

## UK immigration law

# Tier 2: Work permit (intra-company transfers)

**Notice: On 6 April 2011 new immigration legislation came into effect making further changes to this category. To read these changes please go to [Immigration news and updates](#).**

This category is designed specifically for multi-national companies who have a branch in the UK to which they wish to transfer their employee/s.

To qualify under this category, you must score a total of 60 points in the areas described below. You must score 50 points for "Attributes" and 10 points for "Maintenance".

This category has three sub-categories specifying the types of employees who can transfer to a branch in the UK:

- **Established Staff:** established, skilled employees to be transferred to the UK branch of their organisation to fill a post that cannot be filled by a settled worker. Such employees must have been employed for at least 12 months in order to be eligible for a certificate of sponsorship.
- **Graduate Trainee:** transfer of recent graduate recruits to a UK branch of the organisation for training purposes. Such employees must have been employed for at least three months in order to be eligible for a certificate of sponsorship.
- **Skills Transfer:** transfer of new recruits to a UK branch of the organisation to acquire the skills and knowledge that they will need overseas, or to impart their specialist skills or knowledge to the UK workforce. There is no minimum period of employment in order to be eligible for a certificate of sponsorship so long as the employee was employed overseas.

Once you have established that you come within one of the above three sub-categories, you must earn points under Attributes, Maintenance and English Language.

### Attributes: (50 points)

Points are awarded under the Attributes section based on the following:

#### Qualifications

- No qualifications **(0 points)**;
- GCE 'A' level **(5 points)**;
- Bachelor's degree **(10 points)**;
- Master's degree or PhD **(15 points)**.

#### Future expected earnings

- Less than £20,000 **(0 points)**;
- £20,000 to £23,999 **(10 points)**;
- £24,000 to £27,999 **(15 points)**;
- £28,000 to £31,999 **(20 points)**;
- £32,000 or more **(25 points)**.

#### Sponsorship

- Job offer and certificate of sponsorship **(25 points)**.

### Maintenance: (10 points)

In order to score 10 points, you must show you have:

- Held at least £800 in your bank account for the last 3 months; or
- Your Sponsor has confirmed in your certificate of sponsorship that they will be responsible for maintaining and accommodating you up to the end of your first month of employment in the UK; or
- You automatically score points as you are switching from a specified category; and
- An extra £533 for each family member that is accompanying you (if applicable).

### English Language: (10 points)

You only need to meet the English Language requirement if you are applying under the Established Staff sub-category and you are extending your stay to more than 3 years.

### Duration of an intra-company transfer visa

Tier 2 intra-company transfer visas are granted for a period of 3 years initially. Before the expiry of this period, you may apply for an extension for a maximum period of a further 2 years, provided that you continue to meet the requirements of the rules.

### Extending an intra-company transfer visa

If you are extending your stay and have a certificate of sponsorship to continue working in the same job for the same employer, you will score 50 points.

You will automatically meet the maintenance requirement if you currently have permission to stay in the UK under Tier 2. You will also meet the English Language requirement if you were last given permission to stay under Tier 2 (and have already submitted evidence that you meet the English Language requirement) and are applying to extend your stay.

### Settlement in the UK

Settlement is no longer available to those applicants who apply to come to the UK as intra-company transferees.

Applicants who applied or switched to this category before 6 April 2010 can, however, apply for indefinite leave to remain or permanent residence in the UK after 5 years.

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### **British nationality**

Applicants who are granted indefinite leave to remain in the UK can apply for British nationality 12 months from the time they were granted settlement status. To be successful in the application, they must meet the additional criteria for naturalisation in the UK as a British citizen.

### **Disclaimer**

The information provided on this page is designed to provide general guidance. Nothing in this page constitutes legal advice.

**For detailed advice please contact Laya by telephone on 020 7105 6178 or 020 7357 9494 or e-mail: Laya Falsafi [lf@lzwlaw.co.uk](mailto:lf@lzwlaw.co.uk)**