

Mobility: Immigration alert

July 2023

United Kingdom

UK publishes Statement of Changes to Immigration Rules

Executive summary

On 17 July 2023, the UK government published a [Statement of Changes](#) to the Immigration Rules in relation to student visas, the EU Settlement Scheme and Shortage Occupation List, among others.

Student visa route

- With immediate effect, foreign students cannot switch to the work visa route until they complete the course they are pursuing in the UK. However, students pursuing a degree-level course or above can apply to switch to a sponsored work route before they complete their course, provided their employment starts after completion of their course. Those pursuing a PhD degree can switch to a sponsored work route after completing 24 months of study in the UK.
- The government has also suspended the right for most foreign students to bring in dependents with immediate effect. Students pursuing postgraduate courses comprising a research component, and foreign students enrolled in postgraduate courses that will begin before 1 January 2024, are exempt from this suspension. Dependents who are already in the UK can continue to extend their stay.

Skilled Worker route

Following recommendations by the Migration Advisory Committee, several jobs in the construction, fishing and medical sectors are being added to the Shortage Occupation list.

EU Settlement Scheme (EUSS) and EUSS Family Permits

- Effective 9 August 2023, the government may extend individuals' limited leave to enter or remain (pre-settled status) under the EUSS without the individual submitting a valid application.
- Effective 9 August 2023, the UK government will make arrangements for individuals' pre-settled status to be extended automatically in relevant cases.
- The following routes will close on 8 August 2023. They will remain open to individuals who are already in the UK pursuant to these routes (or have applications or appeals pending review) and EUSS Family Permit holders with pending access to these routes:
 - Family members of qualifying British nationals (i.e., "Surinder Singh" cases)
 - Primary caregivers of British nationals (i.e., "Zambrano" cases)

Additional changes

- Global business mobility and scale-up routes: A "genuineness" requirement is being added, whereby applicants will be required to demonstrate that they genuinely intend to undertake their sponsored job and do not intend to breach the conditions of their stay.
- Extension of the Ukraine Extension Scheme
 - The scheme will be extended to allow Ukrainian nationals who obtained permission to enter or stay in the UK (for

any period) between 18 March 2022 and 16 November 2023 to apply to obtain permission to stay in the UK for an additional 36 months.

- Ukrainian nationals who travel to the UK without making an application to one of the Ukraine Schemes can be considered for six months' Leave Outside the Rules at the border. If those granted wish to stay in the UK for more than six months, they need to make an application for further permission to stay. Adult dependent relative: Certain partners of adult dependent relatives will be permitted to come to the UK if only one of them needs care. In these circumstances, the applicant and their partner must either be the parents or grandparents of the sponsor.
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- Youth Mobility Visa: New Zealand nationals residing in the UK with a valid Youth Mobility Visa who apply for a one-year extension may receive a total of three continuous years of leave (including the original grant of permission to enter).

Immigration costs to increase

On 13 July 2023, the UK Prime Minister announced upcoming "significant increases" in UK visa application fees and the Immigration Health Surcharge (IHS). While the new rates are not yet known, the expected increases are follows:

- The application fees for work visas and visit visas will increase by 15%.
- The application fees for study visas, certificates of sponsorship, settlement, citizenship, wider entry clearance, leave to remain and priority visas will increase by at least 20%.
- The application fees for students and those using a priority service will be equalized, so that applicants are subject to the same fees regardless of whether they apply from within or outside the UK.

Impact

These developments are aimed at enabling the UK government and companies to attract global talent to support economic growth while controlling net migration. Additional changes are expected in the future to support these goals.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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