



SEDDONS



IMMIGRATION BROCHURE

for Skilled Workers
& Employers

If you are a highly skilled worker and wish to secure employment and residence in the UK you will need to apply under the Tier 2 Visa category.

The Tier 2 Visa category is now the main immigration route for applicants who wish to obtain the right to reside in the UK on the basis of their employment (work-permit).

Highly skilled workers must have received a job offer from a company or an organisation that has obtained a Sponsor License from the Home Office.

The Tier 2 Visa category allows family members of the highly skilled worker to join them in the UK and may eventually lead to settlement (Indefinite Leave to Remain) and British Citizenship.

What is a Tier 2 Working Visa?

The Tier 2 Visa category applies to applicants seeking to obtain residency in the UK on the basis of their skilled employment with a licensed employer. Generally, Tier 2 applicants apply under the following categories:

- 1.** Tier 2 (Intra-company Transfer) – applicants who have been offered a role in a UK branch of an overseas employer
- 2.** Tier 2 (General) – applicants who have been offered a highly skilled role in the UK by a licensed employer

Applicants must be offered employment which meets a specific skill criterion (currently at Level 6 NQF) and a specific annual salary. Applicants will also be required to show that they have satisfied the maintenance and the English language requirements.

Additionally, Tier 2 (General) applicants will be required to show that their prospective employer has carried out a resident labour market test for a minimum period of 28 days, i.e. that the position has been advertised on two advertising media, including the Job Centre Plus Universal Match website. The resident labour market test does not apply to employment which falls within the Government's shortage occupation list or to applicants who are applying under the Tier 2 (ICT) category.

Applicants who satisfy the above requirements will be granted Leave to Enter or Remain for a period of 3 or 5 years, depending on the length of their employment contract.

Applicants will then be able to apply for Indefinite Leave to Remain after completing 5 years continuous residence in the UK under the Tier 2 General category provided that they meet the relevant eligibility requirements.

Applicants are permitted to bring their partners (spouse, civil partner and unmarried partners) and children (under the age of 18) to join them in the UK.

Sponsor Licence – Employers

Employers who wish to employ migrants under the Tier 2 category will first need to apply for a Sponsor Licence. Employers who do not have a sponsor licence will be unable to hire new workers from outside the EU or extend work permits for current employees.

Organisations must show that they are genuine entities operating lawfully in the UK, that there is a genuine need for the skilled employment that they need to fill, and that they have the appropriate human resources and recruitment systems in place.

Organisations must complete an online licence application and provide supporting documentation to meet the necessary evidentiary requirements. Failure to submit all of the required documents will result in an application being delayed or rejected and further costs being incurred.

How we can help

We have assisted a large number of Tier 2 applicants and organisations in applying for and successfully obtaining Tier 2 Visas and Sponsor Licenses. Our services include providing both applicants and organisations with tailored advice on the requirements that they will be required to meet, advising as to the specified documentation which must be submitted with the application, preparing and completing the application and representing the applicants and the organisations before the Home Office.

Next steps

If you feel that you meet the eligibility requirements or have any further queries please contact our Immigration specialists directly:



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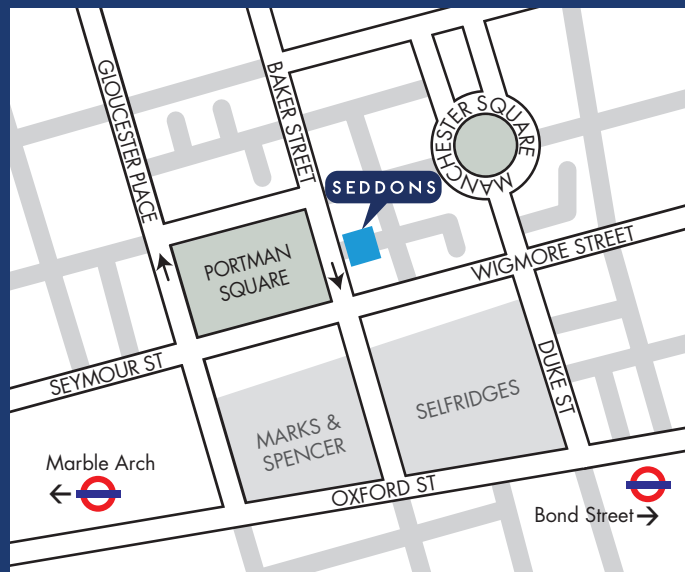
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