

Mobility: Immigration alert

February 2022



United Kingdom

Tier 1 Investor Route closes to new applicants with immediate effect

Executive summary

Effective 17 February 2022, the UK Government closed its Tier 1 Investor Route to new applicants until further notice. The closure does not impact individuals with leave to enter or remain in the UK or those who held Tier 1 Investor status in the 12 months preceding the filing of their Tier 1 Investor application.

Background

The Tier 1 Investor Route (“The Route”) allows for residence in the UK and later settlement subject to eligibility, where an applicant has invested at least £2 million in share capital or loan capital in active and trading UK registered companies. The Route has been subject to regular review, including most recently in 2018.

Impact on Tier 1 Investor migrants

While new applications are no longer being accepted for processing, individuals who already have leave to enter or remain in the UK as Tier 1 Investor migrants will be able to apply: (1) to extend their stay, provided they file their extension application before 17 February 2026, (2) for entry clearance outside the UK if they held leave to enter or remain as a Tier 1 Investor migrant in the 12 months preceding the date of application, and (3) for indefinite leave to remain (permanent residence), provided they file their applications before 17 February 2028. Tier 1 Investor migrants who do not meet the eligibility criteria to extend their stay or become permanent residents will need to switch to another UK immigration category to continue to reside lawfully in the UK.

New model for investor migration

The UK Government intends to introduce new investment-related immigration rules in Autumn 2022 that are designed to support the UK’s economy more effectively. The new rules are expected to offer a route for entry and stay to overseas nationals with a proven track record of overseas investments and credible plans to engage in investment activities in the UK.

The Government intends to only grant indefinite leave to remain to investors who demonstrate that their activities lead to job creation and other tangible economic impacts. Passively holding UK investments will no longer suffice for overseas nationals to obtain indefinite leave to remain.

Key steps

Tier 1 Investor migrants should seek immigration advice to assess any impact of these changes on their extension and indefinite leave to remain applications. EY will continue to monitor these developments. Should you have any questions, please contact one of our immigration professionals.

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