

Mobility: Immigration alert

December 2023



United Kingdom

UK publishes Statement of Changes to Immigration Rules

Executive summary

On 7 December 2023, the UK government published a [Statement of Changes](#) to the Immigration Rules (HC 246) in relation to the country's Visitor Rules, Youth Mobility Scheme (YMS) and EU Settlement Scheme (EUSS), among others.

Visitor Rules

Effective 31 January 2024, the following changes will be implemented to the list of permitted business activities that can be undertaken by individuals holding a Visit Visa:

- ▶ The restriction on visitors working directly with clients in an intra-corporate context will be removed, provided the activity is incidental to their employment abroad and does not amount to the offshoring of a project or service to their overseas employer.
- ▶ Remote work will be specified as a permitted activity, provided it is not the primary purpose of the individual's visit to the UK.
- ▶ Scientists, researchers and academics will be able to conduct research in the UK as part of their visit. Currently, scientists and researchers can only conduct independent research, and academics can only conduct research for their own purposes if they are on sabbatical leave from their home institution. These changes will not impact academics applying for a 12-month visit visa or individuals who apply to extend their permission from within the UK.
- ▶ The list of unpaid work activities that legal professionals can undertake in the UK will be expanded.
- ▶ Pilots and cabin crew members will be able to travel to the UK as part of a Civil Aviation Authority, provided they meet certain conditions and criteria.

- ▶ Speakers at conferences will be eligible for compensation, and this activity (i.e., speaking at conferences) will be included in the list of Permitted Paid Engagements (PPEs).
- ▶ The provisions of the PPE Visitor route will be incorporated into the Standard Visitor route, and visitors will be able to undertake PPEs without the need for a special visa. However, visitors intending to undertake PPEs must still arrange their PPE activity prior to traveling to the UK and undertake this activity within 30 days of arrival.

Youth Mobility Scheme

The following changes will go into effect on 31 January 2024:

- ▶ Uruguay will be added to the list of participating countries.
- ▶ Enhancements will be introduced to the UK's existing bilateral arrangements with Japan and South Korea. For South Korean nationals, the age range for applicants will be expanded to 18 to 35 years, up from 18 to 30 years.
- ▶ Japanese and South Korean nationals will no longer be required to obtain an invitation prior to applying under the YMS.

EU Settlement Scheme

The following changes will be implemented on 16 January 2024:

- ▶ An individual who is in the UK as a visitor and seeks to submit an application as a joining family member pursuant to the EUSS must do so within three months of their arrival, unless they have reasonable grounds for any delay. This is in line with the temporary protection of rights conferred

on them by the Citizens' Rights Agreements for three months from their arrival in the UK.

- ▶ Limited leave to enter or remain granted under the EUSS will be curtailed (subject to a right of appeal) in cases where it is proportionate to do so if the individual has never met the requirements under Appendix EU.
- ▶ An application to the EUSS as a joining family member made by an individual who entered the UK unlawfully (which includes small boat arrivals) will not be considered valid. This change reinforces the government's approach to stop illegal migration.

Impact on employers

These developments are aimed at enabling the UK government and companies to attract global talent while controlling net migration. Additional changes are expected in 2024 to support these goals.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

Ernst & Young LLP is a client-serving member firm of Ernst & Young Global Limited operating in the US.

© 2023 Ernst & Young LLP.
All Rights Reserved.

EYG no. 011690-23Gbl

2101-3682263
ED None

ey.com

Seema Farazi, Partner
Global Immigration
+ 44 207 951 7122
seema.farazi@uk.ey.com

Kellie Sullivan, Director
Global Immigration
+ 44 207 806 9707
kellie.sullivan1@uk.ey.com

Nikita Potdar, Director
Global Immigration
+44 20 7760 8208
nikita.potdar@uk.ey.com

Martin Maddocks, Senior Manager
Global Immigration
+ 44 207 806 9078
martin.maddocks@uk.ey.com

Charlotte Hall, Senior Manager
Global Immigration
+44 20 7951 4353
chall@uk.ey.com

Lisa Amos, Partner
Global Immigration
+ 44 778 715 1456
lisa.amos@uk.ey.com

Vicky Cregan, Director
Global Immigration
+44 20 7951 1897
vcregan@uk.ey.com

Charlotte Nicolas, Senior Manager
Global Immigration
+ 44 207 197 5228
charlotte.nicolas@uk.ey.com

Jodie Rogerson, Senior Manager
Global Immigration
+44 20 7951 8136
jodie.rogerson@uk.ey.com

Gowsi Ganeshalingam, Senior Manager
Global Immigration
+44 20 7951 7735
gganeshalingam@uk.ey.com