investment account) provided the account allows the funds to be accessed immediately.

FIN 8.2. Funds held in other accounts or financial instruments such as shares, bonds, credit cards, pensions from which the funds cannot be withdrawn immediately, regardless of notice period, will not be accepted as evidence of funds.

FIN 8.3. An applicant applying as a Student or Child Student, will meet the financial requirements if they provide evidence of any of the following (or a combination of them):

- (a) money held in an account that meets the requirements set out in FIN 5.1. and FIN 8.1;  
or
- (b) funds provided by an official financial sponsor, which must be Her Majesty's Government, the applicant's national government, the British Council or any international organisation, international company, university or Independent School;  
or
- (c) a student loan provided by:
  - (i) a government; or
  - (ii) a government sponsored student loan company; or
  - (iii) an academic or educational loans scheme which is provided by a financial institution regulated for the purpose of issuing student loans by either the Financial Conduct Authority (FCA) or the Prudential Regulation Authority (PRA) or, in the case of an overseas loan, the official regulatory body for purpose of issuing student loans in the country the institution is in and where the money is held.

### **Evidence of financial sponsorship for students**

FIN 9.1. An applicant relying on funds provided by an official financial sponsor under FIN 8.3.(b) must provide evidence, either:

- (a) where the student sponsor is providing financial sponsorship, the funds being provided must be stated in the Confirmation of Acceptance for Studies; or
- (b) a letter of confirmation from the official financial sponsor.

FIN 9.2. An applicant relying on a student loan under FIN 8.3.(c), must show evidence of the student loan by providing a student loan letter from the lender which must:

- (a) be dated no more than 6 months before the date of application; and
- (b) confirm the loan is a student loan provided to the applicant by either the relevant government or a government sponsored student loan company or an academic or educational loans scheme; and
- (c) confirm there are no conditions on release of the loan funds other than a successful application to study in the UK as a Student or Child Student; and
- (d) confirm the amount of the loan; and
- (e) confirm the loan is to the applicant; and
- (f) confirm the funds will be:
  - (i) available to the applicant before they travel to the UK; or
  - (ii) paid directly to the student sponsor before the applicant travels to the UK, with any living cost portion of the loan being made available to the applicant by the time they arrive in the UK; or
  - (iii) available before the applicant begins their course if the loan is provided by the applicant's national government; and

(g) confirm the lender meets the requirement at FIN 8.3(c).

## **Appendix Continuous Residence**

*This Appendix sets out how the continuous residence requirement is met.*

*It applies only to applications under Appendix Skilled Work, Appendix Representative of an Overseas Business, Appendix Global Talent, Appendix Innovator, Appendix T2 Minister of Religion, Appendix T2 Sports person, Appendix UK Ancestry, Appendix Hong Kong British National (Overseas), and Appendix ECAA Extension of Stay.*

### **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. 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 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.

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.

### **Continuous residence for dependants**

CR 3.1. Where the applicant's partner or parent, on whom they are dependent, was absent for a reason in CR 2.3. that period of absence will not count towards the 180-day limit when calculating the dependant's continuous residence period.

### **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 have permission, unless:
  - (i) the applicant made a successful application for permission to stay under the circumstances set out in paragraph 39E of Part 1 of these rules; 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. or CR 2.2, and none of the exceptions in CR 2.3. or CR 2.4. apply.

CR 4.2. Any period without permission under CR 4.1.(d) which occurred before the applicant made a successful application for permission 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)(i), (ii) or (iii) applies, the periods of time where the applicant did not have permission will not count when calculating the continuous residence period.

### **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 applied.

CR 5.2. Where CR 4.1. applies the applicant will not be regarded as continuously resident for any period during which those circumstances apply (and the exceptions in CR 2.3. and CR 2.4. will not apply).

### **Calculating the continuous residence period**

CR 6.1. The continuous residence period in CR 2.1. 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 seeking settlement on the UK Ancestry route, the date of their last grant of permission.”.

### **Changes to Appendix W**

W.1. Delete Appendix W.

