



Home Office

Reducing common errors in Tier 1 (Entrepreneur) applications

July 2013

The aim of this document is to help you avoid some of the common errors made by applicants submitting Tier 1 (Entrepreneur) applications to the Home Office.

Providing the right specified documents

Use the policy guidance to find out which documents you should send to support your application. At the back of the application form is a list to help you check that you have sent us everything we need.

The Immigration Rules and the policy guidance that we publish explain which documents we will accept. We will not consider any documents other than those specified in the guidance. This is clear, open and transparent but also means that we do not accept alternative documents, even if you feel that they mean the same thing.

Switching into the Entrepreneur route from Post Study Work

If you are switching into the Entrepreneur route from the Post Study Work route, you must provide evidence such as contracts and advertising to show you are already operating a business. You must also show that the service your business offers relates to an occupation equivalent to level 4 or above of the National Qualification Framework (NQF).

Providing proof of funds already invested

If you have already invested funds into the business in the 12 months before you apply, you must provide business accounts (audited or unaudited) when submitting your completed application form. You must provide a director's loan agreement or share certificates where applicable.

Meeting the definition of a UK business

You must provide documentation with your completed application form which shows that your business is based in the UK, has a UK bank account and is subject to the UK tax regime. The documents you must send to us are set out in the policy guidance.

Relying on third party funds

You must provide us with extra evidence if you are relying on third party funds. You should use the policy guidance which tells you what documents you must send with your application. Annex E of the policy guidance contains a declaration template which sets out how you can demonstrate that the funds are available and have been offered to you by a third party. You must ensure that any declarations submitted with an application contain the contact details of all interested parties and be signed by the applicant, any third parties and supported by a document from any legal adviser(s).

Applying as part of an entrepreneurial team

All applications are considered on their own merits. While you and your team member may have provided the same evidence, if you are applying as part of a team you must both demonstrate that you have equal access to the investment funds. This means that both team members' names must be provided on all of the evidence of funding submitted with the application forms.

English language skills

You must show that you can communicate in English to level B1 of the Common European Framework of Reference for Languages (CEFR) across all four areas (reading, writing, speaking and listening). The most common reason why an applicant is not awarded points is that they have not used an approved test or ensured that their certificate is within its validity period.

Maintenance funds

You must show that you hold £3,100 (if applying overseas) or £900 (if applying in-country) in cash money to demonstrate that you are able to maintain yourself without recourse to public funds. You must also show that all of the money has been held in your bank account for a period of 90 days. The evidence you must submit to show this must be issued no earlier than 31 days before making your application.

Proving you are a genuine entrepreneur

A genuine entrepreneur test has been introduced which may require some applicants to attend an interview. If you are invited to an interview you will be asked questions about your background, finances and how you intend to run a business.

More detailed information about the Tier 1 (Entrepreneur) route can be found at:
www.ukba.homeoffice.gov.uk/visas-immigration/working/tier1/entrepreneur/