

Points based system revised as government nears implementation of immigration cap

A detailed explanation regarding the rule change in the immigration system has recently been published on the UK Border Agency website, to assist those wishing to immigrate to Britain from outside the EU.

From April 2011, the government has announced they will introduce an annual limit on applications from categories Tier 1 (General) and Tier 2 (General) of the points-based system.

Applicants excluded from the interim period include the Investor, Entrepreneur and Post-study work categories in Tier 1 and the Intra company transfer, Sportsperson and Minister of religion categories in Tier 2.

More information about how the rule change will affect those in Tier 1

From 19 July 2010, the Home Office said they intend to introduce a limit on the number of applicants to Tier 1 (General) and in some cases; the points pass mark will be increased from 95 points to 100 points.

According to the UK Border Agency (UKBA) website, applications will be considered on a first-come, first-served basis and if an application is made after the limit for one month, it may be held and considered under the limit for the following month.

If you are already in the Tier 1(General) category and apply for an extension or if you need to switch from another immigration category and you have to switch to Tier 1, you will not be included in the limit.

The UKBA website states if you are already in one of the following categories you will need to score 95 points-

- Tier 1 (general)
- Highly Skilled Migrant Programme)
- Writers, Composers and Artists
- Self-employed lawyers

If you are applying from outside the EU, or need to switch from a category to Tier 1 (General) you will need to score 100 points.

More information about how the rule change will affect those in Tier 2

From 19 July 2010 a limit on the number of certificates assigned to sponsors for migrant workers under Tier 2 (General) will be imposed.

During the interim period, sponsors can apply for more certificates if they are able to prove they have used all of the certificated and that they have exceptional circumstances as to why they need more.

Applicants in other categories who wish to transfer to the Tier 2 (General) category will be included in the limit.

More information about the changes in the immigration rules will be available from the UK Border agency website found at: www.ukba.homeoffice.gov.uk from 19th July 2010 when the interim limit will be introduced.

Contact:

If you need any further information about matters in this information sheet, please do not hesitate to contact us:

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