

International entrepreneurs may have more immigration opportunities in the UK than they know about

Although UK has closed the entrepreneur and investor visas for new applicants, there are still immigration opportunities for business owners and entrepreneurs

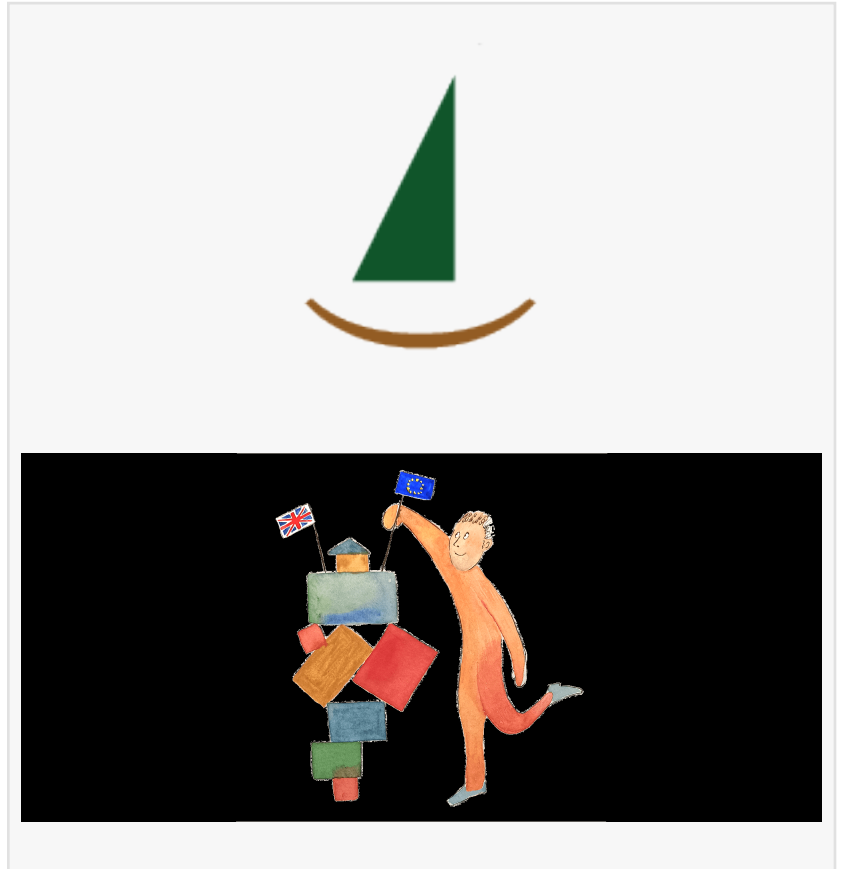
LONDON, ENGLAND, August 17, 2023 /EINPresswire.com/ -- Overseas businesses wishing to expand to the UK market often approach [immigration lawyers](#) to investigate the options available for non-British entrepreneurs.

The best starting point for the discussion is to understand where the business is with their expansion plan and set out the priorities.

You don't need a business visa to set up a business in the UK. In fact, a business may be registered with the Companies House without you having to travel to the UK.

It may not be widely known, but the owner of a UK-based business does not have to be a UK resident. Businesses can be bought and sold in the UK to foreign nationals and a new business can be set up by a non-resident without breaking the law. However, right to work is required if you wish to run the business or work for the business.

A business that is established and trading overseas but has no presence in the UK market has to define their priorities – do you need to bring people from your overseas location to the UK to get the UK branch started or are you happy to use local workforce at the initial stage? Do you need representatives of your business in the UK before you started trading, or are you happy to start with the local staff?



These questions have to be answered as early as possible, because the answer will determine the expansion plan and the type of licence you will need.

There are essentially two types of licence to consider: the Expansion Worker or the Skilled Worker. The third option - the Senior or Specialist Worker route - is of marginal significance with hardly any palpable advantages over the other two options.

The [Expansion Worker licence](#) can be granted to an overseas business or, more commonly, to a UK-registered branch of an overseas business before the business starts trading in the UK. This licence will allow the business to second their staff to the UK for the initial two year period. During this period the business has to secure a [Skilled Worker sponsor licence](#) if they wish to keep their overseas personnel for a longer period or if they need to second or recruit more expats.

Once the business has started trading in the UK, the Expansion Worker licence is no longer an option. However, the Skilled Worker licence will only be available once there is at least one settled worker employed by the business in the UK in a position suitable to supervise the recruitment of overseas personnel. If there is no such person, the licence may not be attainable.

From the immigration point of view, success of the venture depends on the timing of hiring the first settled person in a reasonably senior position.

An investor, who buys an existing UK-based business with settled members of staff, may be sponsored by the business provided there is a genuine need for his contribution into the business and his salary (not dividends) will meet the requirements of rules.

Equally, an investor who sets up a new business in the UK, requires a settled worker in a senior position to get the business up and running and to apply for a Skilled Worker licence allowing to bring in more employees from abroad.

The business faces the hurdle of proving that the employees are genuinely needed by the business and that there is a genuine vacancy which corresponds to a genuine business need. Apart from that, there is no restriction on self-sponsorship and the investor/entrepreneur route is still available, and perhaps more accessible than ever.

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