

## Changes to the Immigration Rules – leave to remain and indefinite leave to remain

From 3 April 2006 the following rule changes will take effect:

- Anyone entering the UK in an employment-related category, including those who have entered under a Work Permit or Ancestry category, must now legally reside in the UK for five years (currently four years) before they become eligible to apply for indefinite leave to remain (settlement).
- The initial grant of leave to remain will now be for a two year period (currently one year) followed by a further period of up to three years. This will benefit those who apply under the Highly Skilled Migrant Programme. However, Work Permit holders will still be eligible for leave to remain in line with the duration of their Work Permit.
- Those living in the UK as a Highly Skilled Migrant will now be able to count continuous time spent in the UK as a Work Permit holder, Highly Skilled Migrant and / or an Innovator when applying for indefinite leave to remain as a Highly Skilled Migrant.
- Those entering the UK under the Ancestry category will no longer be granted initial leave which would cover the qualifying period for indefinite leave to remain. Leave will now initially be granted for two years with a further period of three years.

### 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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[info@parkerandcosolicitors.com](mailto:info@parkerandcosolicitors.com)

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### CONTACT US

Helen Parker	020 7614 3501	<a href="mailto:helen.parker@parkerandcosolicitors.com">helen.parker@parkerandcosolicitors.com</a>
Richard Woolmer	020 7614 3505	<a href="mailto:richard.woolmer@parkerandcosolicitors.com">richard.woolmer@parkerandcosolicitors.com</a>
Dan Begbie-Clench	020 7614 3504	<a href="mailto:dan.begbie-clench@parkerandcosolicitors.com">dan.begbie-clench@parkerandcosolicitors.com</a>
Jackie Holden	020 7614 3508	<a href="mailto:jackie.holden@parkerandcosoliitors.com">jackie.holden@parkerandcosoliitors.com</a>

Parker & Co Solicitors  
27 Austin Friars  
EC2N 2QP  
Tel: 020 7614 3577  
Fax: 020 7614 3578

[www.parkerandcosolicitors.com](http://www.parkerandcosolicitors.com)