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# Immigration Law Update

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## Topics

- New routes
  - Global Business Mobility (GBM)
  - High Potential Individual (HPI)
  - Scale-up

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## Topics

- Other changes
  - EU Settlement scheme
  - Overseas business reps
  - Hong Kong British nationals
  - Innovators
  - Skilled workers
  - Students

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# 1. Global Business Mobility ('GBM')

- For businesses seeking to establish a presence in the UK or transfer staff for specific purposes
- 5 new sub categories
- None lead to settlement

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## Senior or Specialist Worker

- Allows them to carry out temporary work assignments in the UK (even where existing trading UK presence)
- Requirements:
  - Cert of sponsorship (COS from A rated sponsor)
  - Not more than 3 months before employer's application

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## Senior or Specialist Worker

– Requirements:

- Payment of Immigration Health Surcharge ('IHS')
- Score 60 points (sponsorship/salary (£42,400 min)/role skill level assessment)
- Employed on application
- 12 months cumulatively prior to application

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## Senior or Specialist Worker

– Requirements:

- Unless high earner (£73,900 gross in UK)

– Permission:

- 5 years or 14 days after work end date (CoS)
- 5 years max in any 6 or 9 years in any 10 (high earners)
- Time spent under prev routes may count

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## Graduate Trainees

For workers on graduate training courses re senior management or specialist positions, required to do work placements in the UK

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## Graduate Trainees

### Requirements:

- Score 60 points (sponsorship/£23,100 min/role skill level)
- CoS from A rated sponsor
- Confirms graduate trainee and working for sponsor for 3 months min at application date

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## Graduate Trainees

### Requirements:

- Must be for a structured training prog for a managerial or specialist role with sponsor

### Permission

- 1 year or 14 days after work end date stated in CoS
- Max 5 years in any 6 inc prev permissions

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## UK Expansion Workers

For senior managers and specialist employees to undertake temporary work expanding overseas business (not where UK trading presence exists)

Requirements:

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## UK Expansion Workers

### Requirements:

- CoS from A rated sponsor
- Not more than 3 months prior to application
- Payment of IHS
- 60 points (sponsor/£42,400 min/role skill level)

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## UK Expansion Workers

### Requirements:

- Cumulative employment 12 months unless high earner (£73,900 min in UK) or specific arrangements for Japanese nationals

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## UK Expansion Workers

### Permissions:

- Will last shorter of:
  - 1 year after start date of job detailed in CoS
  - 14 days after end of that job
  - 2 years continuous permission as a UK Expansion Worker
  - 5 of 6 year period cumulative under any GBM routes
- Max length 5 years (can include prev permissions)

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## Service Suppliers

Allows contractors to carry out temporary work assignments for overseas providers

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## Service Suppliers

### Requirements:

- CoS from A rated sponsors
- Not more than 3 months prior to application
- Payment of IHS
- 40 points (sponsorship/role skill assessment as 'A' or 'B')

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## Service Suppliers

### Requirements:

- Sponsor requires authority to sponsor a Service Supplier from Home Office
- Contract must be registered with HO; covered by relevant trade agreement and on which the applicant shall work

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## Service Suppliers

### Requirements:

- Skill level - Option A
  - Listed in Appendix Skilled Occupations and therefore eligible
- Skill level – Option B
  - University degree or equivalent technical qualification (unless excluded)
  - 3 years' experience/6 if self employed service provider

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## Service Suppliers

### Permissions:

- Max period 12 months
- Max length of assignment 5 years in any 6 – may include previous consents

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## Secondment Workers

Covers applications in cases of high value contracts or investments.

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## Secondment Workers

### Requirements:

- 40 points (sponsorship/skill level assessment)
- A rated sponsor with permission to sponsor a Secondment Worker from Home Office
- Contract with overseas business , registered with Home Office under which applicant will work

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## Secondment Workers

### Requirements:

- Role must be listed in Appendix Skilled Worker and eligible under GBM routes

### Permission:

- Max 5 from 6 year period (may include prev consents)

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# High Potential Individuals (HPIs)

For graduates of top global universities

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# High Potential Individuals (HPIs)

## Requirements:

- No job offer required
- No sponsor required
- Graduation from a top University listed on the 'Global Universities List'
- Fresh applicants or those in UK less than 12 months min funds £1270 for 28 days

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## High Potential Individuals (HPIs)

### Requirements:

- Min English standards apply

### Permissions:

- Bachelors/Masters – 2 years
  - PhDs – 3 years
- Cannot lead to settlement – switching required.

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## Scale Up

For those with job offer from qualifying “scale up” business.

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## Scale Up

### Requirements:

- Annualised growth of min 20% of turnover or staff for a three year period
- At least 10 employees at start of period
- Job offer at graduate level
- Min £33k gross salary or going rate if higher

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## Scale Up

### Requirements:

- CoS from Scale Up business
- Within 3 months before the application
- £1270 in account for 28 days
- Minimum English requirements

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## Scale Up

### Permissions:

- Initially conditional on working in role for 6 months
- Thereafter, applicant not tied to employer
- Can make unsponsored applications for 3 year extension and thereafter, settlement
- Subject to financial mins and other residence requirements.

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## Other changes

- EU settlement scheme
- Global talent category
- Overseas business reps
- Hong Kong British Nationals and Innovators
- Skilled Workers
- Students

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## Other changes

- EU settlement scheme
  - More flexibility with family permits for dual EEA/British nationals
  - Those who had free movement in UK before British citizenship can sponsor family members without sickness insurance requirements on citizenship

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## Other changes

- Global talent category
  - List of specified prizes in Appendix Global Talent to be expanded
  - Changes in digital tech applications to include early career stage requirement and evidence of achievement in 5 years to date of application

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## Other changes

- Overseas business reps
  - Category now replaced with UK expansion worker route
  - Remains open to media rep applications
  - Existing applicants in this category can apply to extend and settle

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## Other changes

- Hong Kong British Nationals and Innovators
  - Easier to apply for settlement where requirements for stay are met but settlement is not – applications can be varied instead of refused
  - IHS must be paid on application

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## Other changes

- Skilled workers
  - Going rates updated as of April
  - Scale up permissions can now be added to 5 years' required for settlement applications

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## Other changes

- Students
  - Can start work earlier:
    - Skilled worker applicants: within 3 months before end of course
    - Graduates – on completion of study

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## Other changes

- Students
  - Provided:
    - Full time study at degree level with a higher education provided with track record of compliance
    - Application made when a student with permission
    - No existing decision made on the application

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## QUESTIONS

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