

# IMMIGRATION WEBINAR SERIES: NEW VISA ROUTES

# Welcome

# Immigration webinar series: New visa routes

SH $\infty$ SMITHS

# IMMIGRATION WEBINAR SERIES: NEW VISA ROUTES

# Your hosts

Connect with your hosts on LinkedIn by scanning the QR codes below.



Rachel Harvey  
Legal Director

[Rachel.Harvey@shoosmiths.co.uk](mailto:Rachel.Harvey@shoosmiths.co.uk)

+44 (0) 3700 865 040



Pavan Sumal  
Associate

[Pavan.Sumal@shoosmiths.co.uk](mailto:Pavan.Sumal@shoosmiths.co.uk)

+44 (0) 3700 868 176



# What we will cover:

- **Global Business Mobility Visas:**

1. **Senior or Specialist Worker**
2. **Graduate Trainee**
3. **UK Expansion Worker**
4. **Service Supplier**
5. **Secondment Worker**

- **Scale Up Visas**

- **High Potential Individual**

# Global Business Mobility Visas Overview

- GBM routes are all sponsored routes – need to ensure your licence covers the route(s) you'll be looking to use and add route(s) as required
- They do not lead to settlement – general limit of five years in any six year period/ nine in ten for high earners in the GBM routes, other than expansion worker which is capped at two years
- Varying salary thresholds
- Previous work requirements in all categories

# Senior or Specialist Worker

- Replaces ICT and is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is a senior manager or specialist employee and is being assigned to a UK business linked to their employer overseas.
- Overseas and UK entities must be linked by common ownership or control or the overseas entity must have a joint venture with the sponsor on which the applicant is sponsored to work
- General salary threshold of £42,400, or the going rate for the job
- Previous work requirement - cumulative period of at least twelve months, unless they are a high earner, i.e. earning at least £73,900.
- The job must be listed as eligible for sponsorship on the GBM routes

# Graduate Trainee

- Replaces ICT Graduate Trainee route and is for overseas workers who are undertaking temporary work assignments in the UK where the worker is on a graduate training course leading to a senior management or specialist position and is required to do a work placement in the UK.
- Overseas and UK entities must be linked by common ownership or control or the overseas entity must have a joint venture with the sponsor on which the applicant is sponsored to work
- General salary threshold of £23,100, or 70% of the going rate for the job – whichever is higher
- Previous work requirement – continuous period of at least three months working for the group outside the UK
- The job must be part of a structured graduate training programme, with clearly defined progression towards a managerial or specialist role within the sponsor organisation.

# UK Expansion Worker

- Replaces Sole Representative of an Overseas Business route and is for overseas workers who are undertaking temporary work assignments in the UK where the worker is a senior manager or specialist employee and is being assigned to the UK to undertake work related to a business' expansion to the UK.
- Minimum salary of £42,400 or the going rate for the job – whichever is higher
- Previous work requirement of twelve months, unless applicant is a Japanese national seeking to establish a UK branch or subsidiary under the UK-Japan Comprehensive Economic Partnership Agreement.
- Applicant must meet the financial requirement – sponsor cannot certify maintenance
- Maximum of two years on this route
- Sponsored route – employer must get a sponsor licence prior to visa application being made.

# UK Expansion Worker

- Overseas organisation must have been trading for at least three years but not actively trading in the UK
- Must have a UK 'footprint' and plan expansion in the same type of business that the organisation conducts overseas
- Authorising Officer can be based in or outside of the UK
- If AO is employee of the overseas business, they must also be the Level 1 user and, when the licence is granted, assign the CoS to themselves. Licence will be given a provisional rating and then must request to change this to an A-rating when their visa has been granted.
- Can sponsor a maximum of 5 workers on this route
- Licence is valid for four years and cannot be renewed

# Service Supplier

- Replaces Tier 5 International Agreement and is for overseas workers who are undertaking temporary work assignments in the UK, where the worker is either a contractual service supplier employed by an overseas service provider or a self-employed independent professional based overseas, and they need to undertake an assignment in the UK to provide services covered by one of the UK's international trade commitments.
- Applicants must be currently working for an overseas service provider that has a contract to supply services to the sponsor or be self employed as a service provider that is contracted to supply services to the sponsor or a subcontracting business
- 12 month overseas work requirement – for self-employed applicants they must have been working in the same sector as the service they are providing to the sponsor for the 12 months immediately before the date of application

# Service Supplier

- Skill Level:
- Option A:
  - the applicant must be coming to the UK to carry out a job listed as eligible for the GBM routes
- Option B:
  - The applicant must have a university degree or equivalent technical level qualification unless they are employed by an overseas service provider supplying one of the identified services for which the qualification level is stipulated in the rules. E.G. fashion and modelling, chef de cuisine, management consulting services and services related to management consulting and technical testing and analysis, amongst others.
  - Must have at least three years' professional experience in the sector in which they will supply services, unless supplying chef de cuisine services under the CARIFORUM-UK Economic Partnership Agreement or they are a self-employed independent professional, in which case they must have at least 6 years' relevant experience.

# Service Supplier

- Nationality requirement: must be a national of the country in which the overseas service provider is based, unless an exception applies
- No minimum salary threshold – just NMW

# Secondment Worker

- For overseas workers who are undertaking temporary work assignments in the UK where the worker is being seconded to the UK as part of a high value contract or investment by their employer overseas.
- Must currently be working for an overseas business that has a contract with the sponsor that has been registered with the Home Office by the sponsor and has worked outside the UK for that overseas business for a cumulative period of at least 12 months.
- The contract that they will be working on must be registered with the Home Office via the SMS or at time of sponsor licence application
- Job must be listed as eligible for sponsorship on the GBM routes
- Must be paid NMW

# Scale Up Visa

- Sponsored route
- Opens 22 August 2022
- For talented individuals recruited by a UK Scale-up sponsor who have the skills needed to enable the scale up business to continue growing.
- Applicants must have a high skilled job offer from a qualifying Scale up business at the required salary level.
- Minimum salary of £33,000 or the going rate for the job
- Applicants will be sponsored for the first six months but will then be free to change employer without additional sponsorship or take up self employment
- This is a route to settlement – two year initial visa with three year extension.
- Must meet the income requirement to extend and settle but cannot rely on earnings from self-employment

# Scale Up Visa

To sponsor a worker on this route, businesses must demonstrate that they have:-

- an annualised growth of at least 20% for the previous 3-year period in terms of turnover or staffing; and
- a minimum of ten employees at the start of this three-year period.

# High Potential Individual Visa

- Un-sponsored route
- Opens on 30 May 2022
- For recent graduates of 'top global universities' who want to look for work in the UK following successful completion of an eligible course of study equivalent to a UK bachelor's degree or above.
- The list of 'top global universities' will consist of non-UK institutions that are included in the list of the top 50 universities in at least two of the following rankings systems:
  - Times Higher Education World University Rankings
  - Quacquarelli Symonds World University Rankings; and
  - The Academic Ranking of World Universities.
- Applicants must have obtained the qualification in the five years prior to the date of application and the institution at which they were awarded the degree must have been on the Global Universities List on the date on which the applicant was awarded their degree.
- Three year visa for PhD holders, otherwise two year visa. Cannot extend or settle.

# Questions



Rachel Harvey

**Legal Director**

Rachel.Harvey@shoosmiths.co.uk



Pavan Sumal

**Associate**

Pavan.Sumal@shoosmiths.co.uk