

ILPA Information sheet

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Visitors: New immigration rules

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New visitor rules

A new set of rules for visitors to the United Kingdom will affect all visit visa applications made on or after the 24 April 2015. The changes are brought about by the [Statement of Changes to the Immigration Rules HC 1025](#).

Who is a visitor?

A visitor is a person who is coming to the UK, usually for up to six months, for a temporary purpose, for example as a tourist, to visit friends or family or to carry out a business activity. Visitors cannot work or study in the UK unless this is allowed by the permitted activities that are set out in the Visitor Rules (Appendix 3). A visitor needs to obtain permission to enter the UK with either a visit visa or leave to enter, certain nationalities (visa nationals) must apply for a visit visa, other nationalities (non visa nationals) do not need to apply for a visa.

What do the new rules say?

The new rules aim to simplify the process of obtaining a visitor visa. A single set of rules is created to cover requirements for entry and stay in the UK: how to make an application as a visitor; grounds for refusing a visa application (such as previous breaches of UK immigration laws) and cancellation or rescinding of a visa or leave; eligibility requirements for each of the new visitor types; the list of nationalities which require a visa in advance of travel and permitted activities for visitors; rules on extensions of visit visas (and the maximum duration to which they can be extended).

The Statement of Changes creates four main categories of visitors: the visitor (standard); visitor for a marriage or civil partnership; visitor for permitted paid engagements and transit visitor.

The visitor (standard) route consolidates the following existing routes: general, business, child, sport, entertainer, visitors for private medical treatment, visitors under the Approved Destination Status Agreement with China (this assist groups of Chinese tourists to travel to the UK), prospective entrepreneur, and visitors undertaking clinical attachments.

The new ‘permitted paid engagement visitor’ category allows certain individuals (including some academics, lecturers, lawyers, artists, entertainers, musicians and sports people) to come to the UK for up to one month. Part 5 of the Visitor Rules sets out the eligibility requirements for these visitors. Visitors under this category can perform the paid engagements listed in Appendix 4 (e.g. a qualified lawyer may provide advocacy for a court or tribunal hearing) and permitted activities in Appendix 3 (e.g. an expert witness may visit the UK to give evidence in a UK court).

A transit visitor is a person who seeks to travel via the UK en route to another destination country outside the common travel area (the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively form the common travel area).

Those entering under the visitor (standard) route will be permitted to carry out activities set out in Appendix 3 of the new visit Rules. These activities have been extended to visitors for marriage or civil partnership, and visitors for permitted paid engagements.

Standard visitors will be granted six months leave, unless they are visitors for private medical treatment in which case up to 11 months can be granted. Up to 12 months can be granted for an academic or family members of an academic. A visitor under the Approved Destination Status Agreement with China can be granted for up to 30 days. Those visitors coming for a marriage or civil partnership can get a 6 months visit visa.

Visitors for business purposes

At present, there is a category of business visitors who are permitted to carry out certain business-related activities. When the new rules come into force, anyone entering the UK in the ‘standard’ category will be able to carry out some ‘business activities’ and also take a holiday.

They will be permitted, in some circumstances, to: volunteer for a charity for up to 30 days; deliver training to UK-based employees of a multinational company; receive training in specific work practices. UK businesses may now be asked to provide a written undertaking agreeing to accommodate maintain and accommodate their visitor under the new rules.

Grounds for refusal

The failure to provide biometrics, information or medical reports, if these have been required and if the applicant does not have a reasonable excuse, has been made a mandatory ground for refusal. This change will now bring the Visitor Rules in line with the requirements set out in Appendix FM.