

UK Immigration Programmes

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Introduction

- Based in London and we specialise in advising both corporate, individuals, entrepreneurs and investor clients from all over the world
- Over 15 years servicing clients in all aspects of UK immigration
 - From a simple business set up to complex corporate structures
 - Focused predominantly in providing clients a complete service offering from when they first enter the UK to permanently setting up, either alone or with family members
- Focusing on:
 - Brief overview of the UK immigration landscape
 - Representative of an Overseas Business visa
 - Ankara Agreement

The UK immigration landscape

- One of the most debated aspects of Brexit in the UK was the focus on immigration
- There has been talks of changing the UK immigration landscape for many years now but Brexit has driven this more than ever before
- This led to the new Immigration Bill which suggests a points based system recently approved by the House of Commons
 - Once the Bill passed, it will repeal the EU freedom of movement and introduce a new framework
 - An important change in the Bill is the annual threshold
 - Potential concern for this to be delivered by December 2020
- However, what about the Covid-19 impact and the need for low-skilled workers?
 - Talks about Covid-19 changed the attitude towards low-skilled workers
 - Potential changes may still be considered in this space

Representative of an Overseas Business

- What is a sole representative of an overseas business visa
 - It is a residency program which allows the senior representative of the overseas business to set up a branch or a subsidiary in the UK
 - Granted for 3 years
 - A further extension of another 2 year
 - Eligible for permanent residency after 5 years
 - A number of requirements to be satisfied (at the overseas business and with the individual appointed)
 - Head office outside the UK
 - Shareholders
 - Senior employee to have full authority to take operational decisions
 - Same business activities
 - Language requirement
 - Restrictions
 - No other work can be undertaken
 - No studying
 - Only one Sole Rep
 - If another overseas representative is appointed, must apply for Sponsorship licence – possibility for other employees to benefit from a Tier 2 sponsorship
 - Recent developments – closed a loophole

Process

➤ Online application

- Supporting documents submitted online
- Original passport submitted in person at a VAC

➤ Various documents needed in support of the application including but not limited to:

- Full description of the overseas entity's activities
- Business plan
- Sworn statement from the overseas entity appointing the individual
- The candidate's employment contract

➤ Application can normally be fast tracked within a week

➤ Possible telephone interview

➤ Initial visa is granted for 3 years and 4 months but collected in biometric format in the UK

Planning for an extension

- In order to be able to obtain a 2 year extension of the sole representative visa beyond the initial 3 years' leave, the applicant would need to show that:
 - The overseas entity still has its headquarters and principal place of business outside the United Kingdom;
 - The Sole Representative is employed full time as a representative of the overseas entity and is still required for the employment in question;
 - The Sole Representative has established and is in charge of the overseas entity's branch or wholly owned subsidiary in the UK registered with Companies House;
 - The Sole Representative has generated business on behalf of the parent company, principally with businesses in the UK; and
 - the Sole Representative can maintain and accommodate himself and any dependants adequately without recourse to public funds.

Ankara Agreement

- A treaty signed in 1963 which provides the framework for Turkish nationals to work in the EU.
- UK has been particularly active with this treaty and has welcomed over 30,000 Turkish businesspersons since 2000.
- Although available in other EU countries for Turkish nationals to benefit from, the UK has been the most popular destination across Europe

Ankara Agreement as it stands at the moment is that:

- Turkish nationals may make entry clearance applications in Turkey to come to the UK and set up a self-employment business
- Turkish nationals who are in the UK legally may apply to switch to self-employed status in the UK
- Brexit?

Turkish businessperson visa

- What is a Turkish businessperson visa?
 - It is a residency program which allows Turkish nationals to obtain residency by setting up their own businesses in the UK
 - Granted for 1 year
 - A further extension of another 3 years and 2 years
 - Eligible for permanent residency after 5 years
 - A number of requirements to be satisfied
 - Setting up a business
 - Sufficient funds to cover the start-up costs
 - Evidence of knowledge in the business field
 - Market research
 - Language requirement
 - Restrictions
 - No other employment can be undertaken
 - No recourse to public funds

Process

- Online application
 - Supporting documents submitted online
 - Original passport submitted in person at a VAC
- Various documents needed in support of the application including but not limited to:
 - Full description of the business activities
 - Business plan
 - Evidence of previous work experience and qualifications
 - Evidence of source of the investment funds
- Application can normally be fast tracked within a week
- Possible telephone interview
- Initial visa is granted for 1 year but collected in biometric format in the UK

Planning for an extension

- In order to be able to obtain extension of the Turkish businessperson visa beyond the initial 1 year leave, the applicant would need to show that:
 - They registered their businesses in the UK;
 - Made substantial investment to cover the operational and start-up costs;
 - They have been actively trading and will continue to do so;
 - Their businesses generated sufficient income to cover the business and personal living costs; and
 - They can maintain and accommodate themselves and any dependants adequately without recourse to public funds.

Thank you

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