



Sportsperson visas and other October UK Immigration Rules changes to be aware of

The latest Immigration Rules Statement of Changes contains a number of big developments from this autumn. The changes follow last month's [sponsorship roadmap](#) outlining forthcoming measures to ease the administrative burden of sponsoring non UK national workers.

The full 183 page 10 September Statement of Changes can be found [here](#).

And for those without the motivation to plough through the full announcement, the main developments, most, but not all of which are from 6 October 2021, are summarised below.

Passports rather than ID cards for Europeans entering the UK

From 1 October, passports will be required as evidence of identity for UK arrivals. A European ID card will no longer afford entry to the country, unless you are an EU, EEA or Swiss national European Economic Area national with one of the following exceptions:

- You have pre-settled or settled status under the [EU Settlement Scheme \(EUSS\)](#)
- You have an EUSS Family Permit
- You have applied for EUSS by the 30 June deadline
- You have a Frontier Worker Permit
- You have a Service Providers from Switzerland visa
- You are an S2 Healthcare Visitor receiving healthcare under the scheme or with someone who is

The only other exceptions are British citizens with a Gibraltar identity card, which they can still use after 1 October and Irish citizens who will still be able to use their passport card.

Fast-track International Sportsperson route

At present most athletes seeking to work in the UK have to be sponsored under the T2 Sportsperson Visa for established sportspeople recognised by their relevant sporting governing body, or if it is a temporary contract up to 12 months, then they can be sponsored by clubs with a T5 Temporary Worker licence. The Government's new changes replace the two routes with a dedicated and simplified fast-track visa from 11 October, while keeping an option for more temporary contracts up to 12 months. (T5 temporary routes are, incidentally, being rebranded "Temporary Work.")

The new International Sportsperson immigration route still involves sponsorship and endorsement by the relevant sporting organisation. There is also a financial requirement and a basic level of English must be attained.

Global Talent visa route requirements eased

The new Global Talent visa replaced the similar but more limited Tier 1 (Exceptional Talent) visa to become the greatest accolade our immigration system can bestow on those who excel in research, arts and culture or digital technology, allowing them to work in those fields in the UK without having to be sponsored by an employer or having a job offer.

The route to permanent residence requires demonstrable talent or promise, as evidenced by endorsement by recognised bodies, or winning awards of global note. Many more prizes will be added on 6 October in the sciences, tech and arts, such as the Turing Award for computing, the Booker Prize, or best supporting actor and actress across the Academy Awards, BAFTA and Golden Globes.

Other tweaks to make the visa more attainable include easing levels of evidence of talent or promise needed in certain categories by including media coverage of applicants "as a named member of a group."

Qualifying evidence for endorsement as exceptional talent in the field of digital technology will now include the role of a board member on a product-led digital tech company. Digital technology applicants will need just one example of each exceptional promise criteria rather than two.

Fast track endorsement is expanded to Global Talent applicants with an approved fellowship or award from the Royal Society, Royal Academy of Engineering or British Academy in the past five years, not just the past year.

Resettlement schemes for Afghans

The Immigration Rules already have two special schemes for Afghan refugees to contend with the aftermath of NATO forces withdrawal and the Taliban takeover. From 6 October, those that qualify for the Afghan relocations and assistance policy and the ex gratia scheme will immediately have "indefinite leave to enter" rather than a five year limit on their permission to enter.

Importantly the rules are also going to be changed to allow applications from current and former Afghan locally employed staff and their family members who are outside Afghanistan now to reflect the difficulties people fleeing Afghanistan now face. The schemes had previously only been available to those in Afghanistan.

Refugee settlement decisions

Asylum seekers who have been granted refugee status are eligible to apply to settle in the UK after five years. Generally they are able to settle permanently, though the Home Office maintains the right to refuse them and return them if they are deemed to no longer require asylum. From 6 October, a new Appendix Settlement Protection in the rules will add the proviso that if the Home Office refuses settlement to someone who is still entitled to protection, they will be given a 30 month extension instead.

Additions to the Youth Mobility Scheme

The T5 (Temporary Worker) Youth Mobility Scheme is being rebranded as the Youth Mobility Scheme on 1 January 2022. Iceland and India will be added to the list of countries on the scheme for 18 to 30 year olds to live, work and study in the UK for two years.

Iceland will have 1,000 places, while the world's second most populous nation will be given 3,000 places on the scheme.

With just 3,000 places, Indian applicants will have to enter a lottery like applicants from other countries on the Youth Mobility Scheme,



such as Hong Kong. The English language requirement appears to have been dropped since the Indian scheme was announced as part of post-Brexit trade negotiations. However Indian applicants have minimum qualifications or experience they must hold.

Visa extension applicants should stay within CTA

From 6 October people who apply for a visa extension within the UK, should stay within the Common Travel Areas (CTA) of the UK, Ireland, Channel Islands and the Isle of Man while their application is pending. Previously ambiguity in the wording meant people might travel between their date of application and the date of the biometrics appointment. Leaving the CTA will result in applications being withdrawn.

EU Settlement Scheme applications

Close family members of certain qualifying EEA nationals are still able to apply for a family permit under the EU Settlement Scheme with no deadline providing the relationship existed before the end of the transition period (or between 1 January 2021 and 31 December 2025 for spouses/civil partners of Swiss nationals) and continues to exist at the time of application.

The concession that hitherto allowed some to make such applications while in the UK has now been incorporated into the Immigration Rules along with some other technical changes.

Coronavirus concessions written into Immigration Rules

It is always preferable for clients when concessions are written into the Immigration Rules and become binding regulations rather than discretionary policies.

There have been various Home Office pandemic concessions to deal with the upheaval of the past year and a half (see full details of such concessions [here](#).) On 6 October some are to be set into the Immigration Rules.

Where COVID-19 has disrupted continuous residence for EU Settlement Scheme applicants, people on the Skilled Worker and Sportspersons routes, this will be taken into account in certain circumstances.

Pandemic-related disruption is also set to be written into the rules for **Tier 1 Entrepreneurs** who have a job creation requirement before seeking leave to remain.

BN(O) family member concessions written into rules

Another concession that will now be written into the **British National (Overseas) (BN(O))** rules is that allowing partners and eligible children under 18 of Hong Kong citizens with BN(O) status to join them rather than applying at the same time.

More routes go digital

In-country applicants who have a Biometric Residence Permit (not only EEA nationals as currently) will be able to make an application for Skilled Worker, Student and Child Student routes using a digital application form, where available, that includes identity verification technology (i.e. using UKVI's ID Check app).

This furthers the long-term objective of digitising UK immigration. Meanwhile, EEA nationals will be able to make digital applications incorporating identity verification technology under the new International Sportsperson category and the Temporary Worker categories (Government Authorised Exchange, Creative Worker, Charity Worker, Religious Worker, Seasonal Worker and International Agreement).