

Changes to Tier 2

- Tier 2 (ICT) and Tier 2 (General) applicants may now be granted up to five years’ leave, rather than three.
- Changes to salary requirements. The minimum appropriate rates for skilled workers in each occupation SOC Code and the overall salary thresholds across Tier 2 have increased in line with wage inflation. The following minimum salary thresholds apply to all Certificates of Sponsorship (CoS) issued on or after 6 April 2014:

| Category | Criteria | New Threshold |
|--|---|--|
| Tier 2 (General) | Jobs which qualify for Tier 2 (General) | £20,500 |
| Tier 2 (General) | Jobs which are exempt from advertising in JobCentre Plus (or JobCentre Online in Northern Ireland) | £71,600 |
| Tier 2 (General) | Jobs which are exempt from the annual limit and the Resident Labour Market Test | £153,500* |
| Tier 2 (Intra-Company Transfer) | Short Term Staff, Skills Transfer or Graduate Trainee categories (maximum stay 6 months (Skills Transfer) or 1 year (Short Term & Graduate Transfer)) | £24,500 |
| Tier 2 (Intra-Company Transfer) | Jobs which qualify for the Long Term Staff category (maximum stay 5 years) | £41,000 |
| Tier 2 (Intra-Company Transfer) | Jobs which qualify for transfers of up to 9 years | £153,500 |
| Tier 2 (General) and Tier 2 (Sportsperson) | Earnings which qualify for settlement (those working in PhD-level or shortage occupations are exempt) | £35,500 (for settlement applications made on or after 6 April 2018) £35,800 (for settlement applications made on or after 6 April 2019) |

*The minimum salary threshold for high earners able to benefit from an exemption to the cooling off period has also risen to £153,500.

- Transitional arrangements for Restricted CoS: revisions to the minimum salary thresholds mean that applications for Restricted CoS from the April 2014 allocation must be submitted between 6-16 April and will be decided on 17 April 2014.

Changes to Tier 1 General

- The Tier 1 General category will close to extension applications on 6 April 2015 and will close to settlement applications on 6 April 2018.

Changes to the Maintenance Requirement

- From 1 July 2014 the maintenance funds thresholds for points based migrants and their dependants will increase in line with general increases in the cost of living in the UK. A-rated Sponsors may still certify maintenance funds for Tier 2 migrants and their dependants.

For further information on these changes and other immigration issues, please contact Annabel Mace, Partner and Head of the UK Business Immigration team at Squire Sanders on 0207 655 1487.

The contents of this update are not intended to serve as legal advice related to individual situations or as legal opinions concerning such situations nor should they be considered a substitute for taking legal advice.

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