

Tel: +44 (0) 203 617 9173
Fax: +44 (0) 203 004 1611
Email: info@richmondchambers.com

RICHMOND
CHAMBERS.

immigration barristers

START-UP AND INNOVATOR VISAS



CONTENTS

Introduction	03
Requirements for a Start-up visa	04
Requirements for an Innovator visa	05
The 3 and 5 year routes to settlement in the UK	08
Frequently asked questions	09
Case studies	14
Our services	16
Our fees	18
Testimonials	19

START-UP VISA

The Start-up visa is for new entrepreneurs who want to establish a business in the UK for the first time.

You do not need to be a graduate or have secured any initial funding. However, you will need to have an innovative, viable and scalable business idea which has been approved by an endorsing body.

Generally, Start-up visa applicants will not already have started setting up their business in the UK. However, where they have, the new business should not yet have started trading.

Start-up visas are one-off visas, valid for 2 years and the category does not lead directly to settlement in the UK. However, Start-up visa holders may extend their stay in the Innovator visa category and qualify for indefinite leave to remain 3 years later. Start-up visa applicants can bring their partner and any children under the age of 18 to the UK.

INNOVATOR VISA

The Innovator visa is for experienced businesspersons seeking to establish a new business in the UK.

In most cases you will need to have access to at least £50,000 to invest in your business (or have already invested £50,000 in your business), but certain exceptions apply. You will also need to have an innovative, viable and scalable business idea which has been approved and is supported by an endorsing body.

Applicants are expected to present a new business idea. Generally, the business will not already exist. However, where it does, the new business should not yet have fully started trading.

Innovator visas are valid for 3 years and can lead directly to indefinite leave to remain in the UK at the end of this period. Innovator visa applicants can bring their partner and any children under the age of 18 to the UK.

REQUIREMENTS FOR A START-UP VISA

Initial applications for a Start-up visa

In order to qualify for a Start-up visa, you will need to satisfy UK Visas and Immigration that:

- You are at least 18 years old;
- You have not previously established a business in the UK (unless you previously held leave as a Tier 1 Graduate Entrepreneur);
- You have been endorsed by an approved UK endorsing body that has assessed your business idea for innovation, viability and scalability and is satisfied that you will spend the majority of your working time in the UK on developing your business venture;
- Your endorsement letter was issued not more than 3 months before the date of your Start-up visa application;
- You genuinely intend to undertake, and are capable of undertaking, any work or business activity in the UK stated in your application;
- You are competent in the English language to at least CEFR Level B2 (equivalent to IELTS 5.5 in reading, writing, listening and speaking);
- You have at least £945 available to support yourself (and £630 for each dependent) without relying on public funds.

Endorsement criteria for a Start-up visa

In order for your business proposal to be endorsed, an approved endorsing body will need to be satisfied that your business idea meets all of the following criteria:

- **Innovation:** You have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage;
- **Viability:** You have, or are actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business;
- **Scalability:** Your business plan has potential for job creation and growth into national markets.

The endorsing body will also need to be satisfied that you will spend the majority of your working time in the UK on developing business ventures.

Extending a Start-up visa and applying for ILR

It is not possible to extend a Start-up visa and Start-up visa holders are not eligible for settlement. However, at the end of 2 years you will be able to apply for further leave to remain in the Innovator category in order to continue developing your business. The Innovator category can lead to settlement after a further 3 years. If you do not wish to continue your business after two years then you will have the option to switch into another immigration category, such as the Skilled Worker route.

DID YOU KNOW?:

Richmond Chambers is a trusted introducer to several endorsing bodies, ensuring eligible clients direct contact with investment panel members as well as transparent and timely decision-making.



REQUIREMENTS FOR AN INNOVATOR VISA

Initial applications for an Innovator visa

In order to qualify for an Innovator visa you will need to satisfy UK Visas and Immigration that:

- You are at least 18 years old;
- You have at least £50,000 available to invest in your UK business or have already invested £50,000 in your UK business (this requirement is waived if switching from the Tier 1 Graduate Entrepreneur or Start-up category to pursue the same business venture or extending as an existing Innovator to pursue the same business venture and, in both cases, you have shown significant achievements judged against your business plan);
- If applying to set up a new business venture, you have been endorsed by an approved UK endorsing body that has positively assessed your business idea for innovation, viability and scalability and is satisfied that you will spend your entire working time in the UK on developing your business venture;
- If applying to continue the same business venture as in your initial application, you have been endorsed by an approved UK endorsing body that is satisfied that you have shown significant achievements judged against the business plan assessed in your previous endorsement, you are registered with Companies House as a Director or Member of your business, your business is active, trading and appears sustainable for at least the following 12 months, you have had an active key role in the day-to-day management and development of the business and you will spend your entire working time in the UK on developing your business ventures;
- Your endorsement letter was issued not more than 3 months before the date of your Innovator visa application;
- You genuinely intend to undertake, and are capable of undertaking, any work or business activity in the UK stated in your application;
- You are competent in the English language to at least CEFR Level B2 (equivalent to IELTS 5.5 in reading, writing, listening and speaking);
- You have at least £945 available to support yourself (and £630 for each dependent) without relying on public funds.

Endorsement criteria for an Innovator visa

In order for your business proposal to be endorsed, an approved endorsing body will need to be satisfied that your business idea meets all of the following criteria:

- **Innovation:** You have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage;
- **Viability:** You have the necessary skills, knowledge, experience and market awareness to successfully run the business;
- **Scalability:** Your business plan shows evidence of structured planning and potential for job creation and growth into national and international markets.

The endorsing body will also need to be satisfied that you will spend your entire working time in the UK on developing business ventures.

If you are applying to continue the same business venture as in your initial application, you will need to demonstrate significant achievements judged against the business plan assessed in your previous endorsement. You will need to demonstrate that you are registered with Companies House as a Director or Member of your business, your business is active, trading and appears sustainable for at least the following 12 months, you have had an active key role in the day-to-day management and development of the business and you will spend your entire working time in the UK on developing your business ventures.



Indefinite Leave to Remain as an Innovator

In order to qualify for indefinite leave to remain as an Innovator you will need to satisfy UK Visas & Immigration that:

- You have been endorsed by an approved UK endorsing body that is satisfied that you have shown significant achievements judged against the business plan assessed in your previous endorsement, you are registered with Companies House as a Director or Member of your business, your business is active, trading and appears sustainable for at least the following 12 months, you have had an active key role in the day-to-day management and development of the business and you will spend your entire working time in the UK on developing your business ventures;
- You satisfy **at least two** of the following:
- At least £50,000 has been invested into the business and actively spent furthering your business plan;
 - The business has created the equivalent of at least 5 full-time jobs for resident workers, which have an average salary of at least £25,000 a year;
 - The business has created the equivalent of at least 10 full-time jobs for resident workers with no average salary requirement;
 - The number of customers has at least doubled within the most recent 3 years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services;
 - The business has engaged in significant research and development activity and has applied for intellectual property protection in the UK;
 - The business has generated a minimum annual gross revenue of £1 million in the last full year covered by its accounts;
 - The business has generated a minimum annual gross revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas.
- You have spent not more than 180 days outside the UK in any rolling 12 month period during the 3 years prior to the date of application;
- You have sufficient knowledge of the English language and Life in the UK.

OUR COMMITMENTS TO OUR CLIENTS INCLUDE:

- Direct access to specialist immigration barristers
- Expert knowledge of immigration law and procedure
- Honest and independent legal advice
- Professional and reliable service with fast response times
- Practical and affordable immigration solutions
- Consistent record of success and positive client feedback

THE 3 AND 5 YEAR ROUTES TO SETTLEMENT IN THE UK

START-UP VISA

Initial Application

- At least 18 years old
- Not previously established a UK business
- Endorsed by an approved UK endorsing body
- Endorsement letter issued within last 3 months
- Genuinely intend business activity in the UK
- English language requirement
- Maintenance funds requirement

Two
years
granted

INNOVATOR VISA

Initial application

- At least 18 years old
- £50,000 available to invest
- Endorsed by an approved UK endorsing body
- Endorsement letter issued within last 3 months
- Genuinely intend business activity in the UK
- English language requirement
- Maintenance funds requirement

Three
years
granted

Settlement application

- Endorsed by an approved UK endorsing body
- Satisfy at least 2 specified business criteria
- Residence requirement
- English language and Life in the UK

Indefinite
leave to remain
granted

Note: Start-up visas are valid for 2 years and do not lead directly to settlement in the UK. Innovator visas are valid for 3 years and lead directly to settlement in the UK. Start-up visa holders may extend their stay in the Innovator visa category and thereby achieve settlement after 5 years.

FREQUENTLY ASKED QUESTIONS

START-UP VISA

Is there an investment funds requirement for a Start-up visa?

Start-up visa applicants do not need any funds to invest in their business. However, the requirement to have a 'viable' and 'scalable' business idea means that, in practice, you may need to have funds available to invest. Some endorsing bodies require a certain level of funding as a condition of endorsement.

Where can I find out more about Start-up visa endorsing bodies?

The Home Office has published a list of endorsing bodies for Start-up visa applications. This list of endorsing bodies contains the names of all currently approved Start-up visa endorsing bodies, as well as links to their websites and, where available, details of their application process and endorsement criteria.

Which endorsing body should I apply to?

The right endorsing body for your application will depend on your individual requirements, such as the field in which your business will operate, the timing of your application, where you plan to base your business, and what support, if any, your business requires.

How can Richmond Chambers help with securing Start-up visa endorsement?

Our barristers can advise you on the most appropriate endorsing bodies for your application. Richmond Chambers is also a trusted introducer to several endorsing bodies, ensuring eligible clients direct contact with investment panel members as well as transparent and timely decision-making.

ADVANTAGES OF LIVING AND WORKING IN THE UK:

- Stable and democratic political system;
- Internationally renowned schools and universities;
- High quality of life, cosmopolitan society and attractive lifestyle opportunities;
- Strong and respected system of law;
- Favourable tax regime;
- British Pound considered by many to be a "safe haven" currency.

Can I switch into the Start-up visa category?

Applications for Start-up visas can be made from outside the UK, but it is also possible to switch into the Start-up visa category from within the UK if you were last granted leave to remain as a Tier 1 Graduate Entrepreneur (if not yet granted 2 years' leave in the category), Tier 2 General or Tier 2 ICT Skilled Worker, Tier 4 General Student or Prospective Entrepreneur.

Can Start-up visa applicants join an existing business?

The Start-up visa category is for people seeking to establish a new business in the UK for the first time. If you are looking to join an existing business then the Start-up visa category is not an appropriate immigration route.

Can I apply for a Start-up visa as part of a team?

You do not need to be the sole founder of your business and may be a member of a Start-up team. This means that you may share the same business idea and plan as another Start-up team member. However, each applicant must receive their own individual endorsement from an approved endorsing body.

How long is a Start-up visa valid for?

Your initial Start-up visa will be valid for 2 years, unless you were previously granted leave as a Tier 1 Graduate Entrepreneur, in which case you will be granted leave for a period that will take you to the maximum 2-year limit.

Will I be able to extend my Start-up visa and apply for ILR?

It is not possible to extend a Start-up visa and Start-up visa holders are not eligible for settlement. However, at the end of 2 years you will be able to apply for further leave to remain in the Innovator category in order to continue developing your business. The Innovator category can lead to settlement after a further 3 years.

Does the Start-up visa have a residence requirement?

As a Start-up visa holder you will not be required to spend any particular amount of time in the UK. However, your endorsing body will need to be satisfied that you are continuing to work on your business venture and have demonstrated reasonable progress in relation to either your original or a new business idea.

Will I be able to undertake other work?

Start-up visa holders are permitted to undertake employment other than working for the business or businesses that they have established. However, your endorsing body will need to be satisfied that you are continuing to work on your business venture and have demonstrated reasonable progress in relation to either your original or a new business idea.





INNOVATOR VISA

Do I need to apply for a Start-up visa before applying for an Innovator visa?

If you are an experienced businessperson with at least £50,000 available to invest in your UK business then you may qualify for an Innovator visa directly, without first needing to apply for a Start-up visa.

Should I apply in the Innovator or Start-up category?

The right category will depend on your current circumstances and long term goals in the UK. The Innovator route has a quicker route to settlement, but will require initial funding of at least £50,000. The Start-up route has a lower threshold for entry, but allows more flexibility as individuals in this category are permitted to take other employment while their business gets up and running.

Is there an investment funds requirement for an Innovator visa?

You will generally need to have at least £50,000 available to invest in your UK business or have already invested £50,000 in your UK business. You may rely on money of your own or funding provided by your endorsing body.

The requirement to have a 'viable' and 'scalable' business idea means that, in practice, you may need to have more than £50,000 available to invest. Some endorsing bodies require an additional level of funding as a condition of endorsement.

This requirement is waived if switching from the Tier 1 Graduate Entrepreneur or Start-up category to pursue the same business venture or extending as an existing Innovator to pursue the same business venture and, in both cases, you have shown significant achievements judged against your business plan.

Where can I find out more about more Innovator visa endorsing bodies?

The Home Office has published a list of endorsing bodies for Innovator visa applications. This list of endorsing bodies contains the names of all currently approved Innovator visa endorsing bodies, as well as links to their websites and, where available, details of their application process and endorsement criteria. Our barristers can advise you on the most appropriate endorsing bodies for your application.

Which endorsing body should I apply to?

The right endorsing body for your application will depend on your individual requirements, such as the field in which your business will operate, the timing of your application, where you plan to base your business, and what support, if any, your business requires.

How can Richmond Chambers help with securing Innovator visa endorsement?

Our barristers can advise you on the most appropriate endorsing bodies for your application. Richmond Chambers is also a trusted introducer to several endorsing bodies, ensuring eligible clients direct contact with investment panel members as well as transparent and timely decision-making.

Can I switch into the Innovator visa category?

Applications for Innovator visas can be made from outside the UK, but it is also possible to switch into the Innovator visa category from within the UK if you were last granted leave to remain as a Start-up, Tier 1 Graduate Entrepreneur, Tier 1 Entrepreneur, Tier 2

General or Tier 2 ICT Skilled Worker or Visitor (if you came to the UK to get funding from any source and have a letter of support).

Can Innovator visa applicants join an existing business?

The Innovator visa category is suitable for experienced businesspersons who are looking to set up a new business in the UK which is innovative, viable and scalable. Applicants are expected to present a new business idea.

Generally, the business that forms the basis of the new business idea will not already exist in the UK. However, where it does, the business should not yet have fully started trading.

Can I apply for an Innovator visa as part of a team?

Innovator visa applicants can work on their own as a sole founder, or together as part of an innovator team. However, each applicant must receive their own individual endorsement from an approved endorsing body.



Innovator team members that are required to satisfy the investment funds requirement for a new business endorsement also cannot share the same £50,000 but must instead have at least £50,000 investment funds each.

Are there any restrictions on the type of business I can set up?

Your business idea may relate to any sector, provided the business idea is sufficiently innovative, viable and scalable. Applicants can also develop other businesses as well as their main business idea.

What is the role of the endorsing body once I have my Innovator visa?

You will need to stay in contact with your endorsing body with checkpoints at 6, 12 and 24 months after your application is successful.

The endorsing body will need to be satisfied that you are continuing to work on your business venture and have demonstrated reasonable progress in relation to either your original or a new business idea that is innovative, scalable and viable. Your endorsement may be withdrawn and your leave curtailed if this is not the case.

How long is an Innovator visa valid for?

Your initial Innovator visa will be valid for 3 years.

Will I be able to extend my Innovator visa and apply for ILR?

It is possible to extend an Innovator visa for periods of 3 years at a time, subject to being re-endorsed each time. There is no maximum time limit in the Innovator category.

You will be able to apply for indefinite leave to remain (settlement) as an Innovator after spending 3 years in the Innovator visa category.



Does the Innovator visa have a residence requirement?

In order to qualify for indefinite leave to remain you will need to have spent not more than 180 days outside the UK in any rolling 12 month period during the 3 years prior to the date of application.

Will I be able to undertake other work?

As an Innovator you will be able to develop other businesses as well as your main business idea. However, you will not be permitted to take any employment other than working for the business or businesses that you have established. Any arrangement which amounts to disguised employment with another employer would breach the conditions of your stay.

CASE STUDIES


Our business immigration team has assisted many entrepreneurs and their families to relocate to the UK under the Start-up and Innovator visa routes. For example:

Our immigration barristers assisted a Kuwaiti national to obtain an Innovator endorsement from a Home Office approved endorsing body in order to set up and run his innovative engineering firm in the UK. Our client had previously run businesses in the US and Middle East and had secured a patent for his product.

Our client was a financial services expert from Nigeria. We assisted her and her family to make successful Innovator visa and dependent applications to come to the UK, in order to set up an innovative financial services firm in the UK.

We assisted an Indian family working in financial services in the Middle East to gain Innovator endorsement to start an innovative financial services firm in the UK.

Our client, who was a national of Pakistan, successfully extended his leave in the UK in the Start-up category, in order to start a fitness merchandise company using innovative branding technology.



The Richmond Chambers immigration team prepared an application for endorsement for our Russian client, who received several offers of endorsement for his mobile application company. Our client was then able to make his application for leave to remain in the UK as an Innovator.

Our team assisted a South African national obtain an offer of endorsement in the Start-up category, so that he could start a boutique accounting and professional services firm in the UK.

We assisted a Jordanian national obtain endorsement as an Innovator, in order to start her educational company providing training in AI and STEM subjects. After securing endorsement we assisted with her visa application to come to the UK.

The Richmond Chambers Immigration Team assisted our Indonesian client to secure endorsement as the sole distributor in the UK of a specialist instant coffee, produced with an innovative technique.



OUR SERVICES

Our immigration barristers work directly with individuals and businesses, within the UK and overseas, to prepare high quality visa and immigration applications.

If you instruct us to prepare an application for entry clearance, leave to remain or settlement as a Start-up or Innovator we will:

- Provide you with a dedicated and experienced immigration barrister to work on your matter;
- Accurately identify both the type of immigration application you should make and how your application should be structured for success;
- Provide you with expert advice as to the requirements of the Immigration Rules for your immigration application, as well as any relevant Home Office policies and case-law;
- Research and identify appropriate Home Office approved endorsing bodies to approach for endorsement;
- Introduce you and your business plan to a selection of Home Office approved endorsing bodies;
- Advise you in detail as to the documentary evidence that you will need to submit in support of your immigration application, including any requirements in terms of the content and format of these documents;
- Check all your supporting documents for compliance with the requirements of the Immigration Rules and advise you as to any required or recommended amendments;
- Complete the relevant immigration application form(s);
- Draft a witness statement in support of your immigration application (this is a detailed personal statement, which you will sign, explaining the factual basis of your application);
- Draft a 'barrister's opinion' in support of your immigration application (this is an expert legal opinion, prepared by your barrister, which will set out all the requirements of the Immigration Rules and explain to the Home Office, in detail, why your application should be approved);
- Prepare your application bundle ready for submission to the Home Office;
- Arrange for a second immigration barrister to independently check your completed immigration application prior to submission to the Home Office;
- Scan your finalised application bundle ready for submission to the Home Office;
- Submit your immigration application to the Home Office on your behalf;
- Act as your agent for all correspondence with the Home Office, up to and including receipt of the decision on your immigration application;
- Provide you with professional advice throughout the process of preparing your immigration application, by email, telephone or in-person as required;
- Provide you with professional advice as to the next steps once you have received a decision on your immigration application.

As part of your application, you may wish to include a detailed, genuine and original business plan. Our immigration barristers can assist you to identify a suitably qualified professional business plan writer, instruct the business plan writer on your behalf and then liaise with the plan writer to ensure that your business plan satisfies the requirements of the Immigration Rules.



TRUST RICHMOND CHAMBERS FOR:

- Comprehensive all-inclusive solution for entrepreneurs and their families seeking to relocate to the UK;
- Professional and independent advice in relation to all aspects of the Start-up and Innovator visa categories;
- Trusted introducer to several Start-up and Innovator visa endorsing bodies;
- Consistently high success rate in obtaining Start-up and Innovator visas;
- High quality service delivered by specialist immigration barristers;
- Member of Department of International Trade's UK Advisory Network
- Authorised and regulated by the Bar Standards Board
- Authorised and regulated by the Solicitors Regulation Authority
- Member of Immigration Law Practitioner's Association

OUR FEES

We conduct all our work on an agreed fixed fee basis. There are no hourly rates and no hidden extras.

We will be pleased to provide you with a range of fixed fee options to choose from, based on the circumstances of your case and the level of service that you require, once we have more information about your matter.

Factors that may increase or decrease our overall fee quote include:

- the seniority of the barrister that you wish to instruct;
- the complexity of the issues in your case;
- the number of applicants, including any dependants;
- the volume of supporting documents;
- the timeframe for completion of the application.

Our fee quotes include all the work set out in the 'Our Services' section of this brochure. There are no hourly rates and we do not bill separately for the usual running expenses of a law firm such as telephone calls, photocopying, printing, stationery, document storage, postage or travel.

Our fees do not include costs related to your matter that are payable to third parties (known as disbursements), such as Home Office fees and translation/interpretation fees. Where such costs arise, you will be responsible for these, so that you always know exactly what is being paid and to whom.

All fees quoted are exclusive of VAT. VAT will be added at 20% where this is required by law. For example, VAT will be added where you are in the UK and have, or previously had, leave to remain. If you normally reside outside the UK then VAT will not be added.

We typically work on the basis of payment of our professional fees in two instalments (50% upon commencement and 50% just prior to submission of the application). Alternative instalment plans can also be agreed.

RICHMOND CHAMBERS OFFERS:

- Fixed fees
- No hourly rates
- All-inclusive service
- Pricing options
- Most expenses included
- Payment by instalments

TESTIMONIALS

At Richmond Chambers, our immigration barristers have an established track-record of achieving successful outcomes for entrepreneurs seeking to establish a business in the UK.

"Superb knowledge and professional service – simply excellent. Richmond Chambers provides outstanding service and their knowledge of the UK immigration process and law is unmatched. I recommend Richmond Chambers highly."

"What a fantastic team. After one failed self application we phoned many immigration specialists and Richmond Chambers came out head and shoulders above the rest. We cannot praise this organisation enough and would wholeheartedly recommend them to anyone needing the best professional advice on UK immigration and visas."

"Richmond Chambers is professional, honest, reputable and experienced. If you would like to prepare a strong UK visa application, you are strongly recommended to contact Richmond Chambers!"

"Professional and detailed. Richmond Chambers has a way of making you feel at ease and confident about your immigration status. Their thoroughness and professionalism is compared to none. I will definitely use Richmond Chambers' services again and refer them to friends and family."

"Throughout the process the quality of advice we received was excellent ... We found everyone in the team to be polite, professional and conscientious, and ultimately they helped the application to be successful which we are extremely grateful for. As and when a further application is required there is nowhere else we would turn for assistance."

"The team at chambers went the extra mile, combing through the UK Immigration Rules to find me a solution to my predicament. Thanks to the team's dedication and tenacity we were able to build a very strong case for my application."

"The services provided by Richmond Chambers are worth every penny. They demonstrated a very professional approach at each and every step of the case, with amazing response times."

"Phenomenal! I have to wholeheartedly say that Richmond Chambers has been absolutely amazing in getting me my visa, and that too without an interview. Thank you so much for your work Richmond Chambers, you're by far the best at what you do."





Richmond Chambers LLP,
Seven Henrietta Street,
Covent Garden,
London WC2E 8PS

Tel: +44 (0) 203 617 9173
Fax: +44 (0) 203 004 1611
Email: info@richmondchambers.com