

# **ILPA** immigration update 36

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## **Immigration Rules**

The latest changes to the Immigration Rules will take effect on 6 April 2011. These changes affect refugee family reunion, the re-entry bans introduced in 2008, indefinite leave to remain/enter (settlement) applications and Tiers 1 and 2 of the Points Based System. The “General Grounds for Refusal” information sheet includes information about the changes affecting re-entry bans.

Information about some of the other changes is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/march/39-entrepreneurs-investors>

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsfragments/41-t2-sponsor-changes>

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsfragments/42-settlement>

## **Age requirement for married and civil partners**

The Supreme Court has granted the Home Office permission to appeal against the decision of the Court of Appeal in *R (Quila & Ors)* [2010] EWCA Civ 1482, which decision was the subject of the December 2010 “Marriage Age Judgment 2” information sheet. In granting permission to appeal, the Supreme Court has stayed the effect of the Court of Appeal’s decision. This means that the Home Office will not be required to give effect to the Court of Appeal’s decision unless and until the Supreme Court lifts the stay or decides to uphold the decision of the Court of Appeal.

## **Students**

The Government has announced changes it intends to make that will affect migrants studying in the UK. More information is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/march/54-student-visas>

## **Shortage occupations (Tier 2 of the Points Based System)**

The Government has made changes to the shortage occupations list. See:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/march/37government-removal-list>

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/march/10-mac-uk-shortage-occ-lists>

## **Eastern European nationals**

The Workers Registration Scheme which applies to nationals of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia will be abolished on 1 May 2011.

These nationals will have the same free movement rights as other EU nationals from that date. See:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/march/24-wrs-closure>

## **Removals of families**

The UK Border Agency has introduced further provisions relating to the removal of families. More information is available from the “UKBA Family Returns” information sheet.