

ENGLAND AND WALES

Forsters' Private Client Immigration Services

THE UK IS A POPULAR DESTINATION FOR MANY HIGH NET WORTH INDIVIDUALS AND THEIR FAMILIES, FROM THE CORPORATE EXECUTIVE OR ENTREPRENEUR WHO RELOCATES TO THE UK FOR BUSINESS OPPORTUNITIES TO FAMILIES WITH CHILDREN WHO CHOOSE THE UK FOR THE LIFESTYLE AND WORLD-CLASS EDUCATION SYSTEM.

Forsters offers an expert and efficient service in niche areas of UK immigration law most relevant to private clients. We advise on all stages of our clients' relocations to the UK, from initial visa applications and renewals, to applications for Indefinite Leave to Remain (ILR) in the UK and British Citizenship by naturalisation.

Our team co-ordinate applications with clients, their advisers and family offices and can draw upon the extensive breadth and depth of Forsters' other services, including:

- UK tax advisory,
- family governance planning, and
- residential property purchases, among others, to ensure that clients experience a smooth transition to the UK.

TIER 1 (INVESTOR) VISA

The Tier 1 (Investor) Visa enables high net worth individuals able to make a substantial investment of at least £2 million in the UK to move to the UK (with their dependant spouses and minor children) to live, work or study. It offers more flexibility than other types of UK visas, especially in terms of economic activity in the UK.

Investment must be made in shares or loan capital in active and trading UK registered companies and maintained continuously throughout the duration of an individual's stay in the UK under the visa.

The visa does not require individuals to demonstrate knowledge of the English language or have sufficient financial resources and accommodation in the UK.

After five years' continuous lawful residence in UK under the visa, individuals and their dependant family members may qualify for ILR in the UK, provided they satisfy additional requirements including:



- spending no more than 180 days outside the UK in any 12-month period during the five years ("UK residence requirement"); and
- demonstrating sufficient knowledge of the English language and life in the UK.

Individuals can qualify for accelerated ILR after two or three years' continuous UK residence if they instead invest £10 million or £5 million respectively.

Timeline of typical Tier 1 (Investor) Visa migrant



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FAMILY VISA FOR SPOUSES OR PARTNERS OF BRITISH CITIZENS

Transnational relationships and marriages involving British Citizens are commonplace around the world, particularly in International Finance Centres such as Singapore, Hong Kong, Dubai and New York.

Foreign nationals can move to the UK under a family visa as the spouse or partner of a British Citizen. Their relationship must be genuine and subsisting and the couple must intend to live permanently together in the UK. Other requirements include having:

- knowledge of the English language;
- sufficient finances at a certain prescribed level; and
- adequate accommodation in the UK.

The visa offers individuals a route to ILR in the UK after five years' continuous lawful residence, subject to certain requirements being met. However, unlike the Tier 1 (Investor) Visa (and other types of UK visas):

- there is no UK residence requirement for ILR under this visa category; and
- it enables applications for British Citizenship to be expedited.

These distinguishing features make the family visa well-suited for couples seeking to put down long-term roots in the UK.

HONG KONG BN(O) VISA

Forsters' renowned and leading private client practice in Hong Kong and the wider Asia region makes us uniquely placed to assist individuals with British National (Overseas) status and their family members to relocate to the UK under the Hong Kong BN(O) Visa.

The key requirements for this visa include the applicant:

- having British National (Overseas) status;
- being ordinarily resident in Hong Kong or the UK and Channel Islands; and
- being able to accommodate and provide financial support for themselves and family members for at least 6 months in the UK.

The feature that distinguishes this visa from others is that adult dependants of British National (Overseas) individuals, such as parents and adult children, can also move to the UK under the visa subject to satisfying certain requirements. Individuals can apply for ILR after five years under the visa, provided they satisfy the requirements including the UK residence requirement.

“THERE IS A GENUINE SENSE THAT THE FIRM CARES ABOUT ITS CLIENTS AND VALUES THEM AND THEIR WELL BEING”

Legal 500



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BREXIT & EU AND SWISS NATIONALS

Following the UK's withdrawal from the EU, the landscape of UK immigration for private clients with EU or Swiss nationality has changed significantly.

EU and Swiss nationals who were resident in the UK on or before 31st December 2020 may wish to apply either for pre-settled or settled status under the EU Settlement Scheme in order to secure and preserve their UK residence rights.

We can assist clients with making such applications before the 30 June 2021 deadline, as well as advising them on their possible subsequent applications for British Citizenship.



“THEY HAVE CONTINUALLY SATISFIED EXPECTATIONS FOR RELIABILITY AND EFFICIENCY AND ARE ALWAYS DEDICATED TO DELIVERING A QUALITY SERVICE”

Chambers HNW Guide

BRITISH CITIZENSHIP BY NATURALISATION

Acquiring British Citizenship may be the ultimate goal for many international private clients due to its many benefits. These include greater freedom to stay and travel in the UK and visa-free access to visit numerous countries around the world.

Overseas nationals lawfully residing in the UK for a continuous period of five years may qualify for British citizenship by naturalisation, subject to meeting key requirements including:

- having ILR status for at least 12 months prior to applying;
- not being outside the UK for more than 450 days during the five-year period; and
- not being outside the UK for more than 90 days in the 12 months prior to applying.

An exception exists for those with family visas as spouses or partners of British citizens. They are in a privileged position of being able to naturalise as a British citizen:

- immediately after obtaining ILR status; and
- after lawfully residing in the UK for a continuous period of 3 years, provided that they have not spent more than 270 days outside the UK during that period.

Obtaining British Citizenship can give rise to certain cross-border estate planning and tax implications. We are able to advise on these potentially complex issues due to our extensive experience advising international private clients.

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