

EXPLANATORY MEMORANDUM TO
THE STATEMENT OF CHANGES IN IMMIGRATION RULES
PRESENTED TO PARLIAMENT ON 5 MARCH 2026 (HC 1691)

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.
- 1.2 This Explanatory Memorandum contains information for the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee.

2. Declaration

- 2.1 Mike Tapp MP, Minister for Migration and Citizenship at the Home Office, confirms that this Explanatory Memorandum meets the required standard.
- 2.2 Kristian Armstrong, Director at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

- 3.1. Specific written queries relating to this Statement of Changes should be directed to Robert Hayes-Walters at StateofChanges@homeoffice.gov.uk. Please note that this mailbox is only for parliamentary use in relation to specific technical queries regarding the drafting of this Statement of Changes. It is not a contact point for general enquiries. Queries to this e-mail address from outside Parliament about other immigration issues, including how these changes affect applications, will not receive a response.
- 3.2. More general queries should be directed to the Home Office as per the ‘Contact UKVI’ section on the visas and immigration pages of GOV.UK website.¹
- 3.3. A copy of this Statement of Changes can be found on the visa and immigration pages of the GOV.UK website.²

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

- 4.1 This instrument amends the Immigration Rules, made under the provisions of section 1(4) and section 3(2) of the Immigration Act 1971, that are used to regulate people’s entry to, and stay in, the United Kingdom.
- 4.2 The changes being made relate to:

¹ Available at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

² Available at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

- Introduction of the Visa Brake
- Reducing the duration of refugee and humanitarian protection, permission to stay
- Procedure and Rights of Appeal changes for Failed Asylum Seekers
- Disclosure of information relating to asylum claims when cases are subject to public interest
- Introduction of a visit visa requirement for nationals of Nicaragua and St Lucia
- Changes relating to working restrictions in Part 11B
- Changes relating to prison officers in the Skilled Worker route
- Clarifying the specific circumstances in which a child can be granted settlement to join a ‘relative’ in the UK
- Change to the criminality provisions in Part Suitability
- Further extension of the Ukraine Permission Extension (UPE) Scheme
- Update to the Appendix Visitor: Permit Free Festival List
- Global Business Mobility – Service Supplier: making changes to include provisions for Indian nationals
- Global Business Mobility – Secondment Worker: reducing qualifying overseas employment period from 12 to 6 months
- Appendix EU changes
- Appendix EU (Family Permit) changes – additional validity requirements
- Youth Mobility Scheme: changes to partner country quotas for 2026
- Identity requirements – updating the identity rules about making a valid application to support identity reuse
- Changes to Appendix Victim of Domestic Abuse
- Change to English language requirements

4.3 This instrument also makes minor changes to other policy areas, detailed in paragraphs 5.63 and 5.80 of section 5 of this Explanatory Memorandum.

Where does the legislation extend to, and apply?

- 4.4 The extent of this Statement of Changes in Immigration Rules (that is, the jurisdiction(s) which the statement forms part of the law of) is all of the United Kingdom.
- 4.5 The territorial application of this Statement of Changes in Immigration Rules (that is, where the statement produces a practical effect) is all of the United Kingdom.

5. Policy Context

What is being done and why?

Introduction of the Visa Brake

- 5.1 The number of asylum claims from people who arrived in the UK on a visa or other leave have nearly tripled since the year ending September 2022. In the year ending September 2025, 38% (41,100) of asylum seekers had previously entered the UK on a visa or other leave with relevant documentation. The accredited statistics for the year ending September 2025 are published on Gov.uk.³
- 5.2 As set out in the Asylum Policy Statement, around 106,000 asylum seekers are currently receiving state-funded support, with the vast majority living in asylum accommodation.⁴ Nationals of Afghanistan, Cameroon, Myanmar and Sudan present some of the highest proportions of asylum claims to visas issued, and the number of claims is consistently high, leading to significant impacts on the asylum system. In total, as of September 2025, 15,906 of these nationals are in receipt of Home Office support, including 6,412 individuals in hotels. Asylum statistics for the year ending September 2025 are published on Gov.uk.⁵
- 5.3 For these nationalities, the highest proportion and number of claims come from the Student visa route. For Afghanistan, a high proportion and number of claims also come from the Skilled Worker route. In order to protect UK border security from these unsustainable levels of visa-linked asylum claims, we will refuse Student visa applications from main applicants who are nationals of Afghanistan, Cameroon, Myanmar, and Sudan. Additionally, we will refuse Skilled Worker visa applications from main applicants who are nationals of Afghanistan. This will come into effect from 26 March but will not affect applications made before 26 March.
- 5.4 The key aim of the change will be to reduce the number of individuals entering the asylum system, therefore reducing the strain on the asylum system. It will also allow time for the Home Office to understand the underlying issues/trends driving these behaviours, and what further nuanced interventions could be put in place in the longer term to address these. It will also meet the stated intents of the Immigration White Paper and the Asylum Policy Statement to drive down asylum and support, particularly where it is preventable, and to strengthen public confidence in the immigration system.⁶ This confidence risks being undermined where purpose-bound visa-routes (like Study) are, or are perceived to be, used as a route to claim asylum in

³ Available at <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2025/how-many-people-claim-asylum-in-the-uk>

⁴ Available at <https://www.gov.uk/government/publications/asylum-and-returns-policy-statement>

⁵ Available at <https://www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables#asylum>

⁶ Available at <https://www.gov.uk/government/publications/restoring-control-over-the-immigration-system-white-paper> and <https://www.gov.uk/government/publications/asylum-and-returns-policy-statement>

the UK. The brake is not intended to be permanent and will be regularly reviewed, with the aim that it can be released as soon as it is considered appropriate to do so.

Reducing the duration of refugee and humanitarian protection, permission to stay

- 5.5 As part of the Restoring Order and Control statement and in the announcement by the Home Secretary on 2 March 2026, the Government set out a new ‘core protection’ offer for refugees, which marks a significant change in direction – away from an assumption of offering permanent protection, and towards a more basic, and temporary protection. As part of the first steps towards the core protection model, the length of leave given to refugees will be reduced from five years to 30 months in the Rules. An application for further permission to stay can be made before the expiry of this leave. This impacts most adults and families including accompanied asylum-seeking children depending on their date of claim.
- 5.6 The key aim of this change is the start of a package of reforms to change perceptions of what the refugee offer is in the UK. Once granted protection status, current leave to remain lasts for five years. At the end of that period, refugees can immediately apply for settlement, giving them an indefinite right to live in the UK. This application is fee free and essentially automatic, being almost entirely absent of requirements. Until very recently, refugees were also able to bring their family to join them in the UK, again without incurring a fee and without having to demonstrate that they can accommodate or otherwise support them. This approach is generous compared to some of our European neighbours.
- 5.7 This change marks the start of introducing a new regime which aims to provide entitlements for refugees that are entirely in accordance with our international obligations but do not exceed them. The wider reforms, which this is one part of, aim to integrate those who are here by encouraging them to work and contribute to the UK, if individuals do want to settle here, rather than return home when it is safe to do so.
- 5.8 This change will apply only to individuals who claimed asylum or made further submissions on or after 2 March 2026 (the date of the Home Secretary’s announcement). This change will not however apply to claims made by individuals who are accepted as being unaccompanied asylum-seeking child (UASC) who, if granted protection status, will continue to receive 5 years’ leave (including those who have subsequently turned age 18). This will remain Home Office policy while the new model and pathway for this cohort is developed. That new pathway, once developed, will apply to UASC who claimed asylum or made further submissions on or after 2 March 2026.
- 5.9 Adults and accompanied and unaccompanied children granted 5 years leave as a result of an asylum claim or further submissions made by 1 March 2026 will remain eligible to apply for settlement after 5 years under Appendix Settlement Protection.
- 5.10 This change also includes technical amendments to 339QA, 339QB and Appendix Settlement Protection to remove unintended residual references or effects related to s12 of the Nationality and Borders Act 2022,

Procedure and Rights of Appeal changes for Failed Asylum Seekers

- 5.11 As part of the Restoring Order and Control statement, the Government set out plans to change the Further Submissions process which allows individuals to submit new evidence if their asylum claim has been refused or withdrawn and they have exhausted all of their appeal rights.
- 5.12 The process for making further submissions is currently contained in policy guidance which sets out the requirements that individuals must meet when making further submissions. These requirements are not currently contained in Immigration Rules. This instrument therefore gives the existing requirements a clear statutory basis by setting them out in the Rules. Individuals making further submissions will be required to attend an in-person appointment at a Service and Support Centre (SSC). At the point of making further submissions, the individual must meet all of the validity rules, they must be a failed asylum seeker, meaning their initial asylum claim has been refused or withdrawn, and they must have exhausted all of their appeal rights and have no other ongoing protection claims or appeals outstanding. If the requirements are not met, the further submissions may be rejected as invalid without consideration.
- 5.13 This instrument also introduces a new provision for implicit withdrawal (as applies for initial asylum claims) which allows the Home Office to treat further submissions as withdrawn where the person has not complied with the process requirements or has absconded.

Disclosure of information relating to asylum claims when cases are subject to public interest

- 5.14 This change will make it clear that the Home Office may disclose the fact an asylum claim has been made if there is a public interest in doing so.
- 5.15 There is intense media and public interest in migrants who have been arrested, charged or convicted of serious criminal offences. Disclosure of immigration status has been increasingly requested by media. It continues to be important that we do not routinely disclose that an individual has made an asylum claim, so that we do not risk alerting the alleged perpetrators. However, where certain conditions are met and where there is a public interest, we may publicly confirm the existence of an asylum claim.
- 5.16 In August 2025 the National Police Chief's Council (NPCC) published Interim guidance relating to the disclosure of the ethnicity and nationality of suspects.⁷ This supported the police's release of a person's nationality and/or ethnicity at the point of charge, where there is a public interest, in high profile and sensitive cases or where other conditions are met. Following the publication of the NPCC's guidance, the Home Office is equally determined to support greater transparency in high-profile and sensitive cases involving migrants, including asylum seekers and/or refugees. Failure to respond to the demands of greater transparency in cases involving alleged serious criminality will likely lead to criticism of obstruction, erosion of public trust, and the spread of misinformation; ultimately increasing community tensions.
- 5.17 For these reasons, the Home Office intends to mitigate these risks by commenting on individual immigration cases, where people have been charged with, or convicted of,

⁷ Available at <https://www.npcc.police.uk/our-work/work-of-npcc-committees/operations-coordination-committee/interim-guidance-relating-to-the-disclosure-of-the-ethnicity-and-nationality-of-suspects/>

serious criminal offences, and where there is a public interest in doing so. At present there is no reference to public interest in the Immigration Rules. The proposed change will make it clear that the Home Office may publicly disclose the existence of an asylum claim, where there is a public interest in doing so.

- 5.18 The Home Office position is not to routinely comment on individual cases. In future, disclosure will only occur in cases where a comprehensive consideration of the public interest has been completed and the threshold is met. The public interest will be met where all of the following conditions have been met:
- (a) a person has either been charged with a particularly serious crime or we have been advised that the person has been charged and the case is so high profile as to meet this threshold criteria, or that the person has been charged and there are significant cumulative offences sufficient to meet this threshold criteria; and
 - (b) sufficient information upon which to complete a considered decision is available; and
 - (c) disclosure is in accordance with data protection obligations; and
 - (d) the risk of disclosure to actors of persecution is considered; and
 - (e) there are no exceptional reasons not to disclose; and
 - (f) the minimum necessary data is disclosed.

Introduction of a visit visa requirement for nationals of Nicaragua and St Lucia

- 5.19 The changes will introduce a visit visa requirement for nationals of Nicaragua and nationals of St Lucia, which means that these nationals will need to apply for and obtain a visa prior to visiting the UK.
- 5.20 Linked to this, Nicaragua and St Lucia will be removed from the list of countries whose nationals are eligible to apply for an Electronic Travel Authorisation (ETA).
- 5.21 By introducing a visit visa requirement and removing eligibility to enter the UK with an ETA, those travelling to visit the UK can be assessed against the requirements of the Immigration Rules in advance of arrival in the UK. This means that their visit visa application will be refused where it is assessed that they do not meet those requirements, or issued where it is concluded that they do.
- 5.22 There are a significant number of nationals of Nicaragua who travel to the UK purporting to be visitors but then claim asylum on arrival at port. Between January 2022 and December 2025, 609 nationals of Nicaragua claimed asylum, with 505 (83%) of these claims made at port. While the number of people claiming asylum has fluctuated, numbers have remained significant throughout this period. Nicaraguan asylum claims made at the UK border add significantly to operational pressure at the border, diverting staff from other priorities. All asylum claims place additional resource pressure on the borders and migration system. There were 261 nationals of Nicaragua receiving asylum support at the end of the most recent published quarter (December 2025), of which 253 were residing in accommodation provided by the Home Office.
- 5.23 There are also a significant number of nationals of St Lucia who have claimed asylum in the UK since 2022. Between January 2022 and December 2025, 360 nationals of St Lucia claimed asylum, of which 128 (36%) were made at port. This is a high number

of asylum claims relative to the population of St Lucia (c.180,000).⁸ All asylum claims place additional resource pressure on the borders and migration system. There were 222 nationals of St Lucia receiving asylum support at the end of the most recent published quarter (December 2025), of which 213 were residing in accommodation provided by the Home Office.

- 5.24 St Lucia also grants Citizenship by Investment, a practice which is inherently high-risk. Where Citizenship by Investment programmes are poorly designed, expert bodies such as the Financial Action Task Force and Organisation for Economic Cooperation and Development have documented their vulnerability to exploitation by criminal actors. Whilst we recognise and welcome the steps taken by the St Lucian government over the last year to reduce the risks associated with its Citizenship by Investment programme, the UK continues to experience unsustainable risks. This is largely driven by the historic sale of high volumes of citizenships (and associated passports). In 2023-24, the most recent year for which statistics are available, the St Lucian programme received around 5,642 applications⁹, representing 423% annual growth in application volumes. This growth has directly coincided with an increase in those who have subsequently been detected using St Lucian passports to access the UK, going on to either claim asylum or work illegally.
- 5.25 The visa national status of Nicaragua and St Lucia will be kept under review, particularly with regard to whether the visa introduction affects the number of individuals claiming asylum in the UK.
- 5.26 The introduction of the visit visa requirement will include a transition period for nationals of Nicaragua and St Lucia to travel to the UK without a visa where they hold a confirmed travel booking made prior to the introduction. This period will commence at the same time as the visit visa requirement is introduced and run until six weeks after the introduction date: 15:00 BST on 16 April 2026. During this period, nationals of Nicaragua and St Lucia who hold a confirmed travel booking at the time of the introduction and an ETA, for travel to the UK within the six-week transition period, will not be required to obtain a visit visa before travel. Applications for an ETA for nationals of Nicaragua and St Lucia will close at 15:00 GMT on 5 March 2026. Nationals who hold confirmed bookings for travel to the UK on a date after the transition period ends will need to obtain a visa in advance of travel. Amending the date of travel on a confirmed booking to an earlier date that falls within the transition period would still require the person to have a visa.
- 5.27 This transition period is designed to prevent operational difficulties, general unfairness, and ensure that people who arranged travel before this announcement do not lose money. The length of the period (six-weeks) has been chosen to give those affected enough time to apply for and receive a visa and follows precedent established by previous introductions of visit visa requirements. The current customer service standard processing time for applicants to receive a decision and, if issued, a visitor visa, is three weeks.¹⁰
- 5.28 The introduction of a visit visa requirement will be accompanied by amendments to the Immigration (Passenger Transit Visa) Order 2014, to ensure that nationals of

⁸ <https://data.worldbank.org/indicator/SP.POP.TOTL>

⁹ <https://www.cipsaintlucia.com/statistics>

¹⁰ <https://www.cipsaintlucia.com/statistics>

<https://www.gov.uk/guidance/visa-processing-times-applications-outside-the-uk>

Nicaragua and St Lucia will require a direct airside transit visa (DATV) when conducting airside transit travel (unless they fall within one of the exceptions set out in Article 4 of the Order). Airside transit passengers are those who do not need to change airports and do not need to pass through the UK border. If these amendments are not made, nationals of Nicaragua and St Lucia will be able to travel to the UK purporting to have booked onward travel and instead claim asylum, thus circumventing the visit visa requirement.

Changes relating to working restrictions in Part 11B

- 5.29 Paragraph 360 of the Immigration Rules is being updated regarding asylum seekers' right to seek work in certain occupations. The new rules will align restrictions with those of the Skilled Worker route, allowing access to jobs listed in Appendix Skilled Occupations at Regulated Qualifications Framework (RQF) level 6 or above.¹¹ This reflects recent changes which focussed the Skilled Worker route on these higher skilled occupations, with lists no longer being used purely to reflect labour shortages.
- 5.30 This change aims to help individuals who are able to work find higher-skilled jobs, easing governmental support demands and ensuring that assistance goes to those most in need. These updates are consistent with the Asylum Policy Statement and ensures a consistent approach to allowed skilled occupations if permission to work is granted.

Changes relating to prison officers in the Skilled Worker route

- 5.31 The following arrangements are being made for prison officers:
- The previous RQF 3 skills threshold will apply to prison officers switching from other migration routes (e.g. Graduate) in the UK until 31 December 2026. (Those already in the Skilled Worker route can extend their stay under existing transitional arrangements).
 - The lower, transitional £31,300 salary threshold and 25th percentile going rate apply to prison officers, including those who do not meet the transitional criteria, until 31 December 2027. This threshold and the going rate are subject to routine updates in line with ASHE data.
 - The above end dates refer to the last date that certificates of sponsorship can be issued under this offer, to be used in applications. Applicants can be sponsored for up to 3 years, rather than the usual 5 years for Skilled Workers.
 - These arrangements do not apply to entry clearance applications.
 - Dependants who are already in the UK can apply to extend their stay under these arrangements. No new dependants are permitted to enter the UK under these arrangements.
 - These arrangements apply to prison officers in both public and privately run prisons.

¹¹ <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-skilled-occupations>

- 5.32 While these arrangements go beyond transitional arrangements in place for other occupations, they are being made to alleviate short-term prison capacity pressures and due to the unique public safety need to ensure adequate prison staffing. The measures are time-limited and conditional, and do not guarantee a route to settlement.

Change relating to pay periods in the Skilled Worker route

- 5.33 A change is being made to the salary requirements so that a worker must be paid the required salary in each pay period, subject to variations already permitted in the Rules. This change ensures that UKVI do not need to wait until a full year of salary has been paid where there are concerns about underpayment. This will help to support worker welfare and ensure that, where underpayment is highlighted, the sponsor is notified and has an opportunity to explain or remedy the issue at an early opportunity or for compliance action to be taken, before an individual is significantly impacted.

Clarifying the specific circumstances in which a child can be granted settlement to join a ‘relative’ in the UK

- 5.34 Following the recent Court of Appeal case of Kone, the Home Office is clarifying the policy on when a dependent child can settle in the UK under paragraphs 297 and 298 in Part 8.
- 5.35 The intention of the child settlement rules in Part 8 is that a child should settle in the UK when both parents are settled or are British citizens. If only one parent is settled the child can be granted settlement if that parent has sole responsibility (e.g. the other parent is deceased or has abdicated responsibility) or there are compelling and compassionate circumstances.
- 5.36 This change clarifies the long-standing Home Office policy that a dependent child cannot settle when one parent is a British citizen or settled and the other parent has temporary permission to stay. The Rules have been updated to align with the cross-cutting Appendix Children Immigration Rules so reference to ‘exclusion of the child’ has also been removed.
- 5.37 Paragraph 297 and paragraph 298 are also being amended to clarify that a child can join a “close” relative in the UK rather than any relative. A definition of close relative is provided in paragraph 6 of the Immigration Rules.

Changes to the criminality provisions

- 5.38 The current Immigration Rules provide that anybody seeking to apply for permission to enter, to remain or settle in the UK have their application assessed against the criminality provisions found in Part Suitability of the Immigration Rules. The Rules currently provide for the mandatory refusal or cancellation of leave on the basis of a custodial sentence of 12 months for offences committed in the UK and overseas, as well as mandatory grounds for refusal or cancellation of leave for persistent offenders and offenders who cause serious harm. They also provide for mandatory refusal of visitor applications, for people seeking entry for less than six months, if they have committed an offence in the last 12 months.
- 5.39 There are no exceptions to the current mandatory criminality provisions (paragraphs SUI 5.1, 5.2 and 5.4). However, discretionary provisions apply for offending which

results in a prison sentence of less than 12 months, a non-custodial sentence, or an out of court disposal recorded on a person's criminal record (paragraphs SUI 5.3 and 5.5).

- 5.40 Deportation provisions are currently aligned with the criminality provisions, set out in the Immigration Act 1971 ("1971 Act"), the UK Borders Act 2007 and conducive deportation policy guidance. These include a duty to deport foreign offenders where somebody has a custodial sentence of at least 12 months. The 1971 Act also covers, by virtue of the conducive grounds powers, Foreign National Offenders with prison sentences of less than 12 months and suspended sentences of at least six months, those who have committed serious harm offences, were involved in persistent offending, or who have received combined sentences of six months or more.
- 5.41 This change seeks to make amendments to existing criminality provisions within Part Suitability. In particular, it will extend the mandatory grounds for refusal in line with the changes to the duty to deport Foreign National Offenders included in the Sentencing Act 2026. A person who has been convicted of a criminal offence in the UK and received a suspended sentence of 12 months or more will be subject to mandatory refusal or cancellation of leave to enter or remain.
- 5.42 The purpose of making the change to Part Suitability is to make it consistent with the criminality provisions in relation to deportation and wider sentenced based reforms in the Sentencing Act 2026, respond to wider public concerns about foreign national offending and push to tighten up the Immigration Rules on criminality in the interests of public security and the wider national interest.

Further extension of the Ukraine Permission Extension (UPE) Scheme

- 5.43 When the conflict in Ukraine broke out in February 2022, the UK introduced three generous visa schemes (at Appendix Ukraine Scheme of the Immigration Rules) to allow Ukrainian nationals and their family members to seek sanctuary in the UK:
- The Homes for Ukraine Sponsorship scheme (HfU)
 - The Ukraine Family Scheme (UFS); and
 - The Ukraine Extension Scheme (UES)
- 5.44 UFS was closed in 2024 and UES was fully closed in 2025. On 4 February 2025 the Ukraine Permission Extension scheme (UPE) was opened to allow those in the UK under any of the Ukraine schemes listed above to remain in the UK for a maximum initial period of 18 months. HfU remains open to those who are in Ukraine and wish to seek sanctuary in the UK.
- 5.45 On 1 September 2025, the then Home Secretary made an announcement in Parliament that the UPE scheme would be extended to allow eligible individuals to obtain a further extension of 24 months.¹² This change will introduce this extension and provide eligible individuals a route to extend their permission to stay in the UK.
- 5.46 The continuation of the UPE scheme reduces the significant risk of applicants who need continuing sanctuary submitting asylum claims. Furthermore, extending the UPE scheme will provide certainty to eligible individuals whilst the conflict continues.

¹² <https://hansard.parliament.uk/commons/2025-09-01/debates/1CB78605-9A14-4CEE-B5CE-BA8836354FA7/BordersAndAsylum>

- 5.47 As well as extending the UPE scheme, after considering feedback received from the Ukrainian community in the UK, we are introducing further improvements to the UPE scheme by extending the period applicants can apply from 28 to 90 days before their permission expires. This is intended to allow Ukrainian and their families who hold permission on the Ukraine Scheme to confirm their ongoing status earlier, providing greater certainty.

Update to the Appendix Visitor: Permit Free Festival List

- 5.48 Appendix Visitor: Permit Free Festival List comprises a list of events that are Permit Free Festivals. Permit Free Festivals (PFF) are events that are assessed as contributing to the cultural heritage of the UK, and the PFF list has been in place for several years. Visitors cannot normally receive payment from a UK source for any permitted activities they undertake in the UK but, exceptionally, PFF performers can be paid for their work, without a requirement for them to be sponsored under the points-based system. The list has been updated for 2026.
- 5.49 New festivals will be given the opportunity to apply for inclusion on the PFF list. The Immigration Rules have been amended to implement the updated list.

Global Business Mobility – Service Supplier: making changes to include provisions for Indian nationals

- 5.50 The changes will implement the UK's entry and temporary stay commitments taken in the Comprehensive Economic and Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and India, once that agreement enters into force. These commitments require us to give service suppliers in the contractual service supplier and independent categories who are providing a service covered by the commitment entry to the UK for up to 12 months leave at a time.
- 5.51 The changes must be in place in order to comply with our commitments taken in the Comprehensive Economic and Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and India. Legislation needs to be in place before the entry into force date which is planned for the end of March.

Global Business Mobility – Secondment Worker: reducing qualifying overseas employment period from 12 to 6 months

- 5.52 The Global Business Mobility (GBM) Secondment Worker route allows overseas employers who have a high-value contract or investment with a UK organisation, worth at least £50 million, to temporarily send their workers to the UK. Previously, applicants must have worked for their overseas employer for at least 12 months. We are reducing this qualifying period to six months to provide greater flexibility for businesses and attract more high-value contracts to the UK. Requiring a period of overseas employment ensures workers are genuinely employed and maintains the integrity of the immigration system.

Appendix EU changes

- 5.53 The EU Settlement Scheme (EUSS) enables EU, other European Economic Area (EEA) and Swiss citizens living in the UK before the end of the post-EU exit transition period at 23:00 GMT on 31 December 2020, and their family members, to

obtain the immigration status they need to continue living in the UK, in line with the Citizens' Rights Agreements. The EUSS family permit enables relevant family members to travel to the UK, where they can apply to the EUSS to remain in the UK with their sponsor.

5.54 The changes to the Immigration Rules for the EUSS in Appendix EU are as follows:

- To tackle identified abuse by EEA citizens sponsoring EUSS applications by those falsely claiming to be eligible family members, we will introduce a new suitability requirement, aligned to existing curtailment powers, which, where it is proportionate to do so, will enable an EUSS application to be refused where it is more likely than not that, after the end of the transition period, the person has assisted another person fraudulently to obtain, or to attempt to obtain, entry clearance to, or leave to enter or remain in, the UK.
- To simplify the current provision allowing a person to make a further application to the EUSS at any point where they hold pre-settled status granted under it
- To extend the current provision allowing a non-EEA national applicant to use an expired biometric residence card as proof of their identity and nationality where it has expired by up to 60 (rather than 18) months. This will enable non-EEA nationals to continue to apply digitally rather than needing to attend a biometric appointment.

Appendix EU (Family Permit) changes – additional validity requirements

5.55 More than five years after the end of the post-EU exit transition period, we continue to see attempted abuse of the EUSS family permit route by those falsely claiming to have an in-scope EEA citizen sponsor or an in-scope family relationship. The changes to the Immigration Rules for the EUSS family permit in Appendix EU (Family Permit) therefore introduce additional validity requirements to enable us to reject out-of-scope applications and focus on improving customer service for those in scope of the route, as follows:

- To require the applicant to provide evidence of the sponsor's EUSS status (in the form of their EUSS Unique Application Number) or information or evidence which appears to the entry clearance officer to indicate that the sponsor is otherwise in scope of the route as a "relevant EEA citizen".
- To require the applicant to provide information or evidence which appears to the entry clearance officer to indicate that the family relationship to the sponsor is in scope of the route, e.g. a marriage or birth certificate (which, unless we have reasonable doubt as to its authenticity, can be a copy rather than the original document). The substantive consideration of whether that family relationship meets the eligibility requirements for an EUSS family permit will continue to be undertaken as part of the caseworking process for a valid application.

Youth Mobility Scheme: changes to partner country quotas for 2026

- 5.56 The Youth Mobility Scheme (YMS) route implements the international commitments we have made to provide cultural exchange programmes for young people. The YMS has quotas for each participating country that limit the number of places available. These are updated annually (with the exception of Covid-impacted years). This change is to replace the previous quotas for 2025 with the new quotas for 2026.

Identity requirements - updating the identity rules about making a valid application to support identity reuse

- 5.57 The change to Rule 34(5)(a) will reduce the need for applicants to keep having to attend a Visa and Citizenship Application Service (VCAS) centre every time they make an immigration application. This will enable applicants who have previously enrolled their biometrics under controlled conditions, such as at a VCAS centre, and who are making a new immigration application, to have their identity reused. Identity reuse means that where a person's identity was previously assured to a satisfactory standard (e.g. when they were granted entry clearance or further immigration permission) this can be reused in certain subsequent applications. This means that the individual does not need to re-establish their identity by producing an in-date passport, or other form of satisfactory identification document. It will be achieved by the applicant uploading a 'live' facial image using the Generic Identity Document Verification (GIDV) app, which will be biometrically compared to the image they enrolled under controlled conditions and is stored on the Immigration and Asylum Biometric System (IABS).
- 5.58 Eligibility for identity reuse will be set out in guidance and on the online application.

Changes to Appendix Victim of Domestic Abuse

- 5.59 These changes remove the maintenance and accommodation requirement for dependent children under Appendix Victim of Domestic Abuse (VDA). It will also remove the English language requirements and Life in the UK test for dependent children who are aged 18 or over at the date of application under Appendix VDA. This will align these requirements for dependent children aged 18 or over with the requirements that apply to parents and children under the age of 18.

Change to English language requirements

- 5.60 This change increases the English language requirement for settlement to B2 level under the Common European Framework of Reference for Languages (CEFR) for a number of immigration routes where the existing requirement is at B1 level. The changes apply to those routes covered by Appendix KoLL; Appendix Skilled Worker; Appendix Tier 2 Minister of Religion; Appendix Representative of an Overseas Business; Appendix UK Ancestry; Appendix Global Talent; Appendix Scale Up; Appendix Innovator Founder; Appendix International Sportsperson; Appendix Child Relative (Sponsors with Protection); Appendix Long Residence; Appendix Bereaved Partner; Appendix Private Life; and Appendix Settlement Family Life; and make consequential amendments to Appendix English Language.
- 5.61 These changes commence implementation of the relevant commitment in the White Paper "Restoring Control over the Immigration System" published in May 2025 which set out plans to introduce new English language requirements across a broader range of immigration routes to ensure better knowledge of English, including an

assessment of improvements over time. They help ensure that those who come here to build their lives in the UK can integrate into life in this country.

- 5.62 These changes will come into force on 26 March 2027. The changes will therefore apply to those already on a pathway to settlement in the UK and the rules applying to the Skilled Worker route and Scale Up routes are accordingly amended to apply the language requirement at settlement stage in addition to the requirements specified for a limited permission. The coming into force of these changes is being deferred until 26 March 2027 in order to provide those subject to the new requirements with sufficient opportunity to take any steps necessary to meet them.

Other Minor Changes

Appendix Hong Kong British National (Overseas)

- 5.63 The changes expand the BN(O) route by making BN(O) status holders' adult children who were under 18 on 1 July 1997 eligible for the route. The expansion closes a gap in eligibility that has led to unfair outcomes within families, with some children eligible and others not, and ensures we are treating families consistently.
- 5.64 The changes replace the term 'BN(O) Household Member' with 'Adult Child' to provide clearer terminology for this cohort. Both terms have previously been used interchangeably and standardising to a single term makes the Rules easier to follow for applicants and decision-makers.
- 5.65 The changes enable applicants to verify their identity using the UK Immigration: ID Check app when applying for settlement. They also clarify which forms are required and confirm that BN(O) or Hong Kong Special Administrative Region passports that are within five years of their expiration date at the date of application will be accepted for identity and nationality verification when using the app.

Expansion of the Global Talent route to include a design pathway, covering additional design roles not currently catered for

- 5.66 The Global Talent route is for talented and promising individuals in the fields of science, digital technology and arts and culture wishing to work in the UK.
- 5.67 Following a commitment made in the Immigration White Paper, published in May 2025, we are making it easier for top design talent to use the Global Talent visa and come to the UK. To do this, we are expanding the route to include a design pathway, covering additional design roles which are not currently catered for.

Global Talent

- 5.68 As agreed with the British Academy, the Royal Academy of Engineering and the Royal Society, we are simplifying the requirements of the appointments fast track option to clarify which talented individuals in eligible academic or research positions can access the pathway. The appointments pathway acts as a proxy for the full peer review endorsement pathway, allowing applicants to qualify with fewer evidential requirements, as they have already passed a similar peer review to be offered their eligible appointment. The changes will simplify the requirements around eligible positions as these have previously caused some confusion in the sector, leading

applicants who would have been eligible for the fast-track route instead applying through the full peer review pathway; a longer, more involved process.

- 5.69 The simplified criteria cover all PhD-level roles in an approved UK Higher Education Institution or research institute, where the applicant either has responsibility for academic, research or innovation leadership and development, or whose role requires them to perform research or innovation as a primary function.

Appendix Government Authorised Exchange Schemes: Future technology research and innovation scheme summary update

- 5.70 This change updates the title of one of the five critical technologies in the scheme summary section for the 'Future technology research and innovation scheme' following a request from the scheme's endorsing government department, the Department for Science, Innovation and Technology.

Update to Appendix Sports Governing Bodies

- 5.71 This change updates the effective territories and name of the sport of horse racing, following consultation with the British Horseracing Authority.

Change to Appendix Settlement Protection to improve clarity and explicitly reference the Safe return review

- 5.72 The Safe return review process is completed when assessing applications for settlement protection and part of this process is to assess whether there has been a change in personal circumstances or a change/improvement in country situation which would merit referring the application to the Status Review Unit, to make an assessment on whether there is a continuing need for protection or whether protection should be revoked or not renewed.
- 5.73 Paragraphs 339A to 339AC and 339G to 339GD under part 11 of the Immigration Rules on asylum cover the circumstances in which the Refugee Convention ceases to apply (cessation) and when humanitarian protection ceases to apply, which is the basis of the Safe return review.
- 5.74 This is a clarificatory change to Appendix Settlement Protection in the Immigration Rules to explicitly reference the Safe return review. Operational processes will remain unchanged as this is already part of existing policy when assessing settlement protection applications.

Change to the name of a service provider

- 5.75 Changes have been made to remove reference to the specific name of the service provider Ecctis within the Immigration Rules and instead refer to a generic term. This does not in any way change the rules an applicant needs to meet and is simply for consistency within the Rules.

Amendment of an outdated Immigration Rule pertaining to the Tier 1 (Entrepreneur) visa

- 5.76 This change removes a reference to extensions in the Tier 1 (Entrepreneur) route. Applications for leave to remain (extensions) under this visa have not been able to be made since 6 April 2023. It also amends the description of who can apply for settlement, so this accurately reflects who is still eligible.

Appendix Temporary Work - Seasonal Worker

- 5.77 A minor change is being made to the rules concerning the date at which an assessment is made to calculate the period of time an applicant has spent outside the UK before their application for entry clearance as a Seasonal Worker. The start date as stated by the sponsor on the Certificate of Sponsorship will now be used to calculate the period of time spent outside the UK.
- 5.78 The National Minimum Wage and the National Living Wage are increasing from April 2026. It is necessary to amend the minimum rate of hourly pay for Seasonal Workers to reflect this change.

Change to liability to deportation to reflect the Sentencing Act 2026

- 5.79 Paragraph 13.1.1. of the Immigration Rules sets out liability for deportation and confirms this as a foreign national given a custodial sentence of at least 12 months. This reflects the provisions in the UK Borders Act 2007. However, this liability has now been amended by the Sentencing Act 2026 to include foreign nationals given a suspended sentence of at least 12 months on or after 22 March 2026. Therefore, the Rules have been updated to reflect this recent change.

Other drafting changes

- 5.80 The Statement of Changes also introduces minor drafting changes to correct incorrect paragraph references and minor errors.

6. Legislative and Legal Context

How has the law changed?

- 6.1 The Immigration Rules, as laid before Parliament by the Secretary of State, constitute a statement of practice to be followed in the administration of the Immigration Act 1971 for regulating the entry into, and stay of, persons in the United Kingdom.
- 6.2 This Statement of Changes in Immigration Rules will be incorporated into a consolidated version of the Immigration Rules. This can be found on the GOV.UK website, where all the Statements of Changes in Immigration Rules issued since May 1994 are published.¹³
- 6.3 For the changes that introduce a visa requirement on Nicaragua and St Lucia, those changes will come into effect at 1500 GMT on 5 March 2026. All other changes will come into effect on various dates from 26 March 2026 and are detailed in the implementation section of the Statement of Changes.

Why was this approach taken to change the law?

¹³ <https://www.gov.uk/guidance/immigration-rules>

- 6.4 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

- 7.1 The specific changes in this Statement have not been the subject of a formal public consultation, as this would be disproportionate given the nature of the changes.

8. Applicable Guidance

- 8.1 Guidance relating to these Rules changes will be updated and placed on the GOV.UK website when these changes take effect.
- 8.2 It is our practice to only publish guidance updates when Rules changes take effect to mitigate the high risk of users referring to the wrong version.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

- 9.1 A full Impact Assessment for the changes listed below will be published alongside the Explanatory Memorandum and Statement of Changes on the GOV.uk website.¹⁴

Further extension of the Ukraine Permission Extension (UPE) Scheme

- 9.2 An Impact Assessment has been prepared and will be published alongside the Statement of Changes to the Immigration Rules, and the accompanying Explanatory Memorandum¹⁵.
- 9.3 The Impact Assessment sets out that 110,000 to 200,000 people are estimated to apply for the Further extension of the Ukraine Permission Extension Scheme by 2028/29 who would otherwise have had to apply for a separate visa, apply for asylum or leave the UK.
- 9.4 This change is likely to have a significant impact on the public sector. The main estimated impacts include the impact on tax receipts and public expenditure arising from additional people, who in the absence of the further extension of UPE would have left or claimed asylum. Instead, these individuals remain and work in the UK and have access to public funds. Another significant estimated impact reflects the avoidance of support and accommodation costs for those who may have otherwise claimed asylum or humanitarian protection. The Impact Assessment estimates that around 23% of those in scope to apply for the further extension of the UPE, equivalent to up to 45,000 people, may have, in the absence of the scheme, incurred asylum claim costs of up to £42,100 per claim.
- 9.5 This change is unlikely to result in significant impacts affecting businesses, charities or voluntary bodies. The Impact Assessment sets out the relatively small cost for Immigration Lawyers and Advisors to familiarise themselves with these changes, and the relatively small savings for businesses who may otherwise have needed to

¹⁴ <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

¹⁵ Available at [Immigration Rules: statement of changes - GOV.UK](#)

sponsor, or replace, those who are able to remain and work in the UK on the further extension of the UPE.

Introduction of the Visa Brake

- 9.6 An Impact Assessment has been prepared to assess the costs and benefits of applying a visa brake, which will be published alongside the Explanatory Memorandum and Statement of Changes on the GOV.uk website.
- 9.7 The 18-month visa brake is estimated to prevent 4,300 Student visas being issued. This impact is small compared to the total 440,000 student visas issued in year ending September 2025 across all nationalities. The brake is also estimated to prevent 90 Skilled Worker visas.
- 9.8 By imposing the visa brake, it is estimated to be 1,300 fewer asylum claims from migrants arriving on Student visas and 90 fewer asylum claims from those arriving on Skilled Worker visas.
- 9.9 In the central scenario, the Impact Assessment sets out that the brake is estimated to have a public sector cost of £2.8 million. This principally balances foregone tax revenue from those prevented from entering and would not have gone on to claim, with asylum support and returns cost savings. The impact on educational institutions is estimated to be around -£84 million in total loss of tuition fee revenue. However, this assumes a conservative 25% replacement rate of students from non-visa brake nationalities, and the loss of tuition fee income will be reduced if educational institutions are able to more quickly enrol non-visa brake nationalities to fill spaces created.
- 9.10 Whilst overall there is a negative Net Present Social Value over the 5-year appraisal period, associated with the quantifiable first order effects, this must be read in the context of the potentially significant longer term unquantifiable benefits.
- The long-term impact for reduced asylum claims has not been quantified. Public sector asylum impacts have only been monetised up to point of asylum decision, and then any subsequent appeals or removal for those with failed asylum outcomes. The additional fiscal pressures a claimant would have exerted after asylum grant, including on housing, education and healthcare, have not been quantified.
 - There is also an unquantifiable second order benefit from a potential wider behavioural change from sponsors as a result of the visa brake, as they may seek to recruit workers or enrol students that are less likely to apply for asylum.

Procedure and Rights of Appeal changes for Failed Asylum Seekers

- 9.11 An Economic Note has been produced to assess the costs and benefits of this measure which will be published alongside this Statement.
- 9.12 The only monetised cost is caseworker familiarisation associated with training required to deliver implicit withdrawal. There are no monetised benefits of these measures. This results in a central Net Present Social Value estimate of -£8,000 over the 10-year appraisal period.

- 9.13 Non-monetised benefits arise from caseworker efficiencies through the use of withdrawals instead of substantive decisions. These have not been monetised given the uncertainty of converting caseworker time savings into measurable reductions in resource requirements where backlogs exist. Additional non-monetised benefits relating to increased removals and decreased asylum support may arise, though these are expected to be limited given wider system constraints.
- 9.14 There is no expected impact on business as a result of this measure.
- 9.15 There is no, or no significant, impact on activities that are undertaken by small businesses, beyond those outlined above.
- 9.16 In relation to the other changes in this Statement, there is no, or no significant, impact on business, charities or voluntary bodies, or on the public sector.

Other changes

- 9.17 Although there is a degree of impact as a result of the changes being made, a full Impact Assessment has not been prepared for the changes listed below because the level and effects of the changes do not meet the threshold for producing an Impact Assessment or Economic Note:

Reducing the duration of refugee and humanitarian protection, permission to stay

- 9.18 An Economic Note is not required for this Rules change because there is no immediate economic impact at this stage.
- 9.19 Claimants will be required to renew their leave after the initial period of 30 months elapses should they still require protection, subject to the wider reforms.
- 9.20 An Economic Note will be produced at the stage when the wider Core Protection reforms are designed and delivered to take into account the impact of these changes.

Introduction of a visit visa requirement for nationals of Nicaragua and St Lucia

- 9.21 The changes are likely to have a meaningful impact on the public sector.
- 9.22 High volumes of asylum claims, if left unchecked, can represent significant cost to the public sector, though overall costs for this population would be a small proportion of overall asylum costs.
- 9.23 As a result of a visit visa introduction for nationals of Nicaragua and St Lucia, there may be an impact on the number of genuine visitors coming from these countries to the UK due to the requirement to obtain a visa before travel. Therefore, there may be a reduction in visitor spending which may then reduce tax revenues to the public sector.
- 9.24 These changes therefore may represent a meaningful indirect impact on business, charities or voluntary bodies. The ONS estimated that in 2024, on average, nationals from Nicaragua arriving by air spent £781 per visit to the UK and nationals of St

Lucia spent £677 per visit to the UK.¹⁶ Any reduction in spending resulting from a reduction in visitors to the UK is likely to represent a cost to businesses through a reduction in revenue.

Identity requirements - simplifying evidence rules to support identity reuse

- 9.25 The changes are likely to have a meaningful but small impact on the public sector. The change to facilitate the re-use of digital identity neither creates new powers nor extends identity reuse to applicants overseas but will have required one-off implementation costs to the public sector. While unquantified, these implementation costs are likely to be offset by ongoing efficiency savings from modernising, digitising and streamlining application journeys.

All other changes

- 9.26 A full Impact Assessment or Economic Note has not been prepared for the other changes in this instrument because the level and effects of the changes do not meet the threshold for doing so.

Impact on businesses, charities and voluntary bodies

- 9.27 For all other changes there is no, or no significant, impact on business, charities or voluntary bodies.
- 9.28 For all other changes the legislation does not impact small or micro businesses.
- 9.29 For all other changes there is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

- 10.1 The approach to the monitoring of these changes is to review the operation and effect of all the relevant Immigration Rules, including any Rules amended or added to by the changes in this Statement, and lay a report before Parliament within five years of 6 April 2017, and within every five years after that. Following each review, the Secretary of State will decide whether the relevant Immigration Rules should remain unchanged or be revoked or amended. A further Statement of Changes would be needed to revoke or amend the relevant Rules.
- 10.2 A statutory review clause is included in the instrument.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

Introduction of a visit visa requirement for nationals of Nicaragua and St Lucia

¹⁶

- 11.1 The changes to introduce a visit visa requirement for nationals of Nicaragua and St Lucia will come into effect at 15:00 GMT on 5 March 2026, and therefore depart from the usual convention that changes to the Immigration Rules come into force no earlier than 21 days after their being laid in Parliament.
- 11.2 Restoring order and control to the immigration system and reducing the burden of the asylum system on UK taxpayers are Home Office priorities. After deciding to impose a visit or transit visa requirement, it is necessary and reasonable to implement this as quickly as possible. The rationale for breaching the 21-day rule is that prior notification of implementation of a visa requirement could trigger a substantial increase in nationals of Nicaragua and St Lucia impacted by this change travelling to the UK prior to the visa requirement coming into effect, triggering an unpredictable and unmanageable strain upon the UK's migration and borders system. This action continues to respect our international obligations.
- 11.3 Immediate implementation of a visa requirement is accompanied by a six-week transition period to prevent general unfairness and to mitigate the risk that people who arranged travel to the UK and already hold an Electronic Travel Authorisation prior to the introduction of the visit visa requirement suffer a financial loss. Additionally, this period prevents serious operational difficulties. This approach has been successful on previous occasions, and the Government is clear that implementing changes in this way is necessary and proportionate to protect the UK immigration system from abuse.
- 11.4 For all other changes there are no matters of interest.

12. European Convention on Human Rights

- 12.1 As this Statement of Changes in Immigration Rules is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

13. The relevant European Union Acts

- 13.1 This instrument is not being made under the European Union (Withdrawal) Act 2018 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts"). It does, however, relate to the withdrawal of the United Kingdom from the European Union because it supports further implementation of the EUSS.
- 13.2 For all other changes, this instrument does not relate to withdrawal from the European Union or trigger the statement requirements under the European Union (Withdrawal) Act 2018.

14. Consolidation

- 14.1 The Government has committed to the consolidation of the Rules as part of its response to the Law Commission recommendations on simplifying the Immigration Rules.

