

Immigration Rules

From: **Home Office**

(/government/organisations/home-office)

Published 25 February 2016

Updated: 14 October 2025 - **See all updates**



[Back to contents](#)

Immigration Rules part 9: grounds for refusal

Grounds for the refusal

Suitability requirements apply to all routes and must be met in addition to validity and eligibility requirements.

Where this Part applies a person will not meet the suitability requirements if they fall for refusal under this Part.

A person may also have their entry clearance or permission cancelled on suitability grounds.

More than one grounds for refusal or cancellation may apply, for example, the presence of a foreign criminal in the UK may not be conducive to the public good.

The Immigration Act 1971, section 76 of the Nationality, Immigration and Asylum Act 2002 (revocation of indefinite leave), the Immigration (Leave to Enter and Remain) Order 2000 and

Schedule 2 of the Immigration Act 1971 set out the powers to cancel entry clearance or permission. These rules set out how those powers are to be exercised.

Decisions on suitability are either mandatory (must) or discretionary (may) and must be compatible with the UK obligations under the Refugee Convention and the European Convention on Human Rights, which are mainly provided for under other provisions in these Rules.

Some routes have their own, or additional, suitability requirements.

This Part is in 5 sections.

1. Application of this Part;
 2. Grounds for refusal, or cancellation of, entry clearance, permission to enter and permission to stay;
 3. Additional grounds for refusal of entry, or cancellation of entry clearance or permission, on arrival in the UK;
 4. Additional grounds for refusal, or cancellation, of permission to stay;
 5. Additional grounds for cancellation of entry clearance, permission to enter and permission to stay which apply to specified routes.
-

Section 1: Application of this Part

9.1.1. Part 9 does not apply to the following:

- (a) Appendix FM, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.9.2, 9.15.1, 9.15.2, 9.15.3, 9.13B.2, 9.19.2, 9.20.1, 9.23.1 and 9.24.1. apply, and paragraph 9.7.3 applies to permission to stay; and paragraph 9.8.2 (a) and (c). applies where the application is for entry clearance; and
- (b) Appendix Private Life, except paragraphs 9.6.1. and 9.6.2.; and
- (c) DELETED
- (d) Appendix EU; and
- (e) Appendix EU (Family Permit); and



- (f) Paragraph DWMS 2.1, except paragraphs 9.2.1(c), 9.2.2, 9.3.1, 9.3.2, 9.4.1(b), 9.4.1(c), 9.4.2, 9.4.5, 9.7.1, 9.7.2, 9.7.3, 9.9.1, 9.9.2, 9.13B.2, 9.20.1, 9.23.1, 9.24.1; and
- (g) Part 11 (Asylum), except Part 9 does apply to paragraphs 352ZH to 352ZS, and 352I to 352X; and
- (h) applications for entry clearance or permission to stay granted by virtue of the ECAA Association Agreement, except that in relation to permission granted under the Agreement paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
- (i) applications for permission to stay under Appendix ECAA Extension of Stay, except paragraphs 9.2.1, 9.3.1, 9.4.1, 9.4.3, 9.6.1, 9.7.1, 9.7.2, 9.11.1, 9.12.1 and 9.21.1, and in relation to such permission paragraphs 9.2.2, 9.3.2, 9.4.2, 9.4.5, 9.6.2, 9.7.3 and 9.21.2 apply where the criminal offence or adverse conduct occurred after 11pm on 31 December 2020; and
- (j) Appendix S2 Healthcare Visitor; and
- (k) Appendix Service Providers from Switzerland.
- (l) Appendix Ukraine Scheme, except paragraphs 9.2.1 to 9.7.3, 9.8.1 to 9.8.8, 9.9.1 to 9.9.2, 9.10.1 to 9.10.2, 9.14.1 to 9.20.2, 9.23.1 and 9.24.1 and
- (m) Appendix Settlement Protection; and
- (n) Appendix Settlement Family Life, except paragraphs 9.6.1. and 9.6.2; and
- (o) DELETED
- (p) Appendix Electronic Travel Authorisation; and
- (q) Appendix Adult Dependent Relative, except paragraphs 9.2.2, 9.3.2, 9.4.5, 9.9.2, 9.15.1, 9.15.2, 9.15.3, 9.13B.2, 9.19.2, 9.20.1, 9.23.1 and 9.24.1. apply, and paragraph 9.7.3 applies to permission to stay; and paragraph 9.8.2 (a) and (c). applies where the application is for entry clearance.



9.1.2. Part 9 applies to the following:

- a) Appendix Victim of Domestic Abuse, except paragraph 9.8.4.(a)
 - b) Appendix Bereaved Partner, except paragraph 9.8.4.(a)
 - c) Appendix HM Armed Forces
 - d) Appendix International Armed Forces and International Civilian Employees
 - e) Appendix Adoption
 - f) Appendix Family Reunion (Sponsors with Protection)
 - g) Appendix Child Relative (Sponsors with Protection)
 - h) Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery.
 - i) Appendix UK/European Applicant Transfer Scheme
-



Section 2: Grounds for refusal, or cancellation, of entry clearance, permission to enter and permission to stay

Exclusion, deportation order or travel ban grounds

9.2.1. An application for entry clearance, permission to enter or permission to stay must be refused where:

- (a) the Secretary of State has personally directed that the applicant be excluded from the UK; or
- (b) the applicant is the subject of an exclusion order; or
- (c) the applicant is the subject of a deportation order, or a decision to make a deportation order.

9.2.2. Entry clearance or permission held by a person must be cancelled where the Secretary of State has personally directed that the person be excluded from the UK.

9.2.3. An application for entry clearance must be refused where the applicant is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

9.2.4. Entry clearance must be cancelled where the person is an excluded person, as defined by section 8B(4) of the Immigration Act 1971, and the person does not fall within section 8B(5A) or 8B(5B) of that Act.

Non-conductive grounds

9.3.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).

9.3.2. Entry clearance or permission held by a person must be cancelled where the person's presence in the UK is not conducive to the public good.

Criminality grounds

9.4.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of 12 months or more; or
- (b) is a persistent offender who shows a particular disregard for the law; or
- (c) has committed a criminal offence, or offences, which caused serious harm.

9.4.2. Entry clearance or permission held by a person must be cancelled where the person:

- (a) has been convicted of a criminal offence in the UK or overseas for which they have



received a custodial sentence of 12 months or more; or

(b) is a persistent offender who shows a particular disregard for the law; or

(c) has committed a criminal offence, or offences, which caused serious harm.

9.4.3. An application for entry clearance, permission to enter or permission to stay may be refused (where paragraph 9.4.2. and 9.4.4. do not apply) where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or

(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.



9.4.4. An application for entry clearance or permission to enter under Appendix V: Visitor, or where a person is seeking entry on arrival in the UK for a stay for less than 6 months, must be refused where the applicant:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months, unless more than 12 months have passed since the end of the custodial sentence; or

(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record, unless more than 12 months have passed since the date of conviction.

9.4.5. Entry clearance or permission held by a person may be cancelled (where paragraph 9.4.2. does not apply) where the person:

(a) has been convicted of a criminal offence in the UK or overseas for which they have received a custodial sentence of less than 12 months; or

(b) has been convicted of a criminal offence in the UK or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

Exclusion from asylum or humanitarian protection grounds

9.5.1. An application for entry clearance, permission to enter or permission to stay must be refused where the Secretary of State:

(a) has at any time decided that paragraph 339AA in relation to Article 1F of the 1951 Refugee Convention (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or

(b) has decided that paragraph 339AA in relation to Article 1F of the 1951 Refugee Convention, 339AC, 339D or 339GB of these rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA in relation to Article 1F of the 1951 Refugee Convention, 339AC, 339D or 339GB.

9.5.2. Entry clearance or permission held by a person must be cancelled where the Secretary of State:

(a) has at any time decided that paragraph 339AA in relation to Article 1F of the 1951 Refugee Convention (exclusion from Refugee Convention), 339AC (danger to the UK), 339D (exclusion from a grant of humanitarian protection) or 339GB (revocation of humanitarian protection on grounds of exclusion) of these rules applies to the applicant; or

(b) has decided that paragraph 339AA in relation to Article 1F of the 1951 Refugee Convention, 339AC, 339D or 339GB of these



rules would apply, but for the fact that the person has not made a protection claim in the UK, or that the person has made a protection claim which was finally determined without reference to any of the relevant matters described in paragraphs 339AA in relation to Article 1F of the 1951 Refugee Convention, 339AC, 339D or 339GB.

Involvement in a sham marriage or sham civil partnership grounds

9.6.1. An application for entry clearance, permission to enter or permission to stay may be refused where the decision maker is satisfied that it is more likely than not that the applicant is, or has been, involved in a sham marriage or sham civil partnership.

9.6.2. Entry clearance or permission held by a person may be cancelled where the decision maker is satisfied that it is more likely than not the person is, or has been, involved in a sham marriage or sham civil partnership.

False representations, etc. grounds

9.7.1. An application for entry clearance, permission to enter or permission to stay may be refused where, in relation to the application, or in order to obtain documents from the Secretary of State or a third party provided in support of the application:

- (a) false representations are made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
- (b) relevant facts are not disclosed.

9.7.2. An application for entry clearance, permission to enter or permission to stay must be refused where the decision maker can prove that it is more likely than not the applicant used deception in the application.

9.7.3. Entry clearance or permission held by a person may be cancelled where, in relation to an application, or in order to obtain documents from



the Secretary of State or a third party provided in support of the application:

(a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or

(b) relevant facts were not disclosed.

9.7.4 Permission extended under section 3C of the Immigration Act 1971 may be cancelled where the decision maker can prove that it is more likely than not the applicant used deception in the application for permission to stay.

Previous breach of immigration laws grounds



9.8.1. An application for entry clearance or permission to enter must be refused if:

(a) the applicant has previously breached immigration laws; and

(b) the application is for entry clearance or permission to enter and it was made within the relevant time period in paragraph 9.8.7.

9.8.2. An application for entry clearance or permission to enter may be refused where:

(a) the applicant has previously breached immigration laws; and

(b) the application was made outside the relevant time period in paragraph 9.8.7; and

(c) the applicant has previously contrived in a significant way to frustrate the intention of the rules, or there are other aggravating circumstances (in addition to the immigration breach), such as a failure to cooperate with the redocumentation process, such as using a false identity, or a failure to comply with enforcement processes, such as failing to report, or absconding.

9.8.3. An application for permission to stay may be refused where a person has previously failed to comply with the conditions of their permission, unless permission has been granted in the knowledge of the previous breach.

9.8.3A. Unless 9.8.1. applies, an application for entry clearance, permission to enter or permission to stay may be refused where a person used deception in relation to a previous application (whether or not successfully).

9.8.4. In paragraphs 9.8.1, 9.8.2, 9.8.3, and 9.8.3A, a person will only be treated as having previously breached immigration laws if, when they were aged 18 or older, they:

- (a) overstayed their permission and neither paragraph 9.8.5. nor paragraph 9.8.6. apply; or
- (b) breached a condition attached to their permission and entry clearance or further permission was not subsequently granted in the knowledge of the breach; or
- (c) were (or still are) an illegal entrant; or
- (d) used deception in relation to an application (whether or not successfully).

9.8.5. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4. (a) where the person left the UK voluntarily, not at the expense (directly or indirectly) of the Secretary of State, and:

- (a) the person overstayed for 90 days or less, where the overstaying began before 6 April 2017; or
- (b) the person overstayed for 30 days or less, where the overstaying began on or after 6 April 2017; or
- (c) paragraph 39E applied to the period of overstaying.

9.8.6. A period of overstaying will be disregarded for the purpose of paragraph 9.8.4.(a) where the overstaying arose from a decision to refuse an application, or cancellation of permission, which was subsequently withdrawn, or quashed, or reconsidered by direction of a court or tribunal, unless the legal challenge which led to the reconsideration was brought more than 3 months after the date of the decision to refuse or cancel.

9.8.7. The relevant time period under paragraphs 9.8.1. and 9.8.2. is as set out in the following table (and where the person previously breached more



than one immigration law, only the breach which leads to the longest period of absence from the UK will be taken into account):

Time from date the person left the UK (or date of refusal of the application under row (f))	This applies where the applicant	And the applicant left the UK	And the applicant left the UK
(a) 12 months	left voluntarily	at their own expense	N/A
(b) 2 years	left voluntarily	at public expense	Within 6 months of being given notice of liability for removal or when the longer has been pending appeal or administrative review, whichever is later.
(c) 5 years	left voluntarily	at public expense	more than 6 months after being given notice of liability for removal or when the longer has been pending appeal or administrative review, whichever is later.



Time from date the person left the UK (or date of refusal of the application under row (f))	This applies where the applicant	And the applicant left the UK	And the applicant left the UK
(d) 5 years	left or was removed from the UK	as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act 2003 (and providing that any condition prohibiting their return to the UK has itself expired)	-
(e) 10 years	was removed from the UK	at public expense	-
(f) 10 years	Used deception in an application (for visits this applies to applications for entry clearance)	-	-



9.8.8. Permission (including permission extended under section 3C of the Immigration Act 1971) may be cancelled where the person has failed to comply with the conditions of their permission.

Failure to provide required information, etc grounds

9.9.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics (whether or not requested as part of an application); or
- (d) undergo a medical examination; or
- (e) provide a medical report.

9.9.2. Any entry clearance or permission held by a person may be cancelled where the person fails without reasonable excuse to comply with a reasonable requirement to:

- (a) attend an interview; or
- (b) provide information; or
- (c) provide biometrics; or
- (d) undergo a medical examination; or
- (e) provide a medical report.

Admissibility to the Common Travel Area or other countries grounds

9.10.1. An application for entry clearance or permission to enter must be refused where a person is seeking entry to the UK with the intention of entering another part of the Common Travel Area and fails to satisfy the decision maker that they are acceptable to the immigration authorities there.

9.10.2. An application for entry clearance, permission to enter or permission to stay may be refused where a person seeking entry fails to



satisfy the decision maker that they will be admitted to another country after a stay in the UK.

Debt to the NHS grounds

9.11.1. An application for entry clearance, permission to enter or permission to stay may be refused where a relevant NHS body has notified the Secretary of State that the applicant has failed to pay charges under relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

Unpaid litigation costs grounds

9.12.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person has failed to pay litigation costs awarded to the Home Office.

Purpose not covered by the Immigration Rules grounds

9.13.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person is seeking to come to or stay in the UK for a purpose not covered by these rules.

Innovator fit and proper person requirement

9.13A.1 An application for entry clearance, permission to enter or permission to stay as an Innovator Founder may be refused where the decision maker has reason to believe that the applicant:

(a) is the subject of any serious civil or criminal investigations or proceedings with regard to corruption or other financial crime or financial misconduct; or

(b) is or has been the subject of non-criminal sanctions, including being disbarred from acting as a director or carrying out regulated financial activities in any country.



9.13A.2 The entry clearance or permission of an Innovator Founder may be cancelled if the decision maker has reason to believe that the applicant is or has been:

- (a) the subject of any serious civil or criminal action with regard to corruption or other financial crime or serious misconduct; or
- (b) disbarred from acting as a director or carrying out regulated financial activities in any country.

Medical grounds

9.13B.1. Entry clearance or permission to enter must be refused where a medical inspector advises that for medical reasons it is undesirable to grant entry clearance or permission to enter, unless the decision maker is satisfied that there are strong compassionate reasons justifying admission.

9.13B.2. Entry clearance or permission to enter held by a person may be cancelled where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person.

Section 3: Additional grounds for refusal of entry on arrival in the UK

No entry clearance grounds

9.14.1. Permission to enter must be refused if the person seeking entry is required under these rules to obtain entry clearance in advance of travel to the UK, and the person does not hold the required entry clearance.

Failure to produce recognised passport or travel document grounds

9.15.1. Permission to enter must be refused if the person seeking entry fails to produce a passport or other travel document that satisfies the decision maker as to their identity and nationality, unless the person holds a travel document issued by the national authority of a state of which the person is not a national and the person's statelessness or



other status prevents the person from obtaining a document satisfactorily establishing their identity and nationality.

9.15.2. Permission to enter may be refused if the person seeking entry produces a passport or other travel document which:

- (a) was issued by a territorial entity or authority which is not recognised by Her Majesty's Government as a state, or is not dealt with as a government by them; or
- (b) was issued by a territorial entity or authority which does not accept valid UK passports for the purpose of its own immigration controls; or
- (c) does not comply with international passport practice.

9.15.3. Entry clearance or permission held by a person may be cancelled where on arrival a person fails to produce a passport or other travel document that meets the requirements in paragraph 9.15.1. or 9.15.2.

9.16.1. DELETED

9.16.2. DELETED

Consent for a child to travel grounds

9.17.1. A child may be refused permission to enter if they are not travelling with their parent or legal guardian and, if required to do so, the child's parent or legal guardian fails to provide the decision maker with written consent to the child seeking entry to the UK.

Returning residents grounds

9.18.1. A person granted settlement may return to the UK where, although having been absent from the UK and Islands, that permission has not lapsed, but where that permission has lapsed, Appendix Returning Resident applies if the person wants to return to and settle in the UK.



9.18A.1. A person granted settlement who is seeking entry to the UK may be refused permission to enter if they fail to satisfy the decision maker that their leave has not lapsed, and they do not have entry clearance granted under Appendix Returning Resident.

Customs breaches grounds

9.19.1. Permission to enter may be refused where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued.

9.19.2. Where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued, any entry clearance or permission held by the person may be cancelled.



Change of circumstances or purpose grounds

9.20.1. Entry clearance or permission held by a person may be cancelled where there has been such a change in circumstances since the entry clearance or permission was granted that it should be cancelled.

9.20.2. Entry clearance or permission to enter held by a person on arrival in the UK may be cancelled where the person's purpose in seeking entry is different from the purpose specified in their entry clearance.

Electronic Travel Authorisation

9.20A.1. Permission to enter may be refused if the person seeking entry is required under these rules to obtain an Electronic Travel Authorisation before travel to the UK, and the person does not hold the required Electronic Travel Authorisation on arrival in the UK.

Section 4: Additional grounds for refusal of permission to stay

Rough sleeping in the UK

9.21.1. Permission to stay may be refused where the decision maker is satisfied that a person has been rough sleeping in the UK and has repeatedly refused offers of suitable support and has engaged in persistent anti-social behaviour.

9.21.2. Where the decision maker is satisfied that a person has been rough sleeping in the UK and has repeatedly refused offers of suitable support, and has engaged in persistent anti-social behaviour, any permission held by the person may be cancelled.

Crew members

9.22.1. Where a person has permission to enter as a crew member an application for permission to stay may be refused, unless permission to stay is granted to fulfil the purpose for which the person has permission to enter.

Section 5: Additional grounds for cancellation of entry clearance, permission to enter and permission to stay

Ceasing to meet requirement of rules

9.23.1. A person's entry clearance or permission may be cancelled if they cease to meet the requirements of the rules under which the entry clearance or permission was granted.

Dependent grounds

9.24.1. A person's entry clearance or permission may be cancelled where they are the dependent of another person whose permission is, or has been, cancelled.

Withdrawal of sponsorship or endorsement grounds



9.25.1. A person's entry clearance or permission may be cancelled where their sponsorship or endorsement has been withdrawn and they have entry clearance or permission on one of the following routes:

- (a) Student; or
- (b) Child Student; or
- (c) Skilled Worker; or
- (d) Intra-Company Transfer; or
- (e) Intra-Company Graduate Trainee; or
- (f) Representative of an Overseas Business; or
- (g) T2 Minister of Religion; or
- (h) International Sportsperson; or
- (i) Temporary Worker; or
- (j) Start-up; or
- (k) Innovator Founder; or
- (l) Global Talent; or
- (m) Global Business Mobility routes; or
- (n) Scale-up (subject to paragraph 9.33.1.).

9.25.2. A Student's permission may be cancelled where the sponsor withdraws their sponsorship of the Student because, having completed a pre-session course, the student does not have a knowledge of English equivalent to level B2 or above of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening).

9.25.3. Entry clearance or permission held under the Global Talent route may be cancelled where the prize named in Appendix Global Talent: Prestigious Prizes which they used to qualify, has been withdrawn.

9.25.4. Entry Clearance or permission on the Innovator Founder route may be cancelled where that entry clearance or permission was granted on or after 13 April 2023 and where the holder fails to undergo a contact point meeting with their Endorsing Body.



Student does not start course or ceases to study

9.26.1. The entry clearance or permission of a Student or Child Student may be cancelled if:

- (a) they do not start their studies with their sponsor; or
- (b) they or their sponsor confirm that their course of study has ceased, or will cease before the end date recorded on the Certificate of Acceptance for Studies; or
- (c) the start date for the course is delayed for more than 28 days; or
- (d) they cease to study with their sponsor.



Worker does not start work or ceases their employment

9.27.1. A person's entry clearance or permission on the Skilled Worker, Intra-Company, Global Business Mobility, Representative of an Overseas Business, Scale-up Worker (subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may be cancelled if:

- (a) they do not start working for their sponsor; or
- (b) they or their sponsor confirm that their employment, volunteering, training or job shadowing has ceased or will cease before the end date recorded on the Certificate of Sponsorship; or
- (c) the start date for the job, as recorded in the Certificate of Sponsorship, is delayed by more than 28 days; or
- (d) they cease to work for their sponsor.

Sponsor loses licence or transfers business

9.28.1. A person on the Student, Child Student, Skilled Worker, Intra-Company, Global Business Mobility, Scale-up Worker (subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may

have their entry clearance or permission cancelled if:

- (a) their sponsor does not have a sponsor licence; or
- (b) their sponsor transfers the business for which the person works, or at which they study, to another business or institution, and that business or institution:
 - (i) fails to apply for a sponsor licence; or
 - (ii) fails to apply for a sponsor licence within 28 days of the date of a transfer of their business or institution; or
 - (iii) applies for a sponsor licence but is refused; or
 - (iv) makes a successful application for a sponsor licence, but the sponsor licence granted is not in a category that would allow the sponsor to issue a Certificate of Sponsorship or Confirmation of Acceptance for Studies to the person.



Change of employer

9.29.1. A person on the Skilled Worker, Intra-Company, Global Business Mobility, Scale-up Worker (subject to paragraph 9.33.1.), T2 Minister of Religion, International Sportsperson or Temporary Worker routes, may have their permission cancelled where they have changed their employer, unless any of the following exceptions apply:

- (a) they are a person on the Government Authorised Exchange route or a Seasonal Worker and the change of employer is authorised by the sponsor; or
- (b) they are working for a different sponsor unless the change of sponsor does not result in a change of employer, or the change in employer is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006, equivalent statutory transfer schemes, or the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector; or

(c) they have permission as an International Sportsperson, and all of the following apply:

- (i) they are sponsored by a sports club; and
- (ii) they are sponsored as a player and are being temporarily loaned to another sports club; and
- (iii) player loans are specifically permitted in rules set down by the relevant sports governing body; and
- (iv) their sponsor has made arrangements with the loan club to enable the sponsor to continue to meet its sponsor duties; and
- (v) the player will return to working for the sponsor at the end of the loan.



Absence from employment

9.30.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, Scale-up (subject to paragraph 9.33.1.), Global Business Mobility T2 Minister of Religion, International Sportsperson or Temporary Worker routes who has been absent from work without pay, or on reduced pay, for more than 4 weeks during any calendar year may have their permission cancelled unless the reason for absence is one or more of the following:

- (a) statutory maternity leave, paternity leave, shared parental leave, neonatal care leave, or parental leave; or
- (b) statutory adoption leave; or
- (c) sick leave; or
- (d) assisting with a national or international humanitarian or environmental crisis, providing their sponsor agreed to the absence for that purpose; or
- (e) taking part in legally organised industrial action; or
- (f) jury service; or
- (g) attending court as a witness.

Change of job or lower salary rate

9.31.1. A person on the Skilled Worker, Intra-Company, Representative of an Overseas Business, Scale-up (subject to paragraph 9.33.1.) Global Business Mobility, T2 Minister of Religion or Temporary Worker routes may have their permission cancelled where they have changed jobs or they receive a lower salary rate (unless any of paragraphs 9.31.2. to 9.31.3. apply) if:

- (a) they are a person on the Intra-Company, Global Business Mobility, or Skilled Worker or Scale-up Worker routes and have changed to a different job in the same SOC 2020 occupation code but the salary rate for the new job is lower than the salary rate for the old job as set out in Appendix Skilled Occupation; or
- (b) they are a Skilled Worker and scored points for a job in Appendix Immigration Salary List (or the previous Appendix Shortage Occupation List) and the new job does not appear in Appendix Immigration Salary List; or
- (c) they have changed jobs and the new job has a different SOC 2020 occupation code to that recorded by the Certificate of Sponsorship (unless paragraph 9.31.2. applies), or unless they are sponsored in a SOC 2010 occupation code and the change is a result of switching to a SOC 2020 occupation code; or
- (d) the person no longer meets the salary requirement or going rate requirement for the job.

9.31.2. The following exception applies to paragraph 9.31.1.(c):

- (a) the person is sponsored to undertake a graduate training programme covering multiple roles within the organisation; and
- (b) the person is changing to a job with a different SOC 2020 occupation code either as a part of that programme or when appointed to a permanent role with the sponsor at the end of that programme; and
- (c) their sponsor has notified the Home Office of the change of job and any change in salary.



9.31.3. The following exceptions apply to reduction in salary under paragraph 9.31.1:

- (a) a reduction in salary coincides with an absence from employment permitted under paragraph 9.30.1; or
- (b) the person is on the Intra-Company or Global Business Mobility routes and a reduction in salary coincides with working for the sponsor group while the person is not physically present in the UK; or
- (c) the person is a Skilled Worker and:
 - (i) if the person has permission under Appendix Skilled Worker, they would, after the change to the job, score 20 tradeable points in either the same option in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), whichever they had scored points under when obtaining their most recent grant of permission; or
 - (ii) if the person has permission as a Tier 2 (General) Migrant, they would, after the change to the job, score 20 tradeable points under option A or F in the table in paragraph SW 4.2, or under paragraph SW 14.5(b), if they were to apply under Appendix Skilled Worker; or
 - (iii) if the person has permission as a Tier 2 (General) Migrant who was considered a new entrant in their application for that Tier 2 (General) permission, they would, after the change to the job, score 20 tradeable points under option E in the table in paragraph SW 4.2, if they were to apply under Appendix Skilled Worker; or
- (d) a reduction in salary coincides with a temporary reduction in the person's hours for individual health reasons, or a phased return to work for individual health reasons, in either case being supported by an occupational health assessment and where the reduction in pay does not result in the hourly rate falling below any requirement which applied when the person obtained their most recent grant of permission.



Endorsing body no longer approved

9.32.1. Where a person has entry clearance or permission on the Global Talent, Start-up or Innovator Founder route their entry clearance or permission may be cancelled if their endorsing body ceases to hold that status for the route in which they were endorsed.

Exception for Scale-up Workers

9.33.1 Paragraphs 9.25.1. and 9.27.1. to 9.31.1. only apply to a Scale-up Worker during the 6-month period that the Scale-up Worker is required to work for a Sponsor under Appendix Scale-up.



OG

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated



© Crown copyright