



## UK COURT VOIDS NEW SKILLED MIGRANT RULES

The UK High Court has ruled that the government's new immigration rules for highly skilled migrant workers who want to remain in the UK were unfair and unlawful. In 2006, the UK government implemented a new "points" system which changed the criteria for those already in the country. Anyone applying to extend their visa would have to score points based on their education, previous salary and age.

Under the old rule, the Highly Skilled Migrants Programme (HSMP) introduced in 2002, the UK government allowed highly skilled individuals, such as doctors, engineers, business and finance professionals, to immigrate or remain in the UK for an initial period of one year. They could apply for a two-year extension, then a further three years before applying for settlement. They are assessed according to their educational qualification, age, UK experience and UK earning ability.

The Highly Skilled Migrants Programme Forum group brought the case against the government, arguing the system as "grossly unfair" and "a clear case of breach of legitimate expectation". The group claims that 90% (approximately 44,000 people) of those who arrived before 2006 would no longer qualify to remain in the UK. The government disputed the allegation and estimated that only around 1,370 people of the 16,000 workers who arrived under the old rule would no longer qualify. The UK High Court has ruled that these people should be assessed under the old scheme.