

## IMMIGRATION - THE POINTS BASED SYSTEM

### HSMP/TIER 1

On 29 June 2008, the Highly Skilled Migrant Programme ("HSMP") closed to new applications. HSMP has now been completely replaced by Tier 1 (General) of the new Points Based System which has been in operation for UK based and Indian based applicants since earlier this year.

Some applicants will be part-way through the previous two-stage application process (application for HSMP approval letter, followed by an application for entry clearance). Those HSMP applications submitted before the closing date will still be processed. Those whose applications are successful and applicants who already have a valid HSMP approval letter, but have not yet applied for entry clearance, will need to make an application to the relevant overseas British High Commission/Consulate under Tier 1 (General).

However, as applicants will already have approval letters (valid for 6 months) demonstrating that they meet the points' requirement under HSMP; they will be charged a reduced fee by the relevant High Commission/Consulate. They will not be required to demonstrate again that they meet the equivalent requirements (attributes and English language) under Tier 1 (General). Applicants will however be required to show that they meet the new maintenance requirements.

To meet the maintenance requirements, applicants must have had £2,800 or more in their bank account during the three months before the application is received by the relevant High Commission/Consulate. The correct exchange rate, using <http://www.oanda.com/>, must be applied and the currency conversion must be made using the rate of exchange on the last day of the three month period. If an applicant has not had at least £2,800 in their account for the entire three month period, the application will be refused. In addition, where an applicant has dependants, they must also have at least £1,600 for each individual dependant.

### WORK PERMIT/TIER 2 (Sponsored Worker)

The existing work permit arrangements will continue until November 2008. However, as many of you will already be aware, employers are now able to apply for a licence to sponsor employees under the new scheme. Further, more detailed information, in relation to Tier 2 will be circulated shortly.

If you have any queries on this, please call Jackie Holden 020 7614 3577 or email [jackie.holden@parkerandcosolicitors.com](mailto:jackie.holden@parkerandcosolicitors.com)

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