



McGILL & CO

TIER 1 (ENTREPRENEUR)

A Tier 1 (Entrepreneur) visa is ideal for non-EU nationals seeking to set up or run a business in the UK. Applicants in this category must have at least £200,000 sterling available for investment either into an existing business concern or into the establishment of a new business in the UK. Permanent residence in the UK can be gained after 3 or 5 years.

Basic Requirements

- ▶ £200,000 sterling
- ▶ Business plan
- ▶ Suitable English language test pass at level B1 CEFR or higher
- ▶ Sufficient maintenance funds held for at least 90 days

Access to £200,000 Investment Funds

All initial applicants will require to demonstrate access to at least £200,000 of their own funds, or funds that have been made available to them for investment by a third party such as a family member or investor.

Genuine Entrepreneur Test

Initial applications must be accompanied by a well-researched business plan in order to demonstrate that they are genuine entrepreneurs. This requires submission of detailed evidence of market research and the ability to demonstrate an intimate knowledge of the proposed business. Applicants will often be required to attend an interview to discuss their business plans.

Maintenance and English Language

For initial applications made outside of the UK, applicants must show at least £3,310 held consistently over a 90 day period. All applicants must also have obtained a pass in a Secure English Language Test approved by UK Visas and Immigration at level B1 CEFR or higher.

Dependant Family Members

Tier 1 (Entrepreneur) migrants are entitled to sponsor their partners and any children under the age of 18 to join them in the UK. Additional maintenance fund requirements apply for dependants. Dependants will be entitled to work and study in the UK in all areas except as trainee doctors/dentists or professional sportspersons and sports coaches. Dependants will be entitled to reside in the UK in line with the Tier 1 (Entrepreneur) migrant's visa time limits.

Extension Applications

Tier 1 (Entrepreneur) visas granted outside of the UK are valid for 3 years and 4 months. Extension applications can be made following expiry of the initial period of leave subject to certain conditions. Critically, the initial £200,000 sum must have been invested into 1 or more UK businesses and the applicant must have created at least 2 full time jobs which have existed for at least 12 months

Permanent Settlement

Permanent settlement for entrepreneurs in the UK will be possible after a period of 3 or 5 years of continuous residence. The standard route to permanent settlement is under the 5 year route, however the 3 year accelerated route to settlement is available to those entrepreneurs who have created at least 10 new full time jobs and generated at least £5million income over the 3 year period.

Allowable Absences

Tier 1 (Entrepreneur) migrants are allowed to remain outside of the UK for up to 180 days per calendar year without losing the ability to apply for permanent settlement after the 3 or 5 year period.

British Citizenship

Entrepreneurs wishing to gain British citizenship will be eligible to apply for naturalisation as a British citizen after completing 5 years of continuous residence in the UK and at least 1 year of residence after obtaining permanent settlement.

SERVICES

- ▶ Expert advice on the requirements of the Immigration Rules, specified evidence, and application procedure.
 - ▶ Drafting of detailed legal submissions and preparation of full portfolios of evidence to accompany all applications.
 - ▶ Ongoing support and advice throughout the duration of the visa with a view to meeting the necessary business targets for visa extension and permanent settlement.
 - ▶ Referral management to business and corporate solicitors to ensure financial compliance.
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JOHN VASSILIOU

John Vassiliou has worked with McGill and Co since 2010. He advises clients worldwide on business and entrepreneurial migration and routes to permanent settlement in the UK. He has particular knowledge of past and present British nationality laws and UK ancestry having successfully handled a number of complex cases requiring historical nationality status traces.

John leads the firm's busy Court of Session practice as instructing solicitor in judicial reviews and appellate work. He also represents clients in appeals at both the First-tier Tribunal and Upper Tribunal of the Immigration and Asylum Chamber.

He is adept at litigation, and in the current landscape of restricted appeals with focus on judicial review, his ability to think laterally and strategically has provided a real advantage in this demanding area. His strategic approach has assisted a great many clients, often faced

with seemingly intractable problems. Examples of John's judicial review work include leading challenges to Tier 1 Entrepreneur refusals, refusals to grant British citizenship, and Home Office maladministration.

John was a contributor to the recently published 2nd Reissue of the Stair Memorial Encyclopaedia Immigration Law Chapter.

A graduate of the University of Glasgow, John is fluent in Greek, and has completed studies abroad at the University of Queensland in Australia and Hong Kong University in China. He is a member of the Immigration Law Practitioners Association (ILPA) and the Scottish Young Lawyers Association (SYLA), and has recently been appointed as an affiliate member of the Society of Writers to Her Majesty's Signet (WS).

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