

## Popular UK Visa Options: The UK Start-up, Innovator and Sole Rep Visa Categories

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By **Paul Webb**, 6th December 2021

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### **The Sole Rep Visa Category – Key Points**

The Sole Rep visa allows an overseas parent company to send a senior employee to the UK to establish its first UK branch or wholly owned subsidiary. To be eligible, some of the key requirements to be met include:

- the main applicant cannot have a majority stake, own or control the overseas business under any arrangement - this also applies to the main applicant's dependent partner (if also applying)
  
- only genuine applicants can apply
  
- the overseas parent company will need to continue to have its headquarters and principal place of business outside the UK
  
- both the overseas parent company and the intended UK branch or wholly-owned subsidiary must be actively trading in the same type of business

- the applicant needs to have the skills, experience and knowledge of the business necessary to undertake the role and have full authority to negotiate and take the operational decisions on behalf of the business
- the applicant will not engage in business of their own nor represent any other business' interest in the UK

### **A Snapshot of the Start-up and Innovator Visa Categories**

The Start-up and Innovator visas (which replaced the former Tier 1 (Entrepreneur) visa category on 29 March 2019), allows entrepreneurial applicants, who have had their business idea assessed and approved by an endorsing body as being innovative, viable, and scalable, to set-up and run their business or businesses in the UK. Some of the key requirements include:

- applicants must be the sole founder or an instrumental member of the founding team, relying on their own business plan, and responsible for executing the plan
- an Innovator visa applicant's business, may have already started trading, but the applicant must be the sole founder or an instrumental member of the founding team
- the "viability" criteria requires the applicant's business plan to be realistic and achievable based on the applicant's available resources
- those applying for an Innovator visa must have initial capital of £50,000

### **Permanent Settlement in the UK**

Although the Start-up visa does not permit applicants to apply for permanent settlement, the Innovator visa does allow this option after 3 years. Similarly, the Sole Rep category is a route to permanent settlement, but after 5 years.

### **Are There Any Other Changes on the Horizon?**

A number of new visa announcements were made in the UK [Budget](#) of March 2021, to encourage investment into, and growth for business – particularly in the fields of academia, science, research and technology. These include:

- the introduction of an elite points-based visa by March 2022
- the launch of the new Global Business Mobility visa category (which may be a replacement of the Sole Rep route) by spring 2022 for overseas businesses to establish a presence or transfer staff to the UK

### **Summary**

The above is a general overview of some of the popular options and key requirements. If you have any questions and/or would like tailored advice on any UK immigration matter, please speak to Dixcart Legal at: [advice.uk@dixcart.com](mailto:advice.uk@dixcart.com) or to your usual Dixcart contact.