

Parker & Co

Business Immigration
Alert

July 2010

CAPPED MIGRATION

As many of you will know, the Coalition Government has announced the introduction of a cap on migration levels for non-EU nationals. These limits will be imposed in two stages as follows:-

Interim Limit – 19 July 2010

For Tiers 1 (general) and 2 (general), interim limits will take effect on 19 July for new migrants. For Tier 1 (general), a monthly cap will be introduced and applications processed on a first come, first served basis. Once the monthly cap is reached, applications will be queued until the following month until the overall interim limit is reached. Some applicants applying for a Tier 1 (general) visa will also need to score 100 points instead of 95 in order to qualify.

For Tier 2 (general), a sponsor will need to request new certificates of sponsorship once its existing allocation is used. Revised guidance will be published on 19 July explaining how requests will be assessed. However, indications are that a sponsor will need to demonstrate a "pressing need" to issue further sponsorship certificates and that priority will be given for extension applications and specified shortage occupations. When announcing the interim measures, Home Secretary Theresa May indicated that their effect would be to reduce the number of Tier 2 visas issued by around 1,300.

Permanent Limit – April 2011

Consultation has just opened in relation to the permanent limits for Tiers 1 and 2 which will be introduced in April 2011. The ultimate aim is to reduce net migration to levels last seen in the 1990's. The consultation exercise will be conducted by the Migration Advisory Committee and lasts until 7 September 2010. Anyone interested in contributing can view the consultation materials [here](#). It is expected that the outcome of the consultation process will be announced towards the end of 2010.

DISCLAIMER

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