



# TIER 1 (INVESTOR)

Tier 1 (Investor) is the category under the Points Based System for high net worth individuals making a substantial financial investment to settle in the UK. If you are a non EU national and have over £2m of your own money to invest in the UK, you may qualify for residency as a Tier 1 Investor.

## Initial Applications

You will require to show that you have funds amounting to at least £2m which is your own money or that of your spouse or held jointly. The funds must be held in a regulated financial institution such as a Bank, Building Society, Stocks or Asset Management firm. The funds must be disposable in the UK.

## Investments and source of funding

The funds should be held for a period of 90 days prior to the date of application. If held for less than the 90 days you will be required to show the source of the funds and that you are free to invest them in the UK. For example: Gift, Sale deed, Evidence from a business, Will, Divorce Settlement, Award or winnings.

## The Investment Period

At least £2m must be invested in the UK by way of UK Government bonds, share capital or loan capital in active and trading UK registered companies within 3 months of the specified date which is the date of entry to the UK using the Tier 1 visa. You must maintain at least £2m under your control in one of the permitted investment routes in the UK.

## The actual Investment

You must maintain the investment of at least £2m of your own money in the UK by way of Government Bonds, share or loan capital in active and trading UK Registered companies. You cannot invest in off shore companies, investment companies nor companies who are principally concerned with property investment, management or development.

## Dependants

Tier 1 (Investor) migrants will be able to invite their spouse/unmarried partner/civil partner and children under 18 years of age to join them as

dependants. The dependants will be given full rights to work in the UK apart from working as a Trainee Doctor/Dentist or professional sportsperson or sports coach.

## Allowable absences

The Tier 1 (Investor) migrants are allowed to remain outside the UK for maximum of 6 months (180 days) in any calendar year without losing their right to apply for permanent settlement after 2 years (£10m investment), 3 years (£5m investment) or 5 years (£1m investment for applicants whose initial application was made prior to 06.11.2014, £2m for all other applicants).

## Permanent Residency

If you have maintained the level of investment at £2m, then you can qualify for settlement (permanent residence) in the UK within 5 years. You can achieve settlement earlier but this is dependent upon the level of your investment. You can qualify for accelerated settlement if you have invested £5m over a period of 3 years and in 2 years for an investment of £10m.

Although exempt from the English language requirement to gain initial entry and extensions, you will need to show sufficient knowledge of English Language and Life in the UK by way of the appropriate test, in order to gain permanent residency.

## British Nationality

For investors maintaining a level of funds at £10m, although permanent residency is achievable after 2 years, for Naturalisation purposes in terms of the British Nationality Act 1981, a further period of 3 years is required to satisfy residency conditions for Naturalisation.

## Extension Applications

The Immigration Rules changed significantly on 06.11.2014 for the Tier 1 (Investor) category. It is important to understand the requirements depending when your initial visa was granted.

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## SERVICES

- ▶ Expert advice on the requirements of the Immigration Rules, procedure and specified evidence in making an application.
- ▶ Preparation of all required evidence and completion of application.
- ▶ Drafting of financial portfolios and detailed submissions.
- ▶ Assistance in referrals to qualified Financial advisors and Wealth Management firms to ensure financial compliance.
- ▶ Referral management to Business and Corporate solicitors and Accountants.
- ▶ Assistance in relocation services to the UK with professional companies.
- ▶ Ongoing support and advice throughout the period of visa control with full compliance checks.



## GRACE MCGILL

Grace McGill is an experienced practitioner in Immigration & Refugee law who has specialised in this area of law for over 20 years, Grace established McGill & Co in April 2008, a specialised Immigration Law firm based in Scotland.

Having extensive experience in all aspects of UK Immigration Law, Grace focuses on family migration including intercountry adoptions, Investor applications and commercial immigration. She is particularly adept at the successful progression of complex immigration matters for individuals and provides skilled representation at all levels of the process.

Grace is a member of the International Bar Association

and the Immigration Law Practitioners Association. She is also a member of the Commonwealth Lawyers Association and the British Association of Sport & Law. She is the legal advisor in Immigration Law to Whichlaw UK and has been appointed to author the Immigration Law Chapter of the Stair Memorial Encyclopaedia. She is also appointed to the Board of Trustees for the Scottish Child Law Centre. Grace has received recommendation by the Legal 500 and hold a Masters degree in International Human Rights Law.

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