



Points Based System – Youth Mobility (Tier 5)

19th September 2008

In May 2008, the UK Border Agency issued a Statement of Intent concerning temporary workers and youth mobility (Tier 5) under the Points Based System. That system is currently being rolled out. So far, only the part of the system for highly skilled migrants (Tier 1) has been introduced.

This information sheet provides information regarding proposals on youth mobility. For information on temporary workers, see the “Points Based System – Temporary Workers” information sheet. For more general information on the Points Based System, see the “Points Based System – General” information sheet.

Statement of Intent on temporary workers and youth mobility

The Statement of Intent sets out the Government’s current proposals for temporary workers and youth mobility (Tier 5). The Introduction makes clear that these are only current proposals and may change before or after Tier 5 is introduced.

The statement is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/managingourborders/pbsdocs/statementofintent/skilledworkersunderpbs.pdf?view=Binary>

The statement is not part of a formal consultation. However, the UK Border Agency invites comments on the proposals. For further information on how to make comments, see page 17 of the statement.

Youth Mobility

Under the youth mobility category of Tier 5, young people from certain countries may be allowed to come to the UK for up to 24 months. During their time in the UK, they will be allowed to work. There will be limited exceptions. Setting up in business or professional sport, or working as a trainee doctor, will not be permitted.

Migrants to the UK under this scheme will not be allowed to stay longer than 24 months. It will not be possible to switch to another Points Based System category or visitor status.

This category will only be available to migrants aged between 18 and 30 years, who are from countries which have joined the Youth Mobility scheme (for this scheme, the national government of the migrant’s home country will be the sponsor). For a country to be accepted onto the scheme, the UK Border Agency will need to be satisfied that:

- there are effective arrangements for returning nationals to that country from the UK
- nationals of that country are regarded as a low risk of immigration abuse (e.g. countries on the UK visa list will be excluded from the scheme)
- the country has provided reciprocal arrangements for UK nationals (i.e. it has a similar scheme allowing, each year, at least 1,000 UK nationals between the ages of 18 and 30 years to go and work in that country for at least 12 months)

Each year, the UK Border Agency will publish a list of countries accepted onto the scheme. The list will also specify the number of places on the scheme allocated to each country (i.e. how many

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nationals of that country will be allowed to come to the UK under the scheme). If a country is removed from the scheme, any national of that country previously accepted will still be able to come to and stay in the UK under the scheme. It is expected that the 'reciprocal arrangements' requirement will mean that nationals of many countries (e.g. several Commonwealth countries), from which working holidaymakers currently come, will not be able to come to the UK under Tier 5.

Requirements under the Youth Mobility category

For a migrant to come to the UK under this category of Tier 5, he or she will need to meet the following criteria for which points will be awarded:

- be sponsored by their national government (and the national government must be accepted onto the scheme – see above) (for which 30 points will be awarded)
- be aged between 18 and 30 years (10 points)
- demonstrate access to at least £1,600 (10 points)

Since 50 points are needed, and no other points are available, it is clear that each of these requirements must be met.

The sponsorship arrangements will not be the same for all countries under the scheme. For some of these countries, the UK Border Agency will each year issue the national government with an allocation of sponsorship certificates. To satisfy the sponsorship requirement, the migrant will need to present a valid certificate with his or her application to come to the UK.

For some other countries, sponsorship will be 'deemed'. This simply means that the migrant will not need to obtain or present a certificate. He or she will be accepted as sponsored simply by virtue of his or her nationality. The countries for which this will apply will be those countries whose nationals the UK Border Agency assesses as being a particularly low immigration risk.

Rules and concessions to be withdrawn

When this category of Tier 5 is introduced, the following schemes will be withdrawn:

- Working Holidaymaker Scheme
- Au Pair rules (for non-EEA nationals)
- BUNAC Scheme concession
- Gap Year entrants concession
- Japan: Youth Exchange Scheme concession
- Research assistants to Members of Parliament concession

The only exception will be that any outstanding applicants (or those appealing against refusal) under these schemes will be eligible for consideration as working holidaymakers.