



## Immigration Law Legal Update

October 2020

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### Immigration and COVID-19

Earlier this year we reported on the guidance that had been issued to assist employers and individuals in dealing with various immigration matters during the coronavirus pandemic.

The Home Office has since updated this guidance. For advice for employers in respect of these issues please see our full article [here](#).



### Migration Advisory Committee (MAC) report on the Shortage Occupation List (SOL)

Earlier this year the MAC were commissioned to consider what medium skilled occupations should be included in the SOL under the new points-based system. The SOL covers those occupations where there is a shortage in the UK and so it is recognised that migrant workers should be recruited to fill the gaps. The MAC published their report on 29 September 2020, details of which can be found [here](#).



## Is your business ready for 1st January 2021?

Whilst EU workers are currently free to live and work in the UK, from 1 January 2021 they will be subject to immigration control. Employers that wish to recruit workers from the EU or elsewhere from that date shall need to become a licensed sponsor.

For advice on the steps that you should be taking to prepare for this change, please see our full article [here](#).



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## Further Details released in respect of the UK's Future Immigration system

In April we reported on the Government's proposals for the future immigration system in the UK which will come into effect from 1 January 2021, once free movement ends.

On 13 July 2020 the Government released its "UK points-based immigration system: further details statement", providing further details on the Government's proposals. The Annexes to this document also confirm the "skilled roles" that employers will be able to recruit into under the new points-based system. For further information please see our full article [here](#).



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## WHAT TO LOOK OUT FOR

### Immigration Surcharge increase

It had originally been intended that the increase in the Immigration Health Surcharge would take place with effect from 1 October 2020. However, this has now been pushed back to 27 October 2020.

The Immigration Health Surcharge will increase from £400 a year to £624 from this date. A reduced rate of £470 will apply to students, dependents of students, Youth Mobility visa holders and anyone under 18. Further, migrant workers who are applying for a Health and Care visa will be exempt from paying the surcharge.

### Guidance for EU Citizens relating to the points-based system

On 19 October 2020 the Government published "The UK's points-based immigration system: information for EU citizens" guidance. This sets out the information that EU, EEA and Swiss citizens will need to know if they wish to come to the UK after 31 December 2020. This guidance can be found [here](#).

## Guidance for Licensed Sponsors

On 5 October 2020 the Home Office updated its Tiers 2 and 5 guidance for licensed sponsors. This update provided further detail to sponsors about the eligibility requirements for Health and Care Visas, applications for which opened from 4 August 2020 together with some housekeeping updates.

It is always important for employers to ensure that they use the most up to date version of the guidance when considering sponsorship issues, and the guide also now includes Annex 9 which sets out the guidance for employers that are considering applying for a license in preparation for 1 January 2021. The most recent version of the Guidance can be found [here](#).

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