

UK's Points-based Immigration System

1. From 1 January 2021 the United Kingdom will implement a new Points-Based Immigration System, applicable to EU nationals¹. For EU nationals wishing to come to the UK before 1 January 2021 they will continue to exercise their rights under the terms of the transition arrangements, which allow for continuation of freedom of movement between the United Kingdom and the European Union. EU citizens who arrive before the end of the transition period on 31 December 2020, and relevant family members, will be eligible for the EU Settlement Scheme. They have until 30 June 2021 to make an application under that scheme.

2. As part of the new immigration system, from next year, we expect to treat EU citizens as non-visa nationals meaning they can come to the UK as visitors for six months without the need to obtain a visa. A visitor may enter the UK multiple times during that period, but they may not in effect live in the UK by means of repeat or continuous visits. Visitors can undertake a range of activities such as coming on holiday, attending meetings and conferences and undertaking short courses of study, but may not work or access public funds.

3. For those who wish to stay for periods longer than six months, to work, study or live in the UK, they will need to apply for a visa. They will be able to apply on GOV.UK website and will need to demonstrate that they meet the relevant criteria and score the number of points required for the visa they are applying for. EU nationals who successfully apply for a visa will be provided with secure access to their immigration status information via an online service, which they will be able to use to confirm their rights, and to access services when necessary, instead of a physical status document.

4. Applicants who possess a biometric passport will be able to complete their application, including identity verification, using a smartphone application. Some

¹ The term EU nationals also includes EEA and Swiss citizens.

applicants may need to attend a Visa Application Centre if they don't have a biometric passport, are unable to use the app or their biometric chip can't be read.

5. Visa applicants will need to pay an application fee. The list of fees can be found here:

<https://www.gov.uk/government/publications/visa-regulations-revised-table/fees-5-october>.

6. Apart from the Health and Care visa offer, and unless a specific exemption applies, all applicants coming to the United Kingdom for more than six months will also need to pay the Immigration Health Surcharge (IHS), which will enable them to access the healthcare in the UK through the National Health Service (NHS). Further information on the IHS is available here: <https://www.gov.uk/healthcare-immigration-application/how-much-pay>.

Criminality checks

7. As part of the new immigration system, the UK will introduce a single, consistent and firmer approach to criminality checks, applicable to all nationalities. Those seeking entry to the UK can be refused where:

- They have a conviction with a custodial sentence length of at least 12 months.
- They have committed an offence, which caused serious harm.
- They are a persistent offender who shows a particular disregard for the law.
- Their character, conduct or associations mean their presence is not conducive to the public good.

Use of EU Passports and ID cards

8. Until 1 October 2021, EU, EEA and Swiss nationals can enter the UK with a passport or national identity card as they do now. From 1 October 2021, EU, EEA and Swiss nationals will need a passport to travel to the UK. However, EU, EEA and Swiss nationals whose rights are protected by the Withdrawal Agreement, e.g. those covered by the EU Settlement Scheme and frontier workers, will be able to use national identity cards for travel to the UK until 31 December 2025 at least.

Entry routes available to work or study in the UK from January 2021

Skilled Worker route

9. As part of the new system, anyone coming to the UK for work will need to demonstrate they meet a specific set of requirements for which they will score points. There is no overall cap on the number who can apply for this Skilled Worker route.

10. To be eligible for this visa, applicants must demonstrate:

- They have a job offer – with a Home Office ratified sponsor - at the required skill level from an employer based in the UK;
- They have secured the relevant minimum salary threshold (i.e. £25,600 or the going rate for their particular job, whichever is higher); and
- Their level of English is at intermediate level of B1 (on the Common European Framework of Reference for languages).

11. If the applicant earns between £20,480 (the minimum salary floor for all skilled workers) and £25,600 they may still be able to apply for the Skilled Workers visa by ‘trading’ points for specific characteristics against their salary. For example, they may be able to trade points if:

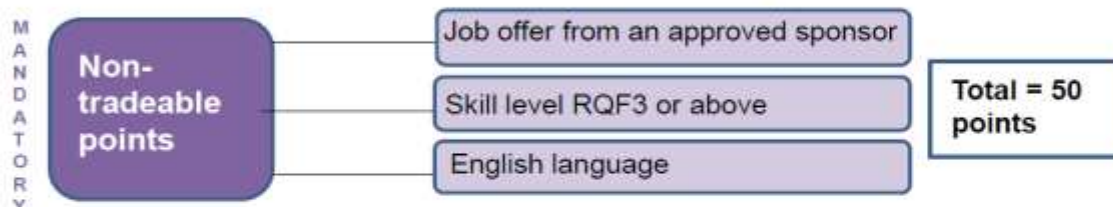
- they have a job offer in a shortage occupation
- they have a PhD in a subject relevant to the job
- they are a new entrant to the UK’s labour market (the salary requirement for new entrants will be 30% lower than the rate for experienced workers in any occupation, to a lower limit of £20,480).

12. Below is an illustration how points can be traded as part of the application process:

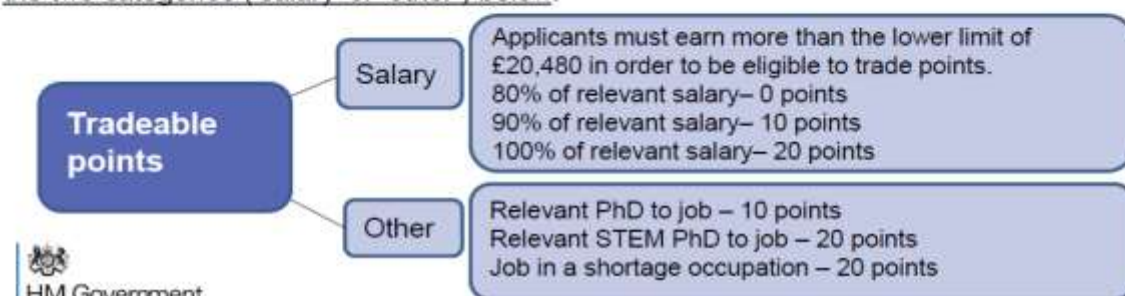
Skilled worker route

From 1 January 2021 anyone coming to the UK for work, EU and non-EU citizens alike, will need to demonstrate they meet a specific set of requirements for which they will score points. There is no overall cap on the number who can apply for this skilled worker route.

Every applicant must score at least **70 points** to be eligible for the skilled worker route. **50 of these points** must come from meeting the **mandatory** criteria below.



The remaining 20 points can be made up by trading points in one entry from each of the two categories ('salary' or 'other') below.



Skilled Work: Health and Care visa

13. The UK Government welcomes the vital contributions which doctors, nurses and other health professionals from overseas make to the National Health Service (NHS) and wider Health and Care Sector. This visa offer ensures that individuals who are working in eligible health occupations who have a job offer from the NHS, social care sector or employers and organisations which provide services to the NHS, are incentivised to come to the UK. This visa offer is part of the Skilled Worker route and therefore, any applicant applying for the Health and Care visa must meet all the relevant requirements under the Skilled Worker route.

14. To be eligible for this visa, applicants must demonstrate they have:

- A job offer in one of the defined skilled roles within the NHS or directly related sectors;

- secured the relevant minimum salary threshold; and
- English language skills at intermediate level of B1 (on the Common European Framework of Reference for languages).

15. This is a fast-track visa, with reduced application fees and dedicated support through the application process. The applicants and their dependants will be exempt from having to pay the Immigration Health Surcharge and will benefit from reduced visa application fees.

Highly skilled workers - Global Talent route

16. The UK wants to attract the very best and brightest talent from around the world. The Global Talent visa allows the most highly skilled applicants to come to the UK without a job offer and a minimum salary requirement. Applicants do not need to meet the English language requirement until they apply for permanent settlement. They are also not required to meet the financial maintenance requirements. This is a flexible visa, valid for up to 5 years. It applies to applicants in the following categories:

- Science and medicine
- Humanities
- Engineering
- Research
- Digital technology
- Arts and culture

17. In order to apply for this visa, applicants must:

- Be individuals internationally recognised at both the highest level and as leaders in their particular field, or who have demonstrated promise and are likely to become leaders in their particular area.
- Be approved by a Global Talent endorsing body. There are six Home Office approved endorsing bodies. The endorsing body assesses the applicant's skills, abilities and achievements and advises the Home Office of their decision for

endorsement. Full list of endorsing bodies can be found on:

<https://www.gov.uk/government/publications/guidance-on-applications-under-global-talent>

- Apply for a visa no later than 3 months after receiving the endorsement letter.

18. The UK has also introduced a fast-track option for world-leading scientists and top researchers to come to the UK, managed by the national funding agency UK Research and Innovation. This option is aimed at applicants within the field of science, technology, engineering and mathematics (STEM).

19. In order to apply, applicants must be:

- In receipt of a named award or fellowship.
- In a senior academic position, such as a Professor or Associate Professor, within an eligible Higher Education Institution, research organisation or institute.
- Part of a publicly funded research team, which is in receipt of prestigious funding or awards.

Student routes

Student visas

20. The UK has a world-leading education sector and will continue to welcome the talented and high potential students to universities and other higher education providers, further education and English language colleges, and independent schools. There is no limit on the number of international students that can come to the UK to study.

21. For a student visa, applicants will need to demonstrate:

- They have been offered a place on a course by an approved education institution, this is demonstrated a Confirmation of Acceptance for Studies (CAS) which is an electronic record providing details of the course of study. The list of Home Office approved education institutions is available at:
<https://www.gov.uk/government/publications/register-of-licensed-sponsors-students>
- Their level of English is at intermediate level of B2 (on the Common European Framework of Reference for languages) when studying at degree level (RQF 6) or

above. Students undertaking study below degree level must demonstrate B1 level English.

22. The student visa route requires confirmation of financial evidence as part of the application process. However, applicants from Slovakia and many other countries are not generally required to provide evidence of funds, apart from in exceptional circumstances. In such cases, the applicants will be contacted by UK Visas and Immigration after submitting their application. More information is available at <https://www.gov.uk/student-visa/money>

University fees

23. Higher education providers in the UK set their own fee rate for international students so prospective students should check directly with individual providers with whom they wish to study at for the up to date course fees.

24. For students who arrive in the UK after 1 January 2021 and start their course before end of July 2021:

- They will be eligible for home fee status and fee support for the duration of their course, on a similar basis to domestic students. This is subject to meeting the requirement of having lived in the UK, EEA or Switzerland for the 3 years prior to applying to study. However, they need to apply for a student visa before arrival as part of the new Student Route under the UK immigration system.

25. For students who plan to arrive in the UK after 1 January 2021 and start their course after 1 August 2021:

- They need to apply for a student visa before arrival as part of the new Student Route under the UK immigration system. They will no longer be eligible for home fee status. Those studying in England will not be eligible for the student financial support. Those studying in Wales, Scotland or Northern Ireland will need to consult relevant student funding bodies to check about eligibility for student financial support.

Graduate visas

26. The Graduate route will be launched in summer 2021, to be eligible a student must successfully complete a degree at undergraduate level or above in the UK and hold valid leave as a student when the route is introduced. The Graduate route will provide students with an opportunity to stay and work, or look for work, for a period of 2 years (3 years for PhD students). This is a non-sponsored route, which will also enable applicants to switch into work routes if they are able to meet the requirements.
27. Applicants will have completed the entirety of their degree in the UK except for permitted study abroad programmes or when distance learning has been necessary due to Covid-19. There is no maintenance requirement and applicants will not need to demonstrate English language skills, as they will already have proved English language ability by successfully completing a degree at a UK university.

Child student visas

28. There is a separate Child Student visa for students between 4-17 years old. For this visa, applicants will need to demonstrate:
- They have an unconditional offer of a place on a course at an independent school.
 - Financial means for the school fees and living expenses.
 - They have the written consent of their parent or guardian to study in the UK.
 - If aged 16 years or over, demonstrate they are a genuine student (which may involve having a credibility interview).

Innovative entrepreneurs

Innovator and start-up routes

29. The Innovator and Start-up routes are designed to attract entrepreneurial talent and innovative, scalable business ideas to the UK. Both routes are not capped and are open for individuals or teams looking to set up a new innovative UK business.

Innovator visa

30. This route applies to more experienced businesspeople with industry experience, seeking to establish a new innovative business in the UK. The visa is valid for 3 years initially and can be extended. In order to qualify, applicants will:

- Have an innovative, viable and scalable business idea, which is supported by an endorsing body approved by the Home Office. Endorsing Bodies are either Higher Education Providers or business organisations who have a track record of supporting UK based entrepreneurs and the support of a Government Department. Endorsing bodies assess each application to ensure it is innovative, viable and scalable, and are responsible for monitoring the progress of the businesses they endorse. The full list of endorsing bodies can be found on:

<https://www.gov.uk/government/publications/guidance-on-applications-under-global-talent>

- Demonstrate level of funding to invest in their business. The current rate is £50k.
- Demonstrate financial means to support their living costs if they have not been living in the UK for 12 months prior to their application. This is currently set at £1,270 for the main applicants with additional payments for dependents. Funds must have been held for 28 consecutive days.
- Demonstrate English language skills at intermediate level of B2 (on the Common European Framework of Reference for languages).

Start-up visa

31. This visa applies to people seeking to establish a business in the UK for the first time. This visa is valid for 2 years initially but applicants may subsequently progress into the Innovator category, if eligible. For this visa applicants will:

- Have an innovative, viable and scalable business idea, which is supported by an endorsing body approved by the Home Office. Endorsing bodies are either Higher

Education Providers or business organisations who have a track record of supporting UK based entrepreneurs and the support of a Government Department. Endorsing Bodies assess each application to ensure it is innovative, viable and scalable, and are responsible for monitoring the progress of the businesses they endorse. The full list of endorsing bodies can be found:

<https://www.gov.uk/government/publications/guidance-on-applications-under-global-talent>

- Demonstrate financial means to support their living costs if they have not been living in the UK for 12 months prior to their application. This is currently set at £1,270 for the main applicants with additional payments for dependent family members. Funds must have been held for 28 consecutive days.
- Demonstrate English language skills at intermediate level of B2 (on the Common European Framework of Reference for languages).

Specialist occupations

Seasonal workers

32. The UK Government's policy for seasonal workers from 2021 is currently under review. More information will be available on Gov.uk website in due course.

Further information about the UK's new immigration system is available on www.gov.uk/guidance/new-immigration-system-what-you-need-to-know