

## Options for expat contractors now the Tier 1 (General) Migrant visa is closed

Highly skilled expat contractors who are non-UK or non-EU citizens would, in previous years, have applied for a Tier 1 (General) Migrant visa, and had a reasonable chance of success.

However, the UK's immigration landscape has changed significantly since a new coalition government was formed in May 2010. Although European Union citizens and those from Commonwealth countries can still come to the UK to work, virtually all of the previous immigration channels for highly skilled workers from outside of the European Economic Area, the Commonwealth and selected other countries are closed to contractors.

In the main, only contractors from outside these areas who have a great deal of money to invest, have internationally recognised achievements in the arts, engineering and the sciences, or who can find a client to sponsor them are being granted UK work visas.

If a contractor has already engaged the services of an immigration adviser, then their adviser should be able to assist with identifying alternative routes to gaining a visa that will allow them to contract in the UK.

### Tier 1 – other categories

There are additional categories of Tier 1 visas under which contractors may qualify. These include:

#### Entrepreneurs

#### Investors

Post-study workers.

The entrepreneur category is for contractors who are entering the UK to start a new UK business, to take a business over, or to be involved in the running of one or more businesses. If a contractor wants to enter by this route, they need to have a serious amount of cash to bring with them to the UK – at the time of writing not less than £200,000 of their own money, according to the entrepreneur's section of the UK Visa Services website.

Investors face a similar challenge to demonstrate that they have sufficient capital to invest in the UK – this category requires a contractor to have in excess of £1m in cash to bring with them. More details are in the investors' section of the UK Visa Services website.

The post-study worker category is usually an interim visa, allowing a recent graduate or post-graduate to obtain post-qualification experience before they then apply under an alternative scheme.

### Tier 2 Skilled workers – sponsorship for a work permit

Probably the most common visa entry route for expat contractors is now as a sponsored skilled worker under the Tier 2 (General) skilled workers visa, which is sometimes referred to as the 'work permit scheme'.

Tier 2 requires a client to sponsor a contractor, so the application can only be made by the sponsor, not the contractor. The sponsor must also be able to demonstrate that they need to bring a non-UK and non-EU worker into the UK to do the job. Contractors applying under the Tier 2 skilled worker category also have to score sufficient points under the Points Based System.

There are a huge number of immigration advisers, attorneys/lawyers, agencies and other companies that claim to be able to assist contractors to gain UK visas under the sponsored skilled workers/work permit scheme.

Should a contractor choose to pay an immigration adviser or agency to assist them in this way, they should be extremely cautious and ensure that the organisation enlisted to help is reputable and regulated by a UK regulator. These would include such bodies as the [Office of the Immigration Services Commissioner](#), the [Association of Regulated Immigration Advisers](#) or the [Law Society](#).

### Other visas

Ministers of religion, athletes, rock stars, journalists, airline ground staff and many other occupations can qualify for visas under certain conditions. These conditions vary hugely and are generally highly specific to the occupation.

And contractors should understand that if they attempt to apply for a visa under one of the many alternative specialised categories, not only is their application likely to be an expensive failure, but they may also find themselves banned from applying for a UK visa ever again.

However, if, as in the case of some types of medical staff, they do qualify, then it is another route to gaining a visa to live and work legitimately as a

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contractor in the UK.

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