

# Global Immigration e-Alert

Changes in global immigration regulations - as they happen

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Immigration e-Alert

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## United Kingdom – New Details On Interim Limit Announced



Further to our eAlert on [1 July 2010](#), the UK Border Agency (UKBA) has published further details regarding the immigration cap that will affect Tier 1 (General) and Tier 2 (General) applications. These changes are effective as of 19 July 2010.

The UKBA has announced the interim limits to Tier 1 (General) and Tier 2 (General) applications and the figures will be reviewed in Spring 2011. The interim limits are effective until 31 March 2011.

Further points to note:

### Tier 1 (General)

- The cap will affect initial applications submitted from **outside** of the UK:
  - The UKBA is administering the limit on a monthly basis
  - If an application meets all the requirements and the limit has not been reached for that month, the UKBA will issue the visa in the usual way
  - All applications will be processed in the order in which they are received, as far as operationally possible
  - If the limit is reached for a particular month, the UKBA will publish the information on their website
- Applications submitted from inside of the UK will require increased points from 95 to 100

### Tier 2 (General)

- Existing sponsors will receive a letter confirming their allocation of certificates of sponsorship during the interim limit (19 July 2010 – 31 March 2011)
- If a sponsor has a zero allocation, they are able to continue to sponsor existing migrants they employ who have valid leave to remain – however:
- The interim limit will affect both new applications and any appropriate extension applications
- The limit has been calculated by determining how many certificates of sponsorship were assigned during the period 19 July 2009 to 31 March 2010. A reduction has then been applied to those sponsors who used two or more certificates of sponsorship during that time
- Exceptional consideration for those sponsors who do not have any further certificates of sponsorship to assign may apply where the sponsor can meet the requirements. Please note that it is likely that any such requests will be turned down owing to the rigid criteria that will be applied to requests for exceptional consideration

### New sponsor applications

- Applications will still be considered as normal, however, new sponsors are likely to be allocated zero certificates of sponsorship under Tier 2 (General) during the interim period
- Applications for a new Sponsorship License may take longer than normal to process during the transition period

We will continue to monitor the interim limit and will share further updates as they become available.

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London, UK  
Madrid, Spain  
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## What you need to do...

- Expect a letter or email from the UK Border Agency confirming your updated allocation of certificates.
- Make note of your allocation of certificates of sponsorship under Tier 2 (General).
- Review how many migrants will require an appropriate extension application and determine business needs during the interim period in light of the allocation granted.
- Plan and prepare accordingly based on the interim limits in place.



*This information was obtained from the UK Border Agency (UKBA).*

Our UK national practice, which is regulated by the Office of the Immigration Service Commissioner, provides any and all legal advice and legal submissions necessary in all UK immigration cases.

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