



# Are you coming to the UK to work or to set up a business?

Which visa should you choose?

Our immigration expert Anita has written a handy guide to help you decide.





## Setting up a business in the UK? Looking for an individual work route? Which visa suits you best?

Visa type	Ideal for....	Applicants must...	Resulting in...	Don't forget ....	How long to organise?
<b>Start-up visa (formerly known as Tier 1 Graduate Entrepreneur visa)</b>	<p>Early-stage, high potential entrepreneurs starting a business in the UK for the first time, which has been endorsed by an approved body.</p> <p>Can have an entrepreneurial team but must have individual endorsement.</p>	<p>You do not need any funds to invest in the business at this stage and must not have previously set up a business in the UK.</p> <p>Must propose a business idea that meets the requirements of innovation, viability and scalability and obtain an endorsement letter from an approved endorsement body.</p> <p>Must be able to show business idea is:</p> <ul style="list-style-type: none"> <li>• <i>A new idea</i> – cannot join/invest in business already operating in the UK</li> <li>• <i>Viable</i>, with growth potential and</li> <li>• <i>Innovative</i>, must be an original business idea unique to anything else in the market</li> </ul>	<p>A 2-year visa that cannot be extended further in this category.</p> <p>Not able to obtain permanent residency in the UK on this visa.</p>	<p>You <b>must meet the English language</b> requirement, as well as providing evidence of prescribed personal maintenance funds for a set period.</p> <p>You should spend the majority of your working time in the UK to develop your business venture(s) but will not be restricted from undertaking work in another job.</p> <p>You can progress to an Innovator visa after two years.</p>	<p>Up to 3 months, depending on timing of the endorsement.</p> <p>However, from the date of submission of the visa application, it usually takes around 2 to 4 weeks to be processed.</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days.</p>



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<b>Innovator visa (formerly known as Tier 1 Entrepreneur visa)</b>	<p>Experienced business people seeking to set up or run a business or business idea in the UK, which has been endorsed by an approved body.</p> <p>Can have a team, but investment funds cannot be shared.</p>	<p>Must have a minimum of £50,000 funding available to invest in a new business, and obtain an endorsement letter from an approved endorsement body.</p> <p>No funds required if the business is already established and has been endorsed for a previous visa.</p> <p>Must be able to show business idea is:</p> <ul style="list-style-type: none"> <li>• <i>A new idea</i> – cannot join/invest in business already operating in the UK and</li> <li>• <i>Viable</i>, with growth potential</li> </ul>	<p>A 3-year visa.</p> <p>Permanent residency after 3 years' continuous stay.</p>	<p>You <b>must meet the English language</b> requirement as well as prove prescribed personal maintenance funds for a set period.</p> <p>You should spend most of your working time in the UK to develop your business venture(s) and will be restricted from undertaking employment for another business.</p> <p>An endorsement is required at every stage (initial application, extension and settlement).</p>	<p>Up to 3 months depending on timing of the endorsement.</p> <p>However, from the date of submission of the visa application, it usually takes around 2 to 4 weeks to be processed.</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days.</p>
<b>Sole representative visa</b>	<p>Established senior employees (who were recruited outside the UK) who are <b>not majority shareholders</b>, to set up a UK branch or a wholly-owned subsidiary for an overseas parent company whose headquarters and principal place of business is outside the UK.</p>	<p>Must be the UK entity's only sole representative and be responsible for running the new UK office.</p>	<p>A 3-year visa, extendable by a further 2 years.</p> <p>Permanent residency after 5 years' continuous stay.</p>	<p>You <b>must meet the English language</b> requirement and work full time for that employer only in the UK (personal and business travel is permitted). You must also show you have the skills, experience and knowledge to do the role.</p> <p>A business plan for the UK expansion is required.</p>	<p>Standard processing time is 2 to 4 weeks from the date of the application.</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days.</p>



<p><b>Global Talent visa (formerly known as Tier 1 Exceptional Talent visa)</b></p>	<p>A <b>recognised leader</b> (exceptional talent) or an <b>emerging leader</b> (exceptional promise) in a <b>qualifying field (academia or research in science, medicine, engineering or humanities; digital technology; arts and culture which includes fashion, architecture, film and television)</b>. This visa route is also ideal for eligible senior academic or research positions.</p>	<p>Must obtain an endorsement from an endorsing body or have won an eligible award.</p> <p>Eligible awards can be found <a href="#">here</a>.</p> <p>The endorsing bodies may change from time to time and an updated list can be found <a href="#">here</a>.</p>	<p>An initial visa can be granted for between 1 - 5 years, extendable by 1-5 years on each further application.</p> <p>Applicants endorsed by the endorsing bodies responsible for science, engineering, humanities and medicine can apply for permanent residency after 3 years regardless of whether they were granted under the “promise” criteria, the “talent” criteria or a new endorsed funder option.</p> <p>The qualifying period to apply for permanent residency under the “promise” criteria for digital technology and arts and culture applicants is 5 years.</p>	<p>There is no English Language requirement.</p> <p>You cannot switch into this visa from a Tier 4 (General) student visa – although previous holders of Tier 4 visas can apply from outside the UK.</p> <p>There is no ‘cap’ or limit on the numbers of Global Talent applicants.</p> <p>You may work for any employer, work as a director or be self-employed.</p> <p>For new initial applicants, this is a two-stage application process:</p> <ul style="list-style-type: none"><li>• stage 1: the relevant endorsing body will assess your skills, abilities and achievements, and advise the UK Home Office of their decision on whether you should be endorsed; and</li><li>• stage 2: if the endorsement has been granted, you can apply for a visa from your home country or normal place of residence or switch status into the Global Talent category from within the UK, if eligible to do so.</li></ul>	<p>For stage 1, up to 8 weeks, depending on the endorsing body.</p> <p>For stage 2, from the date of submission of the visa application, it usually takes around 2 to 4 weeks to be processed.</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days.</p>
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				<p>Possible to submit stage 1 and 2 together at the same time, but not advisable as you will lose the stage 2 visa fee if stage 1 is unsuccessful.</p> <p>Stage 1 is not required on extension or ILR stage (as long as not withdrawn by the endorsing body)</p>	



<b>Investor visa (Tier 1)</b>	Individuals with at least £2m in cash funds available	<p>Have access to at least £2m to invest in UK-registered companies, <b>excluding</b> property development or property management businesses.</p> <p>If using your own money which is transferrable to the UK to invest, you must show:</p> <ul style="list-style-type: none"><li>• How much money you have and where it is held</li><li>• Where the money came from if <b>held for less than 2 consecutive years prior to application</b> and supply evidence of the source of funds.</li></ul> <p>If using money that is owned either jointly with, or solely by, your husband, wife, civil partner, unmarried or same-sex partner, you must:</p> <ul style="list-style-type: none"><li>• Have unrestricted right to transfer and dispose of the money</li><li>• Have owner's/joint owner's permission to have control of this money in the UK</li><li>• Supply evidence of your relationship and of permission given to use the funds.</li></ul>	<p>A 3 years and 4 months visa will be granted, extendable by a further 2 years. Permanent residency after 5 years' continuous stay.</p> <p>Permanent residency can be expedited to 2 years of continuous stay if you invest £10m or 3 years if you invest £5m.</p>	<p>Must have a UK bank account opened for the purpose of investment and the £2m must be held in cash funds, either in a UK bank account or be transferrable to the UK.</p> <p>Must invest the £2m by way of share capital or loan capital in active and trading UK-registered companies within 3 months of entry of the Tier 1 Investor visa.</p> <p>No restrictions regarding work and study activities in the UK (save for employment as a professional sportsperson or sports coach) and there is no English language requirement.</p>	<p>Standard processing time is 2 to 8 weeks from the date of the application.</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days.</p>
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Visa type	Overview	How long to organise?
<b>Workers and Temporary Workers - sponsored workers (overview)</b>	<ul style="list-style-type: none"><li>➤ Sponsored route for skilled workers</li><li>➤ You'll need a sponsorship licence from UK Visa &amp; Immigration</li><li>➤ There are minimum skill and salary levels required for all Workers and Temporary Workers</li><li>➤ There is no longer a Resident Labour Market Test (RLMT) requirement for Skilled Worker visas.</li><li>➤ A cooling-off period may apply to Intra-company transfer employees, who cannot have held an Intra-Company Transfer Visa (including the previous Tier 2 ICT visa) for longer than <b>five years</b> in any <b>six year period</b> or <b>nine years</b> in any <b>10-year period</b> if their salary is £73,900 or above.</li><li>➤ In addition to government application fees, applicants may also have to pay a mandatory upfront contribution to the National Health Service, which is currently set at £624 per person per each year of sponsorship for adults, and £470 per person per each year of sponsorship for children.</li><li>➤ Sponsors must also pay an "Immigration Skills Charge" at the rate of £1,000 per year of the Skilled Worker Visa (reduced to £364 for small and charitable sponsors). Certain exemptions apply, such as for the hire of UK graduates switching into the Skilled Worker category</li></ul>	<p>The business must be established in the UK and usually trading first.</p> <p>Licence should be granted (if the application is successful) within 8 weeks from the date the application is made but may take longer if the business receives a pre-licence audit from the UK Home Office. Limited priority slots (only 10 per day) are available to expedite processing to 10 working days. Once the sponsor licence has been granted, the sponsored worker's permission to enter/stay must be applied for. So, total timings are likely to be 3 to 6 months.</p>



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<b>Intra-company Routes (Intra-company Transfer and Intra-company Graduate Trainee)</b>	<p>(Transferring <b>skilled overseas-based</b> employees from overseas group companies to your UK operation.)</p> <p>The sponsored worker must have been employed for 12 months in the overseas company to be eligible for permission to enter under the Intra-Company Transfer route, unless they earn at least £73,900 gross per year.</p> <p>The sponsored worker must have been employed for 3 months to be eligible for permission to enter under the Graduate Trainee route.</p>	<p>The sponsored worker must be paid at least £41,500 gross per year for the Intra-company Transfer category (£23,000 gross per year for Graduate Trainee), or the market rate for the role if higher (as dictated by the relevant Occupation Code for Skilled Workers).</p>	<p>For the Intra-company Transfer route, a visa of up to 5 years in total (or 9 years if annual gross salary package is at least £73,900).</p> <p>Maximum granted for a graduate trainee is 12 months.</p> <p>NB: The Intra-company route does <u>not</u> lead to permanent residency.</p>	<p>For the Intra-company Transfer route, after a maximum of 5 years in any 6 year period (or 9 years in any 10 year period if the annual salary package is at least £73,900), the employee must leave the UK as a cooling-off (lock-out) period will apply. The same applies for graduate trainees.</p> <p>There is no English language requirement.</p>	<p>Standard processing time is 3 to 4 weeks from the date of the application (but a sponsor licence must be in place first).</p> <p>Use the priority service option (if available) and receive an outcome within 3 to 5 working days. 24-hour processing is available in certain limited countries, eg in China and the USA.</p>



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<b>Skilled Worker</b>	Usually for hiring of skilled workers from outside your "employing group" (eg new hires from abroad or recruits from other UK businesses currently on Skilled Worker / other visa types with another sponsor), but can also use for current staff relocating permanently to the UK or new hires who are relocating permanently to the UK).	<p>The sponsored worker must be paid a minimum salary package of £25,600 gross per year (experienced workers) or £20,800 gross per year (new entrants) or the market rate for the role, if higher (as dictated by the relevant Occupation Code for Skilled Workers). The sponsored worker can be paid between 70% - 90% of the usual going rate for their job if their salary is at least £20,480 and they can 'trade' points for another characteristic such as a job in a Shortage Occupation role, a new entrant to the labour market, a STEM PhD qualification which is relevant to the job, or a postdoctoral position in science or higher education.</p> <p>Some healthcare or education jobs have different salary rules.</p>	<p>Maximum 5-year initial visa duration, which can be extended indefinitely.</p> <p>Leads to permanent residency after 5 years if certain conditions are met.</p>	<p>The sponsored worker must meet the <b>English language requirement</b>.</p> <p>There is no longer a restriction on the number of shares an applicant can hold in the business, or a requirement for a Resident Labour Market Test. There is no longer a cooling off period under the Skilled Worker route.</p>	<p>Standard processing time is 3 to 4 weeks from the date of the application (but a sponsor licence must be in place first).</p> <p>Use the priority service option (if available) and receive an outcome within 5 to 7 working days. 24-hour processing is available in certain limited countries, eg China and the USA.</p>

**\*Please note:** visa timings fluctuate, and the UK's immigration rules and salary thresholds often change at short notice. In addition, this table summarises some key issues only and therefore should be used as a guide and not be relied upon to provide legal advice.