



Home Office

UK Border Agency

TIER 1
(ENTREPRENEUR)
version 02/12

APPLICATION FOR AN INITIAL GRANT OF LEAVE (SWITCHING) OR AN EXTENSION OF LEAVE AND BIOMETRIC RESIDENCE PERMIT UNDER TIER 1 (ENTREPRENEUR) MAIN APPLICANT

In accordance with paragraph 34 of the Immigration Rules, this form is specified for applications made on or after the 13 February 2012.

You also need the separate guidance notes for this form. Please read them before making your application. If you do not already have this item, you can download it from our website at www.ukba.homeoffice.gov.uk

Please refer to the UK Border Agency website www.ukba.homeoffice.gov.uk

Applications made on this form may be made by post or courier.

Postal address:

UK Border Agency
Tier 1
PO Box 496
Durham
DH99 1WQ

Courier address:

UK Border Agency
Tier 1
Millburngate House
Millburngate
Durham
DH97 1PA

This form is to be used for applications made on or after 13 February 2012

Contents

Tier 1 APPLICATION - PAYMENT GUIDANCE NOTES	5
The applicable fee	5
REDUCED FEE FOR MAIN APPLICANTS OF CERTAIN NATIONALITIES	5
Dependants	5
How you can pay	5
Cheques and postal orders.....	5
Completing the payment details page	5
Consideration process	6
Section 1 - PAYMENT DETAILS TIER 1 (ENTREPRENEUR).....	7
A. Application Details	7
Section 2 - Applicant's Details	10
B. Personal Details	10
C. Passport or travel documents and Biometric Residence Permit.....	15
D. Immigration History	19
E. Personal History (criminal convictions, war crimes, etc.).....	24
F. Dependant Details	28
Section 3 - Tier 1 (Entrepreneur).....	29
Section 3A - Initial Applications - Points Scoring Assessment	29
G. Access to:	29
(a) not less than £200,000; or	29
(b) not less than £50,000 from:.....	29
H. Money is held in one or more regulated financial institutions (25 points available)	30
Table 3A - Table of evidence listing each piece of evidence provided	31
Section 3B - Extension Applications Points Scoring Assessment for Tier 1 (Entrepreneur).....	32
Attributes.....	32
K. The investment funds have been invested as cash directly into one or more businesses in the United Kingdom (20 points available)	32

Table 3b1 - Table of evidence for the direct investment of funds into UK business	33
L. Registered as self-employed or a director of a new or existing business within six months of entering the category (or for an entrepreneurial team, the earliest member's date of entry to the category) (20 points available).....	34
M. Engaged in business activity at the time of the application for further leave (extension) (15 points available).....	36
N. Created two full time equivalent posts (20 points available)	36
Table 3b2 - Table of evidence for employment created	37
Section 3C - Extension Applications – Points Scoring Assessment for Business Persons or Innovators	39
O. £200,000 in cash has been invested directly into one or more businesses in the UK (20 points available)	39
Table 3c1 - Table of evidence for the direct investment of funds into UK business	40
P. The applicant's previous leave was as Business Person or Innovator	41
Q. Engaged in business activity at the time of the application for further leave (extension) (15 points available).....	41
R. Created two full time equivalent posts (20 points available)	42
Table 3c2 - Table of evidence for employment created	43
Section 4 - English Language, Maintenance and Public Funds.....	44
S. English Language.....	44
T. Maintenance (Funds) Requirement	47
U. Public Funds	48
Section 5 - Consent For The Uk Border Agency To Request Verification Checks.....	50
Section 6 - Declarations.....	51
V. Applicant Declaration.....	51
W. Representative's Details and Declaration.....	53
Section 7 - Summary Sheet	57
Tier 1 (Entrepreneur) - Application Form help text.....	59
Introduction	59
Who should apply using this form?.....	59

Submitting a valid application	59
Claiming Points	60
Supporting evidence	60
Application types.....	60
Initial Applications (Please also complete Section 3A)	60
Extension Applications within Tier 1 (Entrepreneur) (Please also complete Section 3B)	60
Extension Applications - for those currently in the United Kingdom under the business person or Innovator provisions of the Immigration Rules (Please also complete Section 3C)	61
Question-specific Help Text	61
Biometric Residence Permits.....	64

TIER 1 APPLICATION - PAYMENT GUIDANCE NOTES

The applicable fee

For applications made on this form as a Tier 1 (Entrepreneur) migrant there is a fee of **£1000** for applications made by post or courier.

Applications made on this form may **not** be made in person at a Public Enquiry Office of the UK Border Agency.

REDUCED FEE FOR MAIN APPLICANTS OF CERTAIN NATIONALITIES

Nationals of countries that have ratified the 1961 Council of Europe Social Charter (CESC) pay a reduced fee of **£900** for applications made by post or courier. This reduction is currently applicable to main applicant nationals of Croatia, the Former Yugoslav Republic of Macedonia and Turkey only.

There are no other fee reductions or exemptions to the fees set out above.

Dependants

Each dependant must complete a separate PBS Tier 1 (Dependant) form. Any dependant applications that are submitted at the same time as the main applicant's form will incur a fee of **£500 (Postal and CESC Postal)** per dependant unless it is for a child aged 18 years or over.

Dependants' applications that are submitted at a later date and/or applications for dependent children who are aged 18 years or over will incur a charge and will not be considered without payment of the specified fee, currently **£550** for applications made by post or courier and **£850** for applications made in person at our Public Enquiry Offices.

How you can pay

You can pay by any of the following methods:

- Cheque/Bankers Draft

If applying in person at a Public Enquiry Office please check the UK Border Agency website for the payment methods available at the Public Enquiry Office you are attending as these can vary.

- Postal Order
- Credit card¹ - Mastercard, Visa (including Electron) or American Express (Amex)
- Debit card - Delta, Maestro* (including Solo)

* We can only accept Maestro cards issued in the UK.

Please note that your application is invalid if you do not pay the specified fee in full or if you pay by any method other than those specified above. You will be required to make a fresh application, and any delay in doing so may affect your appeal rights if your application is subsequently refused.

Cheques and postal orders

You must make the cheque or postal order payable to 'Home Office' and cross the cheque or postal order A/C Payee only. Please write the full name and date of birth of the applicant on the back of the cheque and/or each postal order and keep the postal order receipt(s).

Please make sure that the date and the amount (words and figures) are correct and that the cheque is signed properly. Attach your cheque or postal order(s) to the front of the application form.

1 Please note that when making large or multiple payments using your credit card, the anti fraud measures that banks operate sometimes stop the full payment being taken. This is because either the maximum limit on a single transaction, or the number of transactions allowed in a given period of time, has been exceeded. To prevent this you must ensure that you inform your bank of your intention to make large or multiple payments in advance so that your bank allows the full payment to be taken when you submit your application.

Completing the payment details page

To ensure that your payment is processed without any delay, please follow this guidance when completing Section 1 of this form (Payment Details).

A1 Tick the fee appropriate to your application - see above guidance

A2-A3 If the address for correspondence is different from your home address in the UK, please give that address at A2. If a solicitor or other authorised immigration adviser is submitting the application, it should be their address at **A2** and their name at **A3**. These details will also be used to acknowledge receipt of the application.

A4 Applicant's full name, as given in his or her passport or travel document.

A5 Applicant's date of birth

Method of payment

A6 Tick one of the boxes to show which method of payment you are using

A7 - A9 If paying by cheque or bankers draft enter the bank account number, sort code and cheque number

Paying by credit / debit card

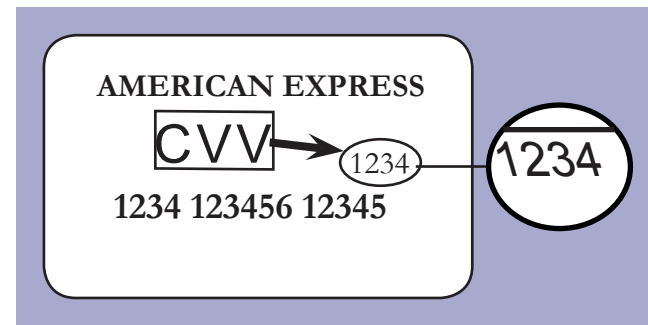
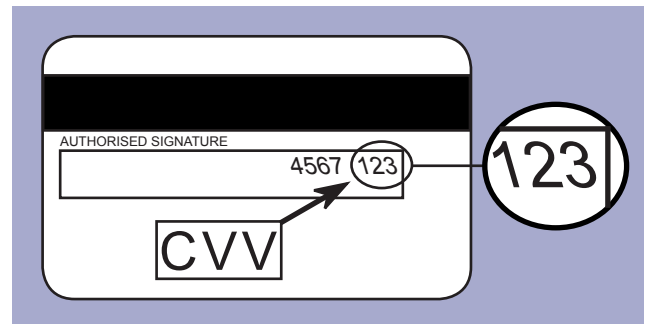
A10 The name as displayed on the credit/debit card

A11 Card number - this is the long number across the centre of the card

A12-A14 Enter the details where available on the card

A15 The Card Verification Value (CVV) is a 3-digit security code found on the back of the card on the signature strip - it consists of the last 3 digits. For Amex the security code consists of 4-digits and is found on the front of the card.

If you do not provide the CVV number, we cannot take your payment and your application will be rejected as invalid.



A16 For card payments circle the amount you are required to pay

A17-A18 Cardholder's signature - the person named on the credit/debit card must sign and date these sections.

A19 List all the dependants' applications you are enclosing with your application.

Consideration process

- If the payment submitted does not cover the full cost of your application, it will be an invalid application and the form, together with any documentation submitted, will be returned to you.
- The fee charged is for the processing and consideration of the application. This fee will be payable once the application form is received by the UK Border Agency or its payment processing agent, regardless of the outcome of the application.
- We cannot begin the consideration process until the payment has cleared. We allow 5 working days for payments made by cheque to clear, credit/debit cards and postal orders will clear immediately.
- Should the application be withdrawn at any time during the consideration process the fee will not be refunded, other than under circumstances set out on the website of the UK Border Agency (www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDIs/idichapter1a).

If you are producing a double-sided copy of this application form, please include this page and make sure it falls on the reverse of the payment details page in the two-sided copy.

For administrative reasons, it is important that the rest of the form begins with Section 2 - Applicant's Details facing upwards

B6. Date of birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

B7. Gender:

Male Female

B8. Place of birth (city/town/province/state):

B9. Country of birth:

B10. Marital status - please select from the following list:

Married or civil partner	<input type="checkbox"/>	Single	<input type="checkbox"/>
Widowed or surviving civil partner	<input type="checkbox"/>	Unmarried partner	<input type="checkbox"/>
Divorced or dissolved civil partnership	<input type="checkbox"/>	Separated or separation order	<input type="checkbox"/>

B11. Home Office reference number(s) (if known):

Reference number 1:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Reference number 2:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

B12. Give details of any current or previous worker reference number(s) under work permit arrangements (if applicable):

Reference number 1:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Reference number 2:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

B13. United Kingdom National Insurance number (if known):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

B14. Points Based System migrant reference number (if known):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

TIER 1 (ENTREPRENEUR) APPLICATION FORM - SECTION 2

C6. Please give details of the applicant's current passport or travel document and any others that he/she has used to travel to and remain in the United Kingdom and which shows his/her current leave. Please note that for the application to be valid and complete the applicant's current passport/travel document must be provided unless it is not available for one of the reasons specified on the application form.

Current passport or travel document						
Passport/ Travel Document number	Nationality	Issue date	Expiry date	Place of issue	Passport / Travel document enclosed	If not enclosed then location of Passport/ Travel Document
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Lost - go to question C7 <input type="checkbox"/> Stolen - go to question C8 <input type="checkbox"/> Expired - returned to national authorities <input type="checkbox"/> Elsewhere in the UK Border Agency - go to question C7

Previous passport or travel document 1						
Passport/ Travel Document number	Nationality	Issue date	Expiry date	Place of issue	Passport / Travel document enclosed	If not enclosed then location of Passport/ Travel Document
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Lost - go to question C7 <input type="checkbox"/> Stolen - go to question C8 <input type="checkbox"/> Expired - returned to national authorities <input type="checkbox"/> Elsewhere in the UK Border Agency - go to question C7 <input type="checkbox"/> Other - go to question C7

Please photocopy this page if additional space is required.

C7. If any of the required passports are not enclosed then please give details why the applicant is unable to provide them.

--

C8. If any of the passports or travel documents were stolen anywhere in the world, please give the police report number, the police station and the date reported to the police.

Police report number	Police station	Date reported to the Police

C9. Has the applicant been issued with a Biometric Residence Permit with a previous application for leave?

Yes go to question C10

No go to Part D

C10. Please give details of the applicant’s Biometric Residence Permit. Please note for the application to be valid and complete the applicant’s current Biometric Residence Permit must be provided, unless it is not available for one of the reasons specified on the application form.

Current Biometric Residence Permit (BRP)						
Biometric Residence Permit number	Nationality	Issue date	Expiry date	Place of issue	Biometric Residence Permit enclosed?	If not enclosed then give location of Biometric Residence Permit
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Returned to UK Border Agency - go to question C11 <input type="checkbox"/> Lost - go to question C12 <input type="checkbox"/> Stolen - go to question C13

C11. If the required Biometric Residence Permit has been returned to the UK Border Agency, please give details of the reason and the date that it was sent to us.

--

C12. If the Biometric Residence Permit was lost, please give date this was reported to The UK Border Agency Card Management Service.

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

C13. If the Biometric Residence Permit was stolen, please give the police report number, the police station and the date reported to the police.

Police report number	Police station	Date reported to the Police

Now go to Part D

D8. Give details of the journey, including where the applicant travelled from, ticket booking or reference number, and transport operator.

Details of journey	Ticket booking or reference number	Transport operator

D9. For what purpose did the applicant enter the United Kingdom?

D10. When did the applicant arrive in the United Kingdom?

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

D11. What is the applicant's current immigration status in the United Kingdom?

D12. Is the applicant's current immigration status any of the following categories: student, student nurse, student re-sitting an examination, student writing up a thesis, post-graduate doctor, post-graduate dentist?

Yes - go to question D13 No - go to question D15

D13. Is the applicant getting sponsorship, or has he/she got sponsorship, that has ended within the last 12 months for his/her studies in the United Kingdom, from the British Government, any other government, or an international scholarship agency?

Yes - go to question D14 No - go to question D15

D14. Please tick to confirm the following evidence has been supplied:

Original written confirmation from the applicant's sponsor giving consent to this application.

D15. When does the applicant's current leave expire?

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

D16. Has the applicant ever stayed in the United Kingdom beyond the end of his/her period of leave?

Yes - go to question D17 No - go to question D18

D17. Give the reason(s) why the applicant has stayed beyond the end of his/her period of leave and the dates of the overstay:

D18. Has the applicant ever worked in the United Kingdom without immigration permission to do so (that is, contrary to his/her conditions of stay)?

Yes - go to question D19 No - go to question D20

D19. Give the reason(s) why the applicant worked in the United Kingdom without immigration permission to do so and the dates this work was undertaken:

D20. Has the applicant ever illegally entered the United Kingdom?

Yes - go to question D21 No - go to question D22

D21. Give the details and dates when this happened:

D22. Has the applicant ever used deception when seeking leave to enter or leave to remain?

Yes - go to question D23 No - go to question D24

D23. Give the details and dates when this happened:

D24. Has the applicant ever been removed or deported from the United Kingdom?

Yes - go to question D25 No - go to question D26

D25. Give the details and dates when this happened:

D26. Does the applicant currently have any other applications with us on which he/she is awaiting a decision?

Yes - go to question D27 No - go to question D30

D27. Give details of the application, including the date the application was submitted, what the application is for (the category), and the payment reference number:

D28. Was this application submitted before the applicant's leave expired?

Yes - go to question D29 No - go to question D30

D29. Has the date of the applicant's leave, as stated in his/her passport, now passed?

Yes - the applicant is not able to submit a further fresh application. However, they can, if they wish, vary the grounds of the existing application. **Go to the help text.** No - go to question D30

D30. Does the applicant currently have an appeal with the Asylum and Immigration Tribunal which is yet to be heard?

Yes - go to question D31

No - go to Part E

D31. Give details of the appeal, including the date the appeal was submitted, what the appeal is for (the category) and the payment reference number for the original application (where applicable):

D32. Has the date of the applicant's leave, as stated in his/her passport, now passed?

Yes - the applicant is not able to submit a further fresh application. However, they can, if they wish, provide additional grounds to the outstanding appeal. **Go to the help text.**

No - go to Part E

Now go to Part E

TIER 1 (ENTREPRENEUR) APPLICATION FORM - SECTION 2

E7. Has the applicant ever, by any means or medium, expressed views that justify or glorify terrorist violence or that may encourage others to terrorist acts or other serious criminal acts?

Yes

No

E8. Has the applicant ever engaged in any other activities which might indicate that he/she may not be considered to be a person of good character?

Yes

No

E9. If question E3, E4, E5, E6, E7 or E8 above has been answered "yes" please give further details in the space provided below. If more space is needed continue on a separate sheet and enclose it with this form.

Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed. Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline 020 7840 6464 or by obtaining a free copy of their leaflet on 020 7840 6427.

Definitions

For the purpose of answering questions **E4** to **E8**, the following information provides guidance on actions which may constitute war crimes, crimes against humanity, genocide, or terrorist activities.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 8 of the International Criminal Court Act 2001 at www.opsi.gov.uk/acts/acts2001/20010017.htm or purchased from The Stationery Office (telephone 0870 600 5522). It is the applicant's responsibility to satisfy him/herself that he/she is familiar with the definitions and can answer the questions accurately.

War crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Terrorist activities

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purposes of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

Organisations concerned with terrorism

An organisation is concerned with terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

F. Dependant Details

Fill in the following details for any dependant(s) who are applying at the same time as the applicant.

First name(s)	Last name(s)	Date of birth	Nationality, passport number and Biometric Residence Permit (if applicable)	Relationship to main applicant

Please ensure a separate application form is completed for each dependant. Please see the UK Border Agency website for further details www.ukba.homeoffice.gov.uk

SECTION 3 - TIER 1 (ENTREPRENEUR)

Is the applicant making an application for:

- | | | |
|---|--------------------------|------------------|
| Initial grant of leave to remain (switching) | <input type="checkbox"/> | Go to Section 3A |
| An extension of leave for applicants whose last grant of leave was under Tier 1 (Entrepreneur) | <input type="checkbox"/> | Go to Section 3B |
| An extension of leave for applicants whose last grant of leave was under Business Person or Innovator | <input type="checkbox"/> | Go to Section 3C |

SECTION 3A - INITIAL APPLICATIONS - POINTS SCORING ASSESSMENT

Attributes

In order for an initial application to be approved the applicant must score 75 points in the Attributes section. If they do not score 75 points the application will be refused. In addition, the applicant must score 10 points in each of the English language and maintenance sections.

Applicants should refer to the Immigration Rules and Tier 1 (Entrepreneur) of the points based system – Policy Guidance

G. Access to:

(a) not less than £200,000; or

(b) not less than £50,000 from:

- one or more registered venture capital firms regulated by the Financial Services Authority (FSA),
- one or more registered UK entrepreneurial seed funding competitions endorsed by the UK Trade and Industry (UKTI);
- one or more UK Government Departments. (25 points available)

G1. Has the applicant already invested all or part of the funds in a UK Business that he/she has joined or started, within the 12 months before the date of this application?

No, none of the funds, Go to G6

Yes, all of the funds amounting to no less than £200,000, Go to G3

Yes, part of the funds amounting to no less than £200,000, Go to G2

Yes, all or part of the funds amounting to no less than £50,000, Go to G2

G2. How much money has already been invested in the UK business? Please give this amount in Pounds Sterling.

£

G3. Does the value of any living accommodation form part of any investment in premises that are also used for business? Please tick to confirm

- | | | |
|-----|--------------------------|---------------------|
| Yes | <input type="checkbox"/> | No, go to table 3a1 |
| No | <input type="checkbox"/> | Go to question G4 |

TIER 1 (ENTREPRENEUR) APPLICATION FORM - SECTION 3

G4. If an investment in premises is being used as living accommodation, a letter signed by a member of the Royal Institute of Chartered Surveyors (RICS) confirming the value of the accommodation must be provided.

Please tick to confirm that this has been provided

G5 What is the value of any living accommodation that forms part of any premises that is also used for business?

£

Please give the value in Pounds Sterling.

Now please fill in table 3a1

Table 3a1 Table of evidence for the direct investment of funds into UK business

The applicant must complete the following table listing each specified document provided to demonstrate each investment. The first line has been completed as an example only.

Name of business	Company registration number if appropriate	Date of investment in the format dd/mm/yyyy	Amount of investment less the value of any accommodation	Audited accounts provided	Un-audited accounts provided	Accountant's certificate provided with un-audited accounts	Legal agreement (for Director's loans only)	Business premises in the UK	Business bank account	Business is subject to UK taxation
Mycompany	12345678	17/08/2010	£X0,000	Yes	No	No	No	Yes	Yes	Yes
Total column										

If all of the funds amounting to no less than £200,000 have been invested – go to G10

If part of the funds amounting to no less than £200,000 has been invested – go to G6

If all or part of the funds amounting to no less than £50,000 have been invested – go to G8

G6. Is the applicant relying on funds amounting to no less than £200,000? Please tick to confirm.

Yes **Go to G7**

No **Go to G8**

G7. Is the applicant relying on third party funding for any of the £200,000? Please tick to confirm.

Yes **Go to G10**

No **Go to G10**

G8. Is the applicant relying on funds amounting to no less than £50,000? Please tick to confirm where from:

- an FSA registered Venture Capital firm.
- a registered UK entrepreneurial seed funding competition endorsed by the UKTI.
- a UK Government Department.

G9. Give the name of the Venture Capital firm together with the registration number for this activity with the FSA; or the name of the seed funding competition (as listed on the UKTI website) or the name of the UK Government Department providing the funds.

G10. Will the applicant be part of an entrepreneurial team? Yes **Go to G11**

No **Go to H**

G11. Please provide details of the other member of the entrepreneurial team

Name

Nationality

Date of Birth

Passport Number

H. Money is held in one or more regulated financial institutions (25 points available)

H1. Are the funds held in one or more regulated financial institutions or already invested in a UK business? Please tick to confirm.

- Yes all of the funds are held in a regulated financial institution
- Yes all of the funds have already been invested.
- Yes part of the funding has already been invested and the rest of the funding is held in a regulated financial institution.
- No

J. Money is disposable in the UK (25 points available)

J1. Are the funds disposable in the UK or already invested in a UK business? Please tick to confirm

- Yes All the funds are disposable in the UK
- All the funds are already invested in the UK
- Part of the required funding has already been invested and the rest of the funding is disposable in the UK.
- No

Go to table 3a2 to provide evidence of funds of no less than £200,000

Go to table 3a3 to provide evidence of funds of no less than £50,000

Table 3A2 - Table of evidence listing each piece of evidence provided

£200,000 funding

Evidence of money: For each source of money the applicant is relying on to claim points, he/she must provide a letter or a bank statement from the financial institution holding the funds showing:

- How much money is available to the applicant; and
- That the institution is regulated by the home regulator; and
- That the money is disposable in the UK.

If third party money is used: The applicant must also provide a letter, from every third party, granting permission for the applicant to have access to the money; together with a letter of confirmation from a legal representative or legal representatives confirming that the signatures are valid (2 pieces of evidence).

If the applicant is part of an entrepreneurial team: Both entrepreneurs must have equal access to funds and each document must show the names of both entrepreneurs.

If money has already been invested: If the applicant has already invested **all** of the £200,000 in a UK business that they have joined or started within the 12 months before the date of this application, this table need only be completed if any of the money has come from a Venture Capital Firm, Seed Funding Competition or UK government Department. Please see the column headings for directions.

If the applicant has already invested some but not all of the £200,000, this table should be completed for the rest of the money needed. Please note that the table must be completed if any of the money has come from a Venture Capital Firm, Seed Funding Competition or UK government Department in all cases. Please see the column headings for directions.

The applicant must complete the following table to confirm the specified documents provided with this application to demonstrate each source of funds. One line (line 0) is completed as an example only.

Table 3a2 Evidence of funds for £200.000 funding

Source no	Letter from regulated financial institution confirming the amount of money, that the institution is regulated by the home regulator and that the money is transferable to the UK. (Not needed if the applicant has already invested all of the £200,000.) Name of Institution	Permission letter from third party to use the money, if applicable. This is always needed if some of the funds are from a Venture Capital firm, Seed Funding competition or UK Government Department. (Not needed if the applicant has already invested all of the £200,000 none of which is from a Venture Capital firm, Seed Funding competition or UK Government Department.)	Legal representative's letter confirming validity of permissions if third party money is used. This is always needed if some of the funds are from a Venture Capital firm, Seed Funding competition or UK Government Department.	Amount of money in Pounds Sterling in this institution. (Not needed if the applicant has already invested all of the £200,000)
0	Bank of Somewhere	Yes	Yes	£X0,000
1				
2				
3				
4				
5				
	Total number of pieces of evidence:	Total number of pieces of evidence:	Total number of pieces of evidence:	Total amount of money claimed:
				£

Please note: Applicants should ensure that they are familiar with the requirements for further leave to remain in this category. They should note that the requirements may be revised and such revisions may apply to migrants who already hold leave to remain in the category.

Table 3A3 - Table of evidence listing each piece of evidence provided

£50,000 funding

Evidence of money: For each source of money the applicant is relying on to claim points, he/she must provide a letter from the financial institution holding the funds, or from an accountant linked to the source of funding, showing:

- How much money is available to the applicant; and
- That the money is held in an institution which is regulated by the home regulator; and
- That the money is disposable in the UK.

Evidence of award of the money: The applicant must provide a letter, from every source of funds, granting permission for the applicant to have access to the money; together with a letter of confirmation from a legal representative or legal representatives confirming that the signatures are valid (2 pieces of evidence). If the applicant has already invested all or part of the funds within the 12 months before the date of this application, in a UK business that they have joined or started, a letter confirming the funds award and confirmation from a legal adviser must still be provided (2 pieces of evidence). Please see the column headings.

If the applicant is part of an entrepreneurial team: Both entrepreneurs must have equal access to funds and each document must show the names of both entrepreneurs.

If money has already been invested: If the applicant has already invested all or part of the funds in a UK business that they have joined or started within the 12 months before the date of this application, they should still complete this table. Please see the column headings for directions.

The applicant must complete the following table to confirm the specified documents provided with this application to demonstrate each source of funds. One line (line 0) is completed as an example only.

Source no	Letter from regulated financial institution confirming the amount of money, that the institution is regulated by the home regulator and that the money is transferable to the UK. (Not needed if the applicant has already invested all of the £50,000.) Name of Institution	Letter from the FSA registered Venture Capital firm; seed funding competition; or UK Government Department; or combination of these totalling £50,000 of funds. Needed by all applicants using this funding.	Legal representative's letter confirming validity of permissions. Needed by all applicants using this funding	Amount of money in Pounds Sterling in this institution. (Not needed if the applicant has already invested all of the £50,000)
0	Bank of Somewhere	Yes	Yes	£X0,000
1				
2				
3				
4				
5				
	Total number of pieces of evidence:	Total number of pieces of evidence:	Total number of pieces of evidence:	Total amount of money claimed:
				£

Please note: Applicants should ensure that they are familiar with the requirements for further leave to remain in this category. They should note that the requirements may be revised and such revisions may apply to migrants who already hold leave to remain in the category

SECTION 3B - EXTENSION APPLICATIONS POINTS SCORING ASSESSMENT FOR TIER 1 (ENTREPRENEUR)

Applicants should refer to the Immigration Rules and Tier 1 (Entrepreneur) of the points based system – Policy Guidance

In order for an extension application to be approved the applicant must score 75 points in the Attributes section. If they do not score 75 points the application will be refused. In addition, the applicant must score 10 points in each of the English language and maintenance sections.

Attributes

K. The investment funds have been invested as cash directly into one or more businesses in the United Kingdom (20 points available)

K1. Has the applicant invested no less than £200,000; (or £50,000 if, in his last grant of leave, he was awarded points for funds of £50,000 from a venture capital firm; seed funding competition; or UK Government Department) in cash directly into one or more businesses in the UK over the period of the initial grant of leave in this category? (For Entrepreneurial Teams the evidence of investment funds may also be used by the other entrepreneur.

Yes

No

K2. Does the value of any living accommodation form part of any investment in premises that are also used for business?

No go to Table 3b1

Yes go to question K3

K3. If an investment in premises is being used as living accommodation, a letter signed by a member of the Royal Institute of Chartered Surveyors (RICS) confirming the value of the accommodation must be provided.

Tick to confirm that this has been provided

K4. What is the value of any living accommodation that forms part of any premises that is also used for business?

£ go to Table 3b1

Section K continues on the following page

Table 3b1 - Table of evidence for the direct investment of funds into UK business

The applicant must complete the following table listing each specified document provided to demonstrate each investment. The first line has been completed as an example only.

Name of business	Company registration number if appropriate	Date of investment in the format dd/mm/yyyy	Amount of investment less the value of any accomodation	Audited accounts provided	Un-audited accounts provided	Accountant's certificate provided with un-audited accounts	Legal agreement (for Director's loans only)	Business premises in the UK	Business bank account	Business is subject to UK taxation
Mycompany	12345678	17/04/2008	£X0,000	Yes	No	No	No	Yes	Yes	Yes
Total column										

L. Registered as self-employed or a director of a new or existing business within six months of entering the category (or for an entrepreneurial team, the earliest member's date of entry to the category) (20 points available)

The applicant must demonstrate that they registered as self employed or as a director of a new or existing business within six months of specified date (or in the case of an entrepreneurial team, the earliest member's specified date)

L1. Is the applicant a member of an entrepreneurial team? Please tick to confirm.

Yes - go to question L2

No - go to question L4

L2. The applicant must tick to confirm whether he/she was the earliest member of their entrepreneurial team to enter the category. If the other team member is not a Tier 1 (Entrepreneur) migrant we will take the specified date for the applicant.

Applicant was the earliest entrepreneurial team member to enter the category

- go to question L4

Applicant was the later entrepreneurial team member to enter the category

- go to question L3

The other team member is not a Tier 1 (Entrepreneur) migrant

- go to question L4

L3. The applicant must provide the Points Based System reference number of the other entrepreneurial team member, and the earliest team member's specified date.

Points Based System reference number of the other entrepreneurial team member

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

The earliest team member's specified date

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

L4. Does the applicant wish us to take his/her date of entry into the United Kingdom as his/her specified date?

Yes - go to question L5

No - go to question L6

L5. The applicant must provide the following evidence to establish their date of entry to the UK (Please tick to indicate what evidence has been provided):

- Passport containing Visa which has been stamped on entry

- Flight tickets and boarding card

- Other If other give details:

--

L6. The applicant must tick one of the following boxes. Has the applicant:

Registered as self employed within six months of the specified date (or in the case of an entrepreneurial team, the earliest member's specified date) - go to question L7

Registered as a director of a new or existing business within six months of the specified date (or in the case of an entrepreneurial team, the earliest member's specified date) - go to question L8

L7. The applicant must tick one box to confirm the specified documents supplied to demonstrate this:

The 'welcome letter' from HM Revenue & Customs (HMRC)

The HMRC Small Earnings Exception certificate

L8. The applicant must tick the box to confirm the specified documents supplied to demonstrate their registration as a Director:

The Companies House printout of the Current Appointment Report for any business where the applicant was listed as a Director at the appropriate time

Points will only be awarded for one registration.

Now go to Part M

M. Engaged in business activity at the time of the application for further leave (extension) (15 points available)

The applicant must demonstrate they are registered either as self employed or as a Director at the time that they apply for further leave.

M1. The applicant must tick one of the following boxes. Is the applicant currently:

Registered as self employed go to question M2

Registered as a director of a new or existing go to question M3

M2. The applicant must provide their latest tax bill from HM Revenue & Customs (HMRC). This will be one of the following documents (please tick to indicate which has been supplied)

A copy of the quarterly National Insurance (NI) bill from the HMRC to the applicant, dated, and from the quarter immediately preceding the application

A copy of the applicant's current bank statement showing the direct debit payment of National Insurance

A copy of the Small Earnings Exception certificate from the latest return date

M3. The applicant must tick to confirm that the specified document has been supplied to demonstrate their current registration as a Director

A printout of the Current Appointment Report from Companies House showing the applicant listed as a company Director.

Points will only be awarded for one registration.

N. Created two full time equivalent posts (20 points available)

During their period of leave as an Entrepreneur, the applicant must have created an aggregate of 2 new full time posts for 2 people for at least 12 months each across their business(es).

Specified documents must be provided to demonstrate this, details of which must be entered in Table 3b2.

A statement of the hourly rate for the employee(s) must also be provided by the applicant. If the hourly rate changed for an employee in the same job please enter this information as a fresh period of employment

Section N continues on the following page

N2. Further information is required from applicants who joined an existing business.

Please tick to indicate that the specified documents below have been supplied in addition to that collected in Table 3b2:

Form P35 for the year prior to the applicant joining the business, showing the total number of employees; and

Form P35 for the year where the job(s) was/were created; OR

Draft P35 if the job was created in the current reporting year and no P35 has been submitted; and

Letter from an accountant confirming the net creation of the post(s)

Now go to Section 4

SECTION 3C - EXTENSION APPLICATIONS – POINTS SCORING ASSESSMENT FOR BUSINESS PERSONS OR INNOVATORS

Attributes

In order for an extension application to be approved the applicant must score 75 points in the Attributes section. If they do not score 75 points the application will be refused. In addition, the applicant must score 10 points in each of the English language and maintenance sections.

Applicants should refer to the Immigration Rules and Tier 1 (Entrepreneur) of the points based system – Policy Guidance

O. £200,000 in cash has been invested directly into one or more businesses in the UK (20 points available)

O1. Has the applicant invested no less than £200,000 in business over the period of the initial grant of leave in this category?

Yes

No

O2. Does the value of any living accommodation form part of any investment in premises that are also used for business?

No go to Table 3c1

Yes go to question O3

O3. If an investment in premises is being used as living accommodation, a letter signed by a member of the Royal Institute of Chartered Surveyors (RICS) confirming the value of the accommodation must be provided.

Tick the following box to confirm that this has been provided.

O4. What is the value of any living accommodation that forms part of any premises that is also used for business?

£ go to Table 3c1

Section O continues on the following page

Table 3c1 - Table of evidence for the direct investment of funds into UK business

The applicant must complete the following table listing each specified document provided to demonstrate each investment. The first line has been completed as an example only.

Name of business	Company registration number if appropriate	Date of investment in the format dd/mm/yyyy	Amount of investment less the value of any accomodation	Audited accounts provided	Un-audited accounts provided	Accountant's certificate provided with un-audited accounts	Legal agreement (for Director's loans only)
Mycompany	12345678	17/04/2008	£X0,000	Yes	No	No	No
Total column							

P. The applicant's previous leave was as Business Person or Innovator

(20 points available)

P1. The applicant must tick the box to show that they wish their registration at the time of further leave (extension) to be assessed for the award of these points

Held previous leave in the Business Person or Innovator category

Q. Engaged in business activity at the time of the application for further leave (extension) (15 points available)

The applicant must demonstrate they are registered either as self employed or as a Director at the time that they apply for further leave.

Q1. The applicant must tick one of the following boxes. Is the applicant currently:

Registered as self employed go to question Q2

Registered as a director of a new or existing company go to question Q3

Q2. The applicant must provide their latest tax bill from HM Revenue & Customs (HMRC). This will be one of the following documents (please tick to indicate which has been supplied)

A copy of the quarterly National Insurance (NI) bill from the HMRC to the applicant, dated, and from the quarter immediately preceding the application

A copy of the applicant's current bank statement showing the direct debit payment of NI

A copy of the Small Earnings Exception certificate from the latest return date

The applicant's last grant of leave was as a Business Person or Innovator and will submit the required evidence within 10 weeks of submitting their application.

Q3. The applicant must tick to confirm that the specified document has been supplied to demonstrate this

A printout of the Current Appointment Report from Companies House showing the applicant listed as a company Director.

The applicant's last grant of leave was as a Business Person or Innovator and will submit the required evidence to the Agency within 10 weeks of submitting their application.

Points will only be awarded for one registration.

R. Created two full time equivalent posts (20 points available)

During their period of leave as a Business Person or Innovator, the applicant must have created an aggregate of 2 new full time posts for 2 people.

The evidence to demonstrate this must be entered in Table 3c2.

Section R continues on the following page

Table 3c2 - Table of evidence for employment created

The applicant must complete the following table to confirm the evidence provided with this application. The first line has been completed as an example only.

Name of employee	Copy of document showing nationality of person employed (Yes/No)	Name of employing business	Start date of period of employment in the format dd/mm/yyyy	End date of period of employment in the format dd/mm/yyyy	Evidence to establish the employment (Yes/No)
A. Nother	Yes	Mycompany	19/04/2008	19/04/2009	Yes

Now go to Section 4

T. Maintenance (Funds) Requirement

The applicant must have a minimum level of funds, and score 10 points, or the application will be refused.

Applicants should refer to the Immigration Rules and the Tier 1 (Entrepreneur) of the points based system - Policy Guidance.

T1. Does the applicant have access to £800 available funds to support himself/herself?

Yes

No

T2. Select what supporting evidence the applicant has sent in order to prove he/she has access to £800 available funds:

Building society pass book covering a consecutive 90 day period

Personal bank or building society statements covering a consecutive 90 day period

Letter from a financial institution regulated by the Financial Services Authority or by the appropriate home regulator, confirming funds and covering a consecutive 90 day period

Letter from a bank or building society confirming funds and that they have been in bank for at least a consecutive 90 day

T3. Tick to confirm that the applicant has claimed 10 points for their level of funds

Now go to Section U

U. Public Funds

It is mandatory to complete Section U. If it is not complete the application will be invalid and will be returned to the applicant.

U1. Is the applicant receiving any public funds?

Yes - go to **question U2** No - go to **Section 5**

U2. The public funds which are relevant for the purposes of the Immigration Rules are listed below. Tick the relevant box(es) to show which of these are being received.

- | | |
|---|--|
| <input type="checkbox"/> Attendance Allowance | <input type="checkbox"/> Carer's Allowance |
| <input type="checkbox"/> Child Benefit | <input type="checkbox"/> Child Tax Credit |
| <input type="checkbox"/> Council Tax Benefit | <input type="checkbox"/> Disability Living Allowance |
| <input type="checkbox"/> Housing and Homelessness Assistance | <input type="checkbox"/> Housing Benefit |
| <input type="checkbox"/> Income-Based Jobseeker's Allowance | <input type="checkbox"/> Income Support |
| <input type="checkbox"/> Severe Disablement Allowance | <input type="checkbox"/> Social Fund Payment |
| <input type="checkbox"/> State Pension Credit | <input type="checkbox"/> Working Tax Credit |
| <input type="checkbox"/> Income Related Employment & Support Allowance - ESA (IR) | |

U3. If the applicant is in receipt of housing and homelessness assistance give details of whether this housing is provided by the local housing authority, a housing association, or other organisation and the name of the relevant authority and details of the arrangement.

U4. If the housing is provided by the applicant's local council or housing authority or part of an agreement between the applicant's employer and the housing authority, give details below and enclose evidence of this from the local housing authority.

U5. Tick to confirm that you have sent:

An original letter from the local housing authority

U6. If the applicant thinks that he/she is subject to an exception and is eligible to claim public funds give details below and enclose evidence of this eligibility, if appropriate.

SECTION 6 - DECLARATIONS**V. Applicant Declaration**

It is mandatory to complete Section V. If it is not complete the application will be invalid and will be returned to the applicant.

The applicant must sign below to show that he/she has read and understood the following declaration. It must be authorised by the applicant and not by a representative or other person acting on his/her behalf. If the applicant is under 18, his/her parent or guardian may sign.

The information I have given in this application is complete and is true to the best of my knowledge.

The photographs I have submitted with this application are a true likeness of myself and have my name on the back of each and I have had the opportunity to see the UK Border Agency photograph guidance.

If there is a material change in my circumstances or any new information relevant to my application becomes available before it is decided, I will inform the UK Border Agency.

As required to do so by the Immigration (Biometric Registration) Regulations, I confirm that I also apply for a biometric immigration document for myself and any dependants applying with me. I understand that the UK Border Agency may make enquiries about any responsible adult nominated to be present when any child under the age of 16 has their fingerprints and/or photograph taken.

I agree to co-operate with UK Border Agency officials, or any other officials charged by the Secretary of State for the Home Office, with conducting pre-issue and post-issue checks on compliance with points based system applications.

I agree to my representative (where applicable) tracking my application with the UK Border Agency, or the UK Border Agency updating my representative on the progress of my application including whether the application has been granted or refused.

I understand that if I knowingly submit any document or documents which are forged, fraudulent or not genuine, and the Secretary of State has sought to verify the documents using processes specified by him, and has been unable to verify conclusively that they are genuine, the application will be refused.

I understand that if the UK Border Agency has reasonable cause to believe that any document or documents I have submitted with this application are forged, fraudulent or not genuine, and the UK Border Agency has sought to verify the documents using processes specified by it but has not been able to verify them, no points will be awarded for these documents even if the UK Border Agency cannot prove that they are not genuine.

I am aware that the rules and regulations governing points based system applications may change in the future and do not assume that the requirements covering any future applications will be the same.

I understand that my details may, in certain circumstances, be passed to fraud prevention agencies to prevent fraud and money laundering. I also understand that such agencies may provide the UK Border Agency with information about me. Further details explaining when information may be passed to or from fraud prevention agencies and how that information may be used can be obtained from the UK Border Agency website at www.ukba.homeoffice.gov.uk.

DECLARATION CONTINUED OVERLEAF

SECTION 7 - SUMMARY SHEET

Fill in this part of the form to help us make sure that we have received the applicant's documents and to keep a record of them while they are with us.

At "A", tell us how many of each of the listed documents the applicant has sent with this application. This is a standard list, applicants should only send in the documents from this list that are required for their application. At "B", list any other documents and state how many in each case. Continue on a separate sheet if necessary.

Part A - Type of document	How many?
Passports	
Biometric Residence Permit and/or travel documents	
Police registration certificates	
Marriage or civil partnership certificate	
Birth certificate	
Driving Licence	

Part B - Listed Items	How many?

Section 7 continues overleaf

TIER 1 (ENTREPRENEUR) APPLICATION FORM - SECTION 7

Fill in the summary sheet below listing the points the applicant has claimed and the supporting evidence (documents) sent. Applicants must send the required evidence as specified in this application form and the Tier 1 (Entrepreneur) of the points based system Policy Guidance.

Failure to submit required evidence is likely to lead to refusal of the application.

Points Scoring Area (Initial application)	Points Claimed	Documents Provided (please list)
Access to £200,000 or £50,000 (Section G)		
Financial institution(s) is/are regulated (Section H)		
Money is disposable in the UK (Section J)		

Points Scoring Area (Extension application)	Points Claimed	Documents Provided (please list)
£200,000 or £50,000 invested in UK Business (Section K or O)		
Registered as self-employed or a director within six months (Section L or P)		
Engaged in business activity at the time of the application (Section M or Q)		
Created two full time equivalent posts (Section N or R)		

Points Scoring Area - All	Points Claimed	Documents Provided (please list)
English Language (Section S)		
Maintenance (Section T)		

Finally, please ensure your application is addressed correctly as follows:

Postal address:

**UK Border Agency
Tier 1
PO Box 496
Durham
DH99 1WQ**

Courier address:

**UK Border Agency
Tier 1
Millburngate House
Millburngate
Durham
DH97 1PA**

TIER 1 (ENTREPRENEUR) - APPLICATION FORM HELP TEXT

Introduction

This document provides information to help applicants to complete the Tier 1 (Entrepreneur) application form.

For further information on Tier 1 (Entrepreneur) of the points based system policy please see Part 6A of the Immigration Rules and the Tier 1 (Entrepreneur) policy guidance notes.

These documents are available on the UK Border Agency website at www.ukba.homeoffice.gov.uk

All the above documents are available in Welsh, Braille, large print, audio and other alternative formats on request.

For further information on alternative formats, and how to obtain these, please contact the Immigration Enquiry Bureau on 0870 606 7766.

Who should apply using this form?

1. This application form should only be completed by individuals who are already in the United Kingdom. Applicants should use the application form if they are:

- Currently in the United Kingdom and wish to make an initial application under Tier 1 (Entrepreneur)
- Currently in the United Kingdom as a main applicant under the Tier 1 (Entrepreneur) and seeking to extend their leave for a further period within their existing category;
- Currently in the United Kingdom in the Business Person or Innovator category and seeking an extension under Tier 1 (Entrepreneur).

This application form should not be used by dependants of main applicants. A separate application form titled 'Points Based System - Dependants Application Form' is available for this purpose and can be found on the UK Border Agency website at

www.ukba.homeoffice.gov.uk

Submitting a valid application

2. The applicant will only be considered to have submitted a 'valid' application if the following has been complied with:

- the correct application form must be completed and submitted
- the correct application fee must be paid
- the applicant's current passport, biometric residence permit (if applicable) or travel documents must be provided, unless it is not available for one of the reasons specified on the application form;
- the mandatory sections in the application form must be completed.
- Two identical passport-size photographs of the applicant with his/her full name written on the back of each one must be supplied.
- Two identical passport-size photographs of any dependants who are applying with the applicant with their full name written on the back of each one must be supplied

The photographs provided must be in the format specified in the separate photograph guidance, which can be found on our website at www.ukba.homeoffice.gov.uk. Please ensure that they are placed in a small sealed envelope attached to Section 2 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

3. Applicants who are required to register with the Police must also include their Police Registration Certificate with their application.

Claiming Points

4. When completing the application form, an applicant must clearly indicate the number of points he/she is claiming within each points scoring area, and detail how he/she meets the criteria for the award of these points.

5. We will only award points for the sections where the applicant has indicated that he/she wishes to claim them, and where the required supporting evidence has been supplied.

Supporting evidence

It is the applicant's responsibility to provide the evidence to support any statements made in his/her application. The applicant must satisfy us that the requirements for the category under which he/she has applied have been met. We must be satisfied, by considering the evidence provided that the applicant meets the necessary criteria.

Applicants must ensure that all of the necessary supporting documentation is provided at the time the application is submitted. Only those documents specified in the application form and set out in detail in the Tier 1 (Entrepreneur) Policy Guidance will be considered acceptable for the purposes of establishing that an applicant qualifies for the points claimed in any scoring area.

The applicant must be selective in submitting evidence, as sending large amounts of irrelevant or poor quality documentation may delay the consideration of the application. It is only necessary to submit evidence that is directly appropriate to the application as requested, as unrelated evidence cannot be considered for points scoring.

To assist us in considering the documentation provided, the applicant should highlight any relevant sections on the documentation provided.

For example, in the points scoring area where the applicant shows that they have the money available to invest in the UK, applicants should highlight the relevant entries and also mark the documents provided, to confirm which source of funds the specific document relates to.

Any documentary evidence that the applicant provides should be original (unless otherwise stated).

Where a document is not in English or Welsh, the original must be accompanied by a fully certified translation by a professional translator. This translation must include details of the translator's credentials and confirmation that it is an accurate translation of the original document. It must also be dated and include the original signature of the translator.

Application types

Applicants should complete different sections of the Tier 1 (Entrepreneur) application form depending on the type of application they are submitting.

Please note that all applicants should complete Sections 1, 2, 4, 5 and 6 of the form as well as the relevant part of Section 3 depending on the type of application.

Initial Applications (Please also complete Section 3A)

This should be completed by applicants who are currently in the United Kingdom under an immigration category other than Tier 1 (Entrepreneur) or the Business Person or Innovator provisions of the Immigration Rules, and who are seeking to 'switch' into Tier 1 (Entrepreneur).

Extension Applications within Tier 1 (Entrepreneur) (Please also complete Section 3B)

This should be completed by applicants who are currently in the United Kingdom under Tier 1 (Entrepreneur) and are seeking an extension of their leave.

Extension Applications - for those currently in the United Kingdom under the business person or Innovator provisions of the Immigration Rules (Please also complete Section 3C)

This should be completed by applicants who are currently in the United Kingdom under the Business Person or Innovator provisions of the Immigration Rules and wish to extend their leave under Tier 1 (Entrepreneur).

Question-specific Help Text

Further advice on specific questions in the application form is detailed below.

B1 - B4 The applicant should provide full details of his/her name and title. If he/she has previously been known by any other name(s) he/she should provide full details of each name, the date of each change and submit the relevant supporting legal documentation.

Evidence of name change(s) should show the applicant's full name before and after the change and may include:

- deed poll documents or marriage certificates; and,
- both the old passport and the new passport.

Should the applicant submit documentation in support of his/her application that refers to him/her under a name(s) not given in this section, we will not consider that documentation.

B7 The applicant should indicate his/her gender. If the applicant has been the subject of Gender Reassignment and the application contains documents relating to previous identities, the applicant should provide a relevant Gender Recognition Certificate (GRC). The only exception to this is where the applicant has previously submitted his/her GRC with an earlier application. In such cases the applicant will therefore not be required to resubmit it.

An applicant should tick the gender as indicated on his/her GRC.

B10 The applicant should indicate his/her marital status. This status may be:

- Married – a person legally married in or outside the United Kingdom;
- Civil partner – a person in a same sex relationship and who has gone through a legal ceremony in the United Kingdom under or by virtue of the Civil Partnership Act 2004, or in the country of his/her residence;
- Unmarried partner – a person in a heterosexual or same sex relationship, which has been subsisting for two years or more but is not married or in a civil partnership;
- Widow – a person whose spouse has passed away and has not re-married or is not currently in an unmarried relationship that has subsisted for more than two years;
- Single – a person who is unmarried and not in a relationship that has subsisted for two or more years;
- Separated – a person legally married in or outside the United Kingdom but no longer living with his/her married partner;
- Divorced – a person married in or outside the United Kingdom whose marriage has been legally dissolved;
- Dissolved – a person who has been in a civil partnership which has been legally dissolved;
- Separation Order – a separated person who remains in law the civil partner of the other person.

B11 All Home Office applications are given an individual reference number. This allows us to track and link past applications. The applicant should provide his/her full Home Office Reference number. This number can be found on any previous Home Office correspondence relating to the applicant. The applicant may have numerous Home Office reference numbers and should provide all such numbers.

B12 All work permit applicants are given individual worker reference numbers; this allows us to track and link past applications. The applicant should provide his/her full worker reference number if applicable. This number can be found on any previous Home Office correspondence relating to the applicant's work permit.

B13 National Insurance Numbers are usually in the format of 2 letters followed by 6 numbers followed by 1 letter e.g. XX 123456 X or 2 numbers followed by 1 letter followed by 5 numbers e.g. 12 X 34567. Where an applicant does not have a National Insurance number in this format this question should be left blank.

B14 An applicant who has made previous applications under the points based system will have been given a points based system Migrant Reference number. This allows us to track and link past applications. The applicant should provide his/her full points based system Migrant Reference number. This number can be found on any previous correspondence relating to applications under the points based system.

C1-C5 The applicant should specify under which nationality he/she entered the United Kingdom. He/she should also provide details of any additional nationalities they currently hold or have previously held.

C6-C8 The applicant must provide details of all passports or travel documents, current or expired, that he/she has used to enter or remain in the United Kingdom, including:

- passport number;
- issue date;
- expiry date; and,
- place of issue.

Where the applicant needs more space than is available he/she should photocopy the relevant page of the application form, add in additional details and submit with his/her application.

Where the applicant holds, or has held, other nationalities he/she should provide the relevant passport or travel document for each nationality held and provide the above details.

Please note for the application to be valid and complete the applicant's current passport, travel document or biometric residence permit must be provided unless it is not available for one of the reasons specified on the application form. They should be original documents and not copies.

In certain circumstances certified photocopies will be accepted where the applicant does not have the original at that time. The applicant must provide details as to its location and state when they will provide it. The applicant must then ensure that the original document is submitted as soon as they can. If the passport has been lost or stolen a Police crime report number /report must be provided along with details of the police station the loss was reported to and the date that it was reported.

For the application to be valid and complete the applicant's current Passport or travel document must be provided unless it is not available for one of the reasons specified on the application form.

C9-C13 If the applicant's current grant of leave was issued on a biometric residence permit he/she must also provide the biometric residence permit in order for the application to be valid, unless it is not available for one of the reasons specified on the application form.

D6 Ports include airports, seaports and St. Pancras International Station where the applicant has entered the United Kingdom by the Channel Tunnel.

D16 The applicant should confirm whether he/she has ever remained beyond the end of his/her period of leave in the UK. Where an applicant's leave had been extended by virtue of Section 3C of the 1971 Immigration

Act, he/she will not be considered to have remained beyond the end of his/her period of leave and should therefore complete the 'No' box in response to this question. (For further information on the provisions of Section 3C please refer to Chapter 1, Section 5 of the Immigration Directorate Instructions).

D29 Where the applicant is not permitted to submit a further fresh application, he/she should not proceed in completing this application form. If an applicant in this position does complete this application form, it will be returned to him/her without having been considered.

If the applicant wishes to vary the grounds of the existing application he/she must refer to Chapter 1, section 5 of the Immigration directorate instructions on our website <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDs/idischapter1/section5/section5.pdf?view=Binary> and contact the UK Border Agency team processing the existing application.

D32 Where the applicant is not permitted to submit a further fresh application, he/she should not proceed in completing this application form. If an applicant in this position does complete this application form, it will be returned to him/her without having been considered.

The applicant should contact the Asylum and Immigration Tribunal at www.ait.gov.uk.

Section 6

W2 If the representative has previously submitted an application on behalf of a migrant or sponsor they should provide their PBS reference number.

W11 The Office of the Immigration Services Commissioner (OISC) regulates United Kingdom based immigration advisers. As a requirement of Section 84 of the Immigration and Asylum Act 1999, United Kingdom representatives, who offer advice and services in relation to an application, will need to

be regulated by the OISC unless they are authorised to practice by a designated legal professional body or fall within a category of persons specified in an order made by The Secretary of State under subsection 84(4) (d) of the Immigration and Asylum Act 1999.

The representative should indicate whether he/she is regulated by the OISC, or the basis on which he/she is otherwise authorised to act in this capacity on the migrant's behalf.

An advisor could be committing a criminal offence if he/she acts on the applicant's behalf without being OISC regulated, or otherwise authorised in accordance with Section 84 of the Immigration and Asylum Act 1999.

W13-W15 If the representative is regulated by a designated legal professional body, listed below, or if he/she works under the supervision of such a person, they will not be required to be regulated by the OISC.

Designated bodies are:

- The Law Society;
- The Law Society of Scotland;
- The Law Society of Northern Ireland;
- The Institute of Legal Executives;
- The General Council of the Bar;
- The Faculty of Advocates;
- The General Council of the Bar of Northern Ireland.

The representative should indicate of which organisation he/she is a member. The representative should indicate whether he/she is personally a member of this organisation or whether he/she is working under the authorisation of another registered member.

Where the representative is not a direct registration holder and is working under the supervision of another registered person, the representative should name the registered supervisor under whom he/she is working.

W16-W19 The representative should indicate whether he/she is registered with or authorised by an EEA body responsible for the regulation of the provision of legal advice in that EEA state; or employed or supervised by the person regulated as defined in Section 84(2) (c) (d), and (e) of the Immigration and Asylum Act 1999.

If a representative makes an application on behalf of an applicant, and that representative is not permitted to provide advice and immigration services (by section 84 of the Immigration and Asylum Act 1999), the UK Border Agency will inform both the representative and applicant of the requirements of the Act, and send further letters (if applicable) to the applicant stated on the application.

Section 7

The applicant should complete the summary sheet before submitting his/her application. The applicant should ensure that he/she indicates the number of points he/she wishes to claim against each points scoring area and the total number of points claimed.

The applicant should also ensure that he/she lists all the supporting documentation he/she has submitted with his/her application.

This documentation should be listed against the points scoring area to which it applies. Any documentation that does not relate to a specific points scoring area (such as passport(s)/ travel document(s) etc) should be listed in the general background information box above the table.

BIOMETRIC RESIDENCE PERMITS

Everyone applying to extend their leave in the UK as a Tier (Entrepreneur) must apply for a biometric immigration document – also known as a Biometric Residence Permit.

As part of this application process a migrant must make arrangements to have his/her biometric features recorded.

What is a Biometric Residence Permit?

The Biometric Residence Permit is a residence permit which holds a migrant's biographic details (name, date and place of birth) and biometric features, and shows his/her immigration status and entitlements while he/she remains in the UK.

It replaces the vignette (or sticker) and ink stamps previously placed in the passports of those granted permission to remain in the UK. If a migrant is issued with a Biometric Residence Permit, he/she will receive a leaflet giving more information about it and explaining any obligations.

What are biometric features?

Biometrics features are the unique physical characteristics that can be used to identify a person such as a facial image and fingerprints. We do this by taking a digital photograph of all applicants and scanning the fingerprints of applicants aged six or over.

Applying in person (premium service applications)

An applicant making an application in person must book an appointment in advance with one of our Public Enquiry Offices (PEOs). The applicant can do this online at <https://ukbabooking.homeoffice.gov.uk/> or by calling our Immigration Enquiry Bureau on 0870 606 7766.

At this appointment the applicant and any dependants applying with him/her will be required to have their biometric features recorded after signing an acknowledgement to confirm that he/she understands what he/she is required to do.

Applying by post

An applicant making a postal application will be sent a letter notifying him/her of the need to make arrangements for himself/herself and any dependants applying with him/her to have their biometric features recorded.

The applicant must record their biometric features within 15 working days of the date of

this letter. The letter will set out the options available. The options will include booking an appointment at the Home Office Biometric Enrolment Centre and may include the option to go to at a Post Office.

- Home Office Biometric Enrolment Centre

The applicant can book an appointment at a Home Office Biometric Enrolment Centre either online at <https://ukbabooking.homeoffice.gov.uk/> or by calling 0300 123 8895.

When the appointment has been booked, the applicant will be given a booking reference number (BRN) which he/she should enter in the BRN space in the notification letter. If the applicant has given us his/her email address, we will confirm the appointment by email within 24 hours. If the applicant has given us his/her mobile telephone number, we will send a text message reminder 48 hours before the date of the appointment.

When attending an appointment, the applicant must bring his/her appointment notification letter with him/her which must include the booking reference number.

- Post Office

The option of attending a Post Office branch is currently available only to single applicants aged 16 or over. This is a walk-in service, with no need to book an appointment; however, there may be a queue for this service. The Post Office branches where the applicant can record his/her biometrics will be detailed in the letter.

The applicant must bring the back page of the letter (which includes his/her case reference number, full name and date of birth) with him/her when he/she attends the Post Office branch. If the applicant fails to bring the back page of this letter with him/her the Post Office will not be able to record his/her biometric features.

Applicants will be charged an additional handling fee payable to Post Office Ltd. Payment to Post Office Ltd can be made by cash or debit card.

Super premium service

As part of the super premium service we will visit the applicant to record his/her biometric features (fingerprints and photograph):

- at a location of his/her choosing; and
- at a convenient time and date for him/her (between 09:00 and 17:00, Monday to Friday), with a minimum of 48 hours' notice following initial contact.

We will make a decision on the application within 24 hours of the biometric features being recorded.

An applicant wanting to use this service should phone 020 8196 3893 or 020 8196 3892. The fee for the service is £6,000 (plus the appropriate Public Enquiry Office fee for that service and any fees applicable to dependants). We will limit this facility to a maximum of 4 main applicants and a maximum of ten persons per visit.

More information about this service, including the fee, is available on our website at <http://www.ukba.homeoffice.gov.uk/contact/super-premium/>.

The recording procedure

The applicant will be asked to place his/her fingers, followed by his/her thumbs, on a glass screen for them to be scanned. If his/her hands are dirty, we will ask the applicant to clean them. We will then take a photograph of the applicant's face.

The same process will be carried out for any dependants applying with the applicant, except that any children under the age of six will only have their photograph taken.

Any children under the age of 16 must be accompanied by a responsible adult when their biometric features are recorded (see Children under the age of 16).

In some circumstances the applicant may be required to attend an identity interview if we require further information to establish his/her

identity.

How and when will the applicant be notified of the outcome of his/her application for an extension of stay and for a Biometric Residence Permit?

If the application is successful, the applicant will not be issued with a residence permit in his/her passport. Instead, he/she will be issued with a residence permit in the form of a Biometric Residence Permit.

- Applying in person

If the application is successful, the applicant will be sent a Biometric Residence Permit(s) for himself/herself and any dependants applying with him/her by secure delivery. The Biometric Residence Permit(s) should reach the applicant within seven working days of his/her appointment. **Biometric Residence Permit(s) cannot be issued on the day itself.**

- Applying by post

If the application is successful, the applicant's passport(s) and other documents will be returned to him/her with a decision letter. The applicant will then be sent a Biometric Residence Permit(s) for himself/herself and any dependants applying with him/her by secure delivery. The Biometric Residence Permit(s) should reach him/her within 7 working days of the date of the decision letter.

If the applicant does not receive the Biometric Residence Permit(s) within ten working days he/she should call 0300 123 2412.

Children under the age of 16

We cannot record the biometric features of children under the age of 16 unless they are accompanied by a responsible adult.

If any such children are applying with an applicant as his/her dependants, we would expect the applicant to be with them when their biometric features are recorded. If not, the person accompanying them must be a responsible adult aged 18 or over who is either the child's parent or guardian, or a person who for the time being takes responsibility for the

child. Any such person must be named on the application form.

If the applicant is a single person under the age of 16, he/she must be accompanied by his/her parent, guardian or other responsible adult aged 18 or over.

If the person accompanying the child(ren) under 16 is not their parent or guardian, that person must bring with him/her a letter confirming that he/she is authorised to take responsibility for the child(ren) when they have their biometrics recorded.

At the appointment the responsible adult will also be asked to provide an acceptable form of identity, such as a passport or driving licence.

What if the applicant fails to record his/her biometric features?

If the applicant fails to record his/her biometric features or book an appointment within 15 working days from the date of the notification letter he/she received, he/she will be sent a warning letter giving him/her another opportunity within a limited period. The letter will also advise that failure to record his/her biometric features or to book an appointment within the stated period will result in his/her application being rejected as invalid or refused on the grounds of non-compliance.

What if the applicant fails to comply with the recording process at the appointment?

If the applicant fails to co-operate fully with the biometric recording process, for example by attempting to obscure his/her fingerprints or face, he/she will be warned that his/her refusal to comply may result in his/her immigration application being refused on the grounds of non-compliance.

What about any medical or physical conditions that may require the UK Border Agency to provide the applicant with special arrangements?

If the applicant and/or any dependants who are applying with him/her have a medical or physical condition which may require special arrangements to be made in order for his/her

biometric features to be recorded, he/she must obtain a letter or other document giving the details of any such condition and enclose it with his/her application.

Appropriate documentary evidence would be a letter from a treating clinician, such as a practising doctor registered with the General Medical Council, giving details of the condition and/or special needs and explaining any arrangements that may be necessary.

Does the applicant need to make any special preparations before his/her biometric identifiers are recorded?

Before the applicant attends his/her appointment, we recommend that he/she checks his/her hands and fingers are clean. If his/her hands are not clean, we may ask him/her to wash them before we scan his/her fingerprints.

We would advise the applicant not to have any colouring or similar substances (such as henna) on his/her hands as this could prevent us from recording his/her fingerprints on the day of his/her appointment. The applicant would then have to make a new appointment which would delay the consideration of the application.

What if the Biometric Residence Permit is lost or stolen?

A migrant must report any lost or stolen Biometric Residence Permit to the UKBA Card Management Service on 0300 123 2412. He/she must also report the loss or theft to the police and get a police report and crime reference number as soon as possible.

The migrant will need to provide the crime reference number and a police report (if he/she has one) when he/she applies for a replacement Biometric Residence Permit on form BRP(RC).

If he/she fails to apply for a replacement Biometric Residence Permit within three months of reporting its loss or theft he/she could be liable to a sanction, such as a Civil Penalty Notice of up to £1,000 and/or curtailment of his/her leave to stay in the United Kingdom.