

Parker & Co

Business Immigration
Alerts

December 2010

CAPPED MIGRATION UPDATE (2)

As many of you will know, the 2011/2012 limits for Tier 1 and Tier 2 visas have now been published and you can view the UK BA's initial announcement here:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsfragments/35-t1-t2-annual-limits>

Tier 1

Tier 1 (General) will be closed. No information is currently available on how existing Tier 1 (General) visa holders will be affected. The Entrepreneur and Investor strands will be reformed but not capped, while 1,000 visas will be available under a new "exceptional talent" route for those with "international recognition in scientific and cultural fields". The Tier 1 Post Study Work strand will be reviewed separately.

Tier 2

Tier 2 (General) visas will be capped at 20,700 for 1 April 2011 – 31 March 2012, or 1,725 per month. Sponsors will need to apply for Certificates of Sponsorship and a ranking system will be used in oversubscribed months. The limit will not apply to in-country applicants, Tier 2 dependants or Tier 2 (General) roles where the salary is more than £150,000 pa.

Intra Company Transfers will also be excluded from the cap. Established Staff (those with overseas service of at least 12 months) can obtain leave for up to 5 years if their annual salary exceeds £40,000, or up to a 12 month visa if earning between £24,000 – £40,000 pa. The existing rules for the Graduate Trainee and the Skills Transfer sub-categories of the ICT route will continue to apply.

We will update you again once full guidance on the changes is available.

DISCLAIMER

All information in this update is intended for general guidance only and is not intended to be comprehensive, or to provide legal advice. If you have any questions on any issues either in this update or on other areas of employment law, please contact Parker & Co. We do not accept responsibility for the content of external internet sites linked to in this update.

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