

### **Tighter Controls to Be Placed on Migrant Workers Coming to the United Kingdom**

**June 30, 2010**

Earlier this week the UK government announced controversial new plans to place a cap on the number of migrant workers from outside Europe entering the United Kingdom. This is just one of various measures being proposed to scale back the increasing levels of migration into the UK.

A 12-week government consultation with businesses was launched on 28 June 2010 and is set to run until mid-September 2010. The consultation will seek views on how imposing a quota on the number of migrant workers applying for initial permission to work in the United Kingdom through both Tier 1 (for highly skilled workers) and Tier 2 (for skilled workers entering the UK with a job offer) of the points-based immigration system, should work in practice. The consultation also recognises the need to attract more high-net-worth migrants to the United Kingdom through the existing routes for investors and entrepreneurs, and asks for views on how that can be achieved.

Separately, the Migration Advisory Committee (MAC)—the government's independent adviser on migration issues—has been asked to provide advice on the level at which the cap should be set, taking into consideration the social, public service and economic impacts of migration. It is intended that the MAC will consult with businesses and other interested groups in developing its advice and will launch its own consultation shortly.

Taking into account the recommendations from the two consultations, a permanent cap will be determined. It is anticipated that this cap will come into effect from 1 April 2011.

In the interim (and with a view to avoiding a surge of applications between now and 1 April 2011), from 19 July 2010 a temporary limit on certain subcategories of both Tier 1 and Tier 2 will apply as follows:

1. The number of Tier 1 (General) migrants making initial application from outside the UK will be capped at current levels. Also, the number of points required by applicants in this category will be increased from 95 to 100.
2. The number of Certificates of Sponsorship that can be issued by certified employers under Tier 2 (General) will be subject to a cap of 18,700, which is 5% less than were issued last year.

Employers should note that the interim quota for Tier 2 does not affect the Tier 2 (Intra Company Transfer) route, under which multinational organisations can transfer existing staff to their UK branches.

We will continue to monitor the situation and will update you with any new information.

If you would like more information on this matter, or if you have any questions about any of the issues raised in this Immigration Alert, please contact either of the following Morgan Lewis attorneys:

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