**The Innovator Category**

The innovator category is for a businessperson with more experience than a start-up migrant. The definition of ‘innovator’ sits in juxtaposition to the definition of the Start-up category, which is for those who are looking to establish a business in the UK *for the first time*. An innovator, like a Start-up migrant, must have a business idea that is (a) innovative, (b) scalable; and (c) viable, which is supported by an ‘endorsing body’. With a few exceptions, applicants under the innovator category will also have to demonstrate that they have funding to invest in their business. In particular, an applicant will need £50,000 to invest in their business from any legitimate source. The key difference between the innovator and start-up categories is that someone in the innovator category is on the route to settlement if they so wish.

**Endorsing bodies and endorsement**

In order to gain entry clearance or leave to remain in the Innovator category, an applicant must be endorsed by an endorsing body. The list of endorsing bodies is [here](https://www.gov.uk/government/publications/endorsing-bodies-innovator?utm_source=11baf4ed-61c2-4243-b78e-3f068783d293&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate). These are generally accelerator programs.

Endorsing bodies are not allowed to charge a fee for endorsements but they are allowed to restrict who is endorsed. This includes only allowing companies who have been accepted on their accelerator scheme or in whom they have invested to be endorsed. Before applying to an endorsing body, do check their website for how to apply and their criteria, where available.

Applicants must be endorsed by an endorsing body, either as a ‘new business’ or as the ‘same business’. Which applicants can apply through which endorsements are defined under Rule W6.2, as follows:

1. An applicant may be endorsed under the “new business” endorsement criteria if either of the following apply:
2. The application is an initial application.
3. The application is an extension application, and the applicant is pursuing a different business venture from the one that was assessed in the endorsement which led to their previous grant of leave.
4. An applicant may be endorsed under the “same business” endorsement criteria if both of the following apply:
5. The applicant’s last grant of leave was in the Tier 1 (Graduate Entrepreneur), Start-up or Innovator category.
6. The applicant is pursuing the same business venture that was assessed in the endorsement which led to that grant of leave.
7. An applicant may be endorsed under either the “new business” or the “same business” criteria if both of the following apply:
8. The applicant’s last grant of leave was in the Tier 1 (Graduate Entrepreneur) or Start-up category.
9. The applicant is pursuing the same business venture that was assessed in the endorsement which led to that grant of leave.

**Endorsement for a new business**

The endorsement letter must confirm two things:

a) The applicant’s business venture is innovative, viable and scalable, as per the definitions of these concepts below:

| **Innovation** | **Viability** | **Scalability** |
| --- | --- | --- |
| The applicant has a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage. | The applicant has the necessary skills, knowledge, experience and market awareness to successfully run the business. | There is evidence of structured planning and of potential for job creation and growth into national and international markets. |

b) The endorsing body is reasonably satisfied that the applicant will spend the majority of their working time in the UK on developing business ventures.

If the endorsement is for a new business, then at least £50,000 funds must be available to the applicant to invest in their business. For more information on the detailed requirements for endorsement, please see Rule W6.4 by following [this link](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-w-immigration-rules-for-workers).

**Renewal of leave with the same business**

For renewal of leave with the same business, the endorsement letter must confirm each of the following criteria:

1. The applicant has shown significant achievements, judged against the business plan assessed in their previous endorsement.
2. The applicant’s business is registered with Companies House and the applicant is listed as a director or member of that business.
3. The business is active and trading.
4. The business appears to be sustainable for at least the following 12 months, based on its assets and expected income, weighed against its current and planned expenses.
5. The applicant has demonstrated an active key role in the day-to-day management and development of the business.
6. The endorsing body is reasonably satisfied that the applicant will spend their entire working time in the UK on continuing to develop business ventures.

**Length and conditions of stay**

A successful applicant for the Innovator category will receive leave to enter or remain for three years. Similarly, extensions of leave under this category will be for three years. There is no time limit to those who obtain limited leave to remain in this category. There is no limit to the number of times an applicant can extend the Innovator visa.

**Curtailment of leave**

Entry clearance or leave to remain may be curtailed for the usual reasons in [Part 9 of the Immigration](https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-9-grounds-for-refusal) Rules. In addition, if an endorsing body loses its status or it withdraws its endorsement of the applicant, leave may be curtailed. However, in most circumstances the expectation will be that if an endorsing body will no longer endorse new applicants, those already endorsed by the body will continue to be endorsed until their leave runs out.

**Criteria for Indefinite Leave to Remain specific to the Innovator route**

There are more general criteria for Indefinite Leave to Remain (ILR) which apply to those on the Innovator route. For further information on the more general requirements for indefinite leave to remain, please follow [this link](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-w-immigration-rules-for-workers) to the Immigration Rules and navigate to Part W4.

As for criteria which are specific to the Innovator route, they are as follows:

An applicant must have three years’ continuous residence in the UK to qualify for ILR under the Innovator route. For more information on continuous residence, please follow the link above and see rule W4.6.

Rule W6.7 provides further criteria for settlement: the applicant must meet the criteria above under ‘renewal of leave under the same business’, as well as at least two of the following criteria:

1. At least £50,000 has been invested into the business and actively spent furthering the business plan assessed in the applicant’s previous endorsement.
2. The number of the business’s customers has at least doubled within the most recent 3 years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services.
3. The business has engaged in significant research and development activity and has applied for intellectual property protection in the UK.
4. The business has generated a minimum annual gross revenue of £1 million in the last full year covered by its accounts.
5. The business is generating a minimum annual gross revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas.
6. The business has created the equivalent of at least 10 full-time jobs for ‘resident workers’ – this term is defined in the glossary to the Immigration Rules;
7. The business has created the equivalent of at least 5 full-time jobs for resident workers, which have an average salary of at least £25,000 a year (gross pay, excluding any expenses).

For further information on the criteria, please see Rule W6.7, following the link above.