



Coronavirus and Immigration – an update

07 April 2020

This article is correct as of 7 April 2020.

This is an update to our article on 26 March 2020 accessible [here](#).

On 2 April 2020 the Home Office made further announcements on concessions to the strict requirements of the immigration rules as a result of the Covid-19 pandemic.

Visa application centres

All UKVCAS centres in the UK, where applicants usually attend biometric appointments are now closed. UKVI's Service and Support Centres are also closed. UK visa application centres overseas, operated by TLS and VFS on behalf of UKVI, are also closed.

This effectively puts all applications on hold. The Home Office may consider issuing a visa waiver to individuals overseas who are unable to apply for a visa, or authority to carry for applicants whose visa has been issued but cannot be collected, but this will be on an exceptional basis in compelling or compassionate circumstances.

Individuals in the UK with leave expiring by 31 May 2020 should still make an application online to extend their leave, and book a VCAS appointment when the centres reopen.

Life in the UK test centres are closed until at least 30 April, with all tests currently due to be rescheduled after 1 May.

Coronavirus Job Retention Scheme and effect on Tier 1 Entrepreneur and Tier 2 migrants

It has been confirmed that where a sponsor has reduced or stopped trading because of Covid-19, Tier 2 migrants can be put on 'furlough' and temporarily have their pay cut to 80% of their salary or £2,500 per month, whichever is the lower. The reductions in salary must be part of a company policy to avoid redundancies.

For Tier 1 Entrepreneur visa holders whose business have been affected by Covid-19, the Home Office have stated that for the job creation requirement the 12 month period of employment for each job created can be made up of multiple employees across different months. However, Tier 1 Entrepreneurs will not be able to rely on periods when employees were furloughed. This may be challengeable as furlough is still considered to be part of the workers period of employment.

How the employment is calculated is still causing confusion and this guidance is unclear. Whilst you

could always have multiple employees doing one full time job perhaps they are suggesting you can combine several jobs to reach the 12 months (for example a receptionist working for 4 months combined with an analyst working for 8 months to equate to 1 job). There would not be much point announcing this otherwise.

However '*multiple employees across different months*' could also mean for example using a receptionist who works for 4 months then leaves, there is then a gap of 3 months with no-one in this post, and then the applicant hires another receptionist who works for 8 months.

We are seeking to clarify the job creation criteria with the Home Office given the lack of clarity in this guidance.

The Home Office has also announced that where a Tier 1 Entrepreneur has not been able to satisfy the job creation requirement before their visa expires because of the disruption caused by Covid-19, the Home Office will allow them to apply for a temporary extension to provide more time to meet the requirement.

Extension for NHS workers

The Home Office announced that NHS doctors, nurses and paramedics whose current visas expire before 1 October 2020 will be automatically granted an extension of one year free of charge. This will also extend to their dependant family members.

Right to work checks

Right to work checks can be carried out remotely temporarily. An employee can send a copy of their ID documents and present the original document to their employer on a video call. A further check must be carried out when the current emergency situation ends. A similar procedure is in place for right to rent checks.

Citizenship ceremonies

Successful applicants for British citizenship usually have three months to book a citizenship ceremony after receiving notification of approval. The Home Office have extended the deadline to book a citizenship ceremony to six months.

Visa application fees

We tend to see an increase in government fees on 6 April each year. The Home Office have not increased their fees this year.

However, the Immigration Health Surcharge, which is currently set at £400 per year per applicant (£300 per year for students and Tier 5 Youth Mobility) is set to increase on 1 October 2020 to £624 per year. There will be a reduced rate of £470 per year for students, Tier 5 Youth Mobility and children under 18.

Our Citizenship & Immigration team can be contacted for specific advice. Please contact Partner and Head of department Kathryn Bradbury by email or your usual contact in the Citizenship & Immigration team.
