

MEMORANDUM OF UNDERSTANDING (MoU)
ON
MIGRATION AND MOBILITY PARTNERSHIP
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
AND
HER MAJESTY'S GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND

Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland ("the UK");

And

The Government of the Republic of India ("India"),

hereafter collectively referred to as "the Participants";

- **Recognising** the long-standing and historical bonds of friendship between the Participants and wishing to expand economic cooperation in the field of labour and employment to give a new impetus to the Partnership between the Participants;
- **Recognising** the intensification in bilateral relations in recent years in political, economic, institutional and people-to-people exchanges;
- **Reaffirming** their determination to strengthen cooperation in the field of mobility and migration, with a view to encouraging the legal and orderly movement of students and professional skilled workers to each other's countries, subject to the opportunities available;
- **Resolving** to prevent immigration abuse in both directions and to assure the return to the Participants' countries of illegal residents who have been properly identified by the procedure set out in this MoU;
- **Acknowledging** that human exchanges and migratory movements help to bring people together and are a factor of economic, social and cultural development for both Participants' countries;

- **Resolving** to facilitate temporary and circular mobility, ensuring that UK and Indian nationals may enhance their skills which they can deploy in their countries of nationality;
- **Determining** to jointly take appropriate steps to prevent and suppress illegal migration, smuggling of migrants and trafficking in human beings, in accordance with respective national legislation;
- **Respecting** the rights and guarantees set forth in their respective national laws and the relevant international treaties and conventions to which the Participants are parties;
- **Noting** the establishment in the UK of the new Points-Based Immigration System following the UK's departure from the European Union, which will create parity of treatment for work and study migration between all third countries, and will offer greater opportunities than hitherto to non-EEA (European Economic Area) migrants;
- **Resolving** to set out provisions in this MoU which will form the basis of a dynamic and evolving migration partnership, and establish regular contacts and exchange of information about migration outcomes and policy intent;

have decided the following in this MoU:

CHAPTER 1

Paragraph 1. Scope of the Memorandum of Understanding

1.1 This MoU aims to establish and develop co-operation between the Participants in the following areas:

1.1.1 Greater collaboration across the field of migration and mobility, recognising the close people-to-people ties between the Participants;

1.1.2 The facilitation of mobility of students, academics and researchers and migration for professional and economic reasons, abiding by equal treatment of nationals of both Participants' countries in similar situations subject to national immigration laws;

1.1.3 The prevention of, and fight against, illegal migration, including the facilitation of the return of nationals of a Participant's country to that country where those nationals have no legal right to enter or remain in the other Participant's country.

1.2 The provisions of this MoU will be without prejudice to commitments in respect of the temporary movement of natural persons for the purpose of providing services, which the Participants may make in the context of a Free Trade Agreement between the Participants. All actions by the Participants

pursuant to this MoU will be consistent with the Participants' obligations under relevant international law, including any obligation of the Participants under the WTO agreements.

1.3 The provisions of this MoU will be without prejudice to the application of national laws, including changes to immigration rules which may affect this MoU.

CHAPTER 2

CIRCULATION OF PERSONS

Paragraph 1. Short-stay, multiple-entry visas

2.1 The Participants will continue to encourage regular short stays of nationals of the other Participant's country who are actively and sustainably contributing to the vitality of bilateral relations and facilitate the issuance of a short-stay, multiple entry visa, with longer period of validity available, where appropriate.

Visas will be issued as soon as possible after a valid application is made. In order to enhance economic, cultural and scientific relations, recipients may include but not be limited to, business people, start-up entrepreneurs, skilled workers in the cultural sector, academics, scientists, researchers, specialists and experts engaged in short-term visits where such activities are permitted by the Participants' immigration laws and regulations.

2.1.1 The UK will continue to welcome Indian nationals who wish to visit the UK in order to undertake a wide range of activities in accordance with the UK Immigration Rules. The visitor category of visas allows for stays of six months on each visit with multiple entry, and validity for 6 months to ten years, according to the quality and purpose of application submitted, the duration of the planned activities and the validity of the passport.

2.1.2 For India, in accordance with the extant rules, the appropriate category of visa allows for stays of six months on each visit and is valid for one to ten years according to the quality and purpose of application submitted, the duration of the planned activities and the validity of the passport.

2.2. For India, persons travelling on a visa referred to in paragraph 2.1 with a validity of up to 180 days are not required to accomplish any registration formality on their arrival in India. If their stay is going to be beyond 180 days, prior registration will be required.

CHAPTER 3

MOBILITY OF STUDENTS, ACADEMICS AND RESEARCHERS, MIGRATION FOR PROFESSIONAL AND ECONOMIC REASONS

Paragraph 1. Students

3.1. Reception of students

3.1.1 Each Participant will allow the entry and stay of nationals of the other Participant's country for the purpose of study, which may include permitted work placements and vocational training, provided they meet the requirements of the relevant immigration laws and regulations, recognising in particular, the requirements in the UK and Indian laws and regulations relating to sponsorship by a licensed institution.

3.1.2 To this effect, the Participants will take steps to facilitate and improve the reception of students and the processing of pre-consular procedures. As per the applicable immigration laws and regulations, the Participants will provide students of each other's countries with a long-term visa which allows them to reside for the duration of their studies, subject to a reasonable maximum period.

3.1.3 The Participants will promote the take-up of higher education opportunities by nationals of each other's countries through initiatives such as student fairs, university missions and education expos to raise awareness and understanding of the educational opportunities including scholarship schemes, assistance for internships and the relevant immigration laws and regulations. The UK will consider disseminating information on various opportunities tailored to Indian students.

Paragraph 2. Promotion of Opportunities for Initial Professional Experience

3.2.1 The UK will promote opportunities for Indian nationals studying in the UK to remain in the UK to undertake skilled work following the successful completion of their studies.

3.2.2 Indian nationals who successfully complete their studies and who wish to supplement their training with professional experience in the UK may apply to remain in the UK on a work-based immigration route. This may include routes for skilled workers, and for those working or seeking work post-study, as specified in the UK Immigration Rules. Accordingly, the UK will grant permission to stay in the UK for two years to students who have successfully completed an undergraduate and master's programme and for three years to those completing their PhD. They will be allowed to seek or take up employment related to their training during this period without being subject to the situation of the labour market. On expiry of this period, those who are already in employment or have a promise of employment who meet

the requirements in the UK Immigration Rules may continue to reside in the UK to carry out their professional activity.

3.2.3 UK nationals who successfully complete their studies and who wish to supplement their training with professional experience in India may obtain permission to stay in India on a work-based immigration route as per applicable national laws and regulations.

Paragraph 3. Student Internship

3.3.1 Each Participant will facilitate the movement of nationals of the other Participant's country who are studying towards a higher education degree, and who as part of that course of study wish to visit that Participant's country to carry out an activity such as a work placement or an internship in a UK or Indian enterprise or public entity or duly recognised association under a tripartite student internship agreement concluded between the higher education institution and the host enterprise or public entity. The UK will facilitate such internships through Government Authorised Exchange schemes or under the above-mentioned Student Internship agreements. The duration of the internship and visa will not exceed 12 months. For UK students who wish to pursue such internships in India, the Indian authorities will issue a temporary permit bearing the words 'Student Visa' valid for more than three months but no longer than 12 months.

Paragraph 4. Immigration for professional and economic reasons

3.4.1 The Participants will encourage the mobility of skilled workers between Participant countries and to this end will create optimal conditions for establishing contacts and exchange of knowledge between employers' organisations in different sectors of the economy.

3.4.2 The Participants will keep each other informed of the conditions for entry, stay and skilled work in their respective countries, and of any developments in their respective labour markets and of the possibilities they offer.

3.4.3 Each Participant will process applications for entry and stay submitted by nationals of the other Participant's country in a swift and reasonable timeframe. Both Participants will also establish a bilateral exchange on the possibilities and the improvement of procedures for fair mobility of skilled workers.

3.4.4 Each Participant will accord to nationals of the other Participant's country treatment that is equal to the treatment accorded to nationals of their countries in relation to the enforcement of laws, regulations and customs governing working relations and conditions, hygiene and workplace safety. Indian nationals will be required to be paid a salary that meets the salary thresholds in the UK Immigration Rules.

3.4.5 The Participants will cooperate on the organisation of promotional actions to facilitate the access of nationals of the other Participant's country to offers of employment suited to their profile. The UK will consider favourably offering information tailored to skilled workers from India and about measures to facilitate their recruitment and immigration. The Participants will facilitate recruitment of specific skilled workers like nurses and health care professionals including through entering into bilateral agreements where appropriate.

3.4.6 All requirements provided for in the laws and regulations of a Participant's country regarding work and social security measures will continue to apply, including regulations concerning minimum wages and collective wage agreements.

3.4.7 This Chapter will not prevent a Participant from applying measures to regulate the entry of natural persons in the country of that Participant, including those measures necessary to protect the integrity of, and orderly movement of natural persons across, its borders.

Paragraph 5. Exchanges of young professionals and joint action in favour of such exchanges

3.5.1 The Participants jointly decide to facilitate the exchange of young professionals already in employment or entering working life, who wish to improve their career prospects through the experience of salaried work in a company registered in accordance with the laws and regulations of the other Participant's country, for up to a maximum period of 2 years.

3.5.2 In this context, both Participants jointly decide to create a new scheme (the Young Professionals Scheme) specifically designed to create opportunities for young professionals as described below:

(i) These young professionals, who are between the ages 18-30, will be authorised to take up employment under the provisions set forth in this section without consideration being given to the employment situation in the host Participant's country. Where regulated professions are concerned, the young professionals are subject to the criteria defined by the host country.

(ii) They must hold a diploma/degree which validates as far as possible at least three years' higher education corresponding to the qualification required for the employment on offer or have professional experience of comparable level in the sphere of activity concerned and be able to express themselves in the language(s) of the host country.

(iii) The authorised work period under the Young Professionals Scheme will be a period of 24 months for all eligible applicants.

(iv) Young UK or Indian professionals may not continue to reside in the host country after the authorised work period expires. Both Participants will take

measures to ensure that the young professionals concerned return to their country of nationality.

(v) Where relevant, they may be authorised to continue their stay in the host country provided that they obtain an employment contract as per the Participants' immigration laws and regulations.

(vi) The young professionals under this Scheme will benefit from the same treatment as host country nationals in all matters relating to the enforcement of laws, regulations and customs governing working relations and conditions, social protection, health, hygiene and workplace safety.

(vii) The number of young Indian and UK professionals admitted by either Participant may not exceed 3000 per year under the Scheme. This quota may be amended by an exchange of letters between the Participants.

(viii) Provisions on implementing this paragraph are set forth in **Annex I** to this MoU.

3.5.3 The Participants will regularly review Annex I to ensure it is working as intended, also with a view to expanding such opportunities once confidence is established.

3.5.4 The Participants will cooperate on the organisation of promotional actions to facilitate the access of nationals of each other's countries who are young professionals to offers of employment suited to their profile.

Paragraph 6. Skilled mobility

3.6.1 Recognising the contribution that nationals of each Participant's country who are skilled workers make to the economy of the other Participant's country, the Participants will continue to make provision in their domestic laws and regulations for visas permitting the residence for skilled employment purposes of the skilled worker and their dependent family, and which may be extended to reflect the duration of the work and may also lead to permanent residence in specified circumstances.

3.6.2 Employees seconded between enterprises of the same group

(i) The UK will facilitate the mobility of employed Indian nationals who are:
(a) managers or specialist personnel that are the subject of a transfer between the enterprises of the same group; or (b) graduate level recruits who are the subject of a transfer between the enterprises of the same group as part of a structured management training programme.

(ii) To that end the UK will facilitate such movement by issuing an intra-company transfer visa or intra-company graduate trainee visa subject to the transfer meeting requirements relating to the minimum period of employment prior to the transfer, the skills required for the role, and the minimum level of remuneration as set out in the UK Immigration Rules. The visa is valid for the

duration of the secondment, and: (a) in the case of an intra-company transfer, for a maximum period of 5 years in any 6 year period, and up to 9 years in any 10 year period in certain circumstances; or (b) in the case of an intra-company graduate trainee, for a maximum period of 1 year.

(iii) Reciprocally, India will facilitate the issuance to UK employees seconded to India between enterprises of the same group of an "employment visa" giving rise to the granting of a residence permit valid for 2 years, renewed in India for a maximum period of 5 years from the date of issue of the initial employment visa, on a year to year basis, on production of the necessary documents in support of continued employment and income tax compliance by the individual applicant concerned.

(iv) In the case of graduate level recruits from the UK, who are subject to a transfer between enterprises of same group as part of structured management training program, the UK graduate employees may receive from the competent authorities of India a business visa leading to temporary residence permit valid up to 18 months.

Paragraph 7. Encouraging the mobility of skills and talents

3.7.1

(i) The UK will take steps to encourage the visit of Indian nationals wishing to place their skills at the service of the bilateral relationship and to contribute via their professional projects to the economic development and influence of UK and India. To that end, the UK will facilitate the issuance of visas to skilled Indian nationals with a project of an economic, scientific, technological, cultural or humanitarian nature, likely to make a significant contribution to the development of relations between the two countries to work, in accordance with the UK Immigration Rules. The visa will be issued for the length of the employment up to a maximum of 5 years and can be renewed as per extant rules.

(ii) Reciprocally, India will encourage the issuance of an "employment visa" giving rise to the granting of a residence permit valid for 3 years, which will be renewable, to UK nationals with projects of a similar nature.

3.7.2 The residence permits and visas mentioned in paragraph 3.7.1 are renewable in the country of issue without any obligation for the beneficiary to temporarily leave that country in order to apply for a new visa, and may not be subject to the labour market situation in the host country.

3.7.3 The spouse and minor child or children of the beneficiaries of the residence permits and visas mentioned in 3.7.1 are also eligible to receive a residence permit in accordance with the Participants' immigration laws and regulations. This will be valid for an identical period to that of the residence permits and visas mentioned in the paragraphs above and will be renewable, and will allow dependent spouses to undertake professional activity under

conditions set forth in the Participants' respective national laws and regulations.

3.7.4 India will grant a dependent visa of appropriate sub-category to the spouses. Dependents have to apply for a separate employment visa as per extant regulations.

3.7.5 Both Participants will, in such cases, endeavour to grant to skilled workers and their dependents employment visa/residence permit, expeditiously.

Paragraph 8. Researchers and academics

3.8.1 The Participants will encourage the mobility of researchers, doctoral students and expert scientists, for the purposes of work or study.

3.8.2 Under the UK Immigration Rules, in addition to standard work or study visas, the "Global Talent" visa offers excellent opportunities to suitably qualified persons for work and residence without attachment to a sponsor. The UK's Office for Talent will collaborate with appropriate bodies in India and directly with prospective migrants to promote take-up of this immigration route.

3.8.3 The Participants will facilitate the issuance of visas or residence permits to nationals of each other's countries who wish to carry out research or university level teaching in a public or private research or higher education institution in the other Participant's country.

3.8.4 The visa or residence permit will be issued in accordance with the issuing Participant's immigration laws and regulations and will be valid for the duration of the applicant's research or teaching activities.

3.8.5 To this end, the UK may issue a residence permit valid for a maximum of four years and renewable for the duration of the research or university-level teaching activities. India may issue a "Student visa" valid for the duration of the research or university-level teaching activities.

CHAPTER 4

COOPERATION RELATING TO THE PREVENTION AND COMBATTING OF ILLEGAL MIGRATION

Paragraph 1. Return of persons in an illegal situation

4.1.1 Participants will improve cooperation on illegal migration and facilitate the readmission of their nationals who do not meet or no longer meet the provisions for legal entry into or legal residence to remain in the territory of the other Participant's country. Participants acknowledge that those who are lawfully in their country do not fall within the scope of this chapter.

Participants agree to devote sufficient resources to enable the timely completion of necessary administrative procedures.

4.1.2 Participants will work together constructively on returns arrangements that will contribute to the development of the overall migration partnership. This will include deepening cooperation and the exchange of best practice, particularly proactive sharing of operational, legal or policy obstacles to improve cooperation.

4.1.3 The Participants will promote the voluntary return for nationals of the other Participant who are subject to a return decision. If voluntary return is refused by the migrant, forced repatriation on a case-by-case basis will be resorted to by the requesting Participant in accordance with the applicable law after the verification of the national identity of those nationals by the requested Participant. Return of persons in such a situation will be effected only after the nationality is conclusively established by the requested Participant.

4.1.4 Each Participant will admit to its territory, at the request of the other Participant, any national of the Participant who has no lawful basis to be in the territory of the other Participant, where it is conclusively verified by the requested Participant that the person is a national of their country.

4.1.5 The requesting Participant will submit all evidence concerning the identity, nationality and citizenship of the person to facilitate verification of his nationality.

4.1.6 The Participants will complete the process of verification of a national's identity and subsequent issuing of any travel document in a timeframe that is swift and reasonable, while flexible to reflect the individual circumstances. The Participants will work together to enable verification where the evidence submitted needs further enhancing, including through the use of interviews.

Paragraph 2. Returns – Process of Request of re-admission - Verification of Identity

4.2.1 For verification of nationality for a person being returned who is unlawfully in either Participant's territory, the requesting Participant will submit evidence in the form of a 'Visa Overstayer' document that will include a copy of the person's passport and where available any of the documents listed in Paragraph 3 of Annex II. In such cases the requested Participant will use best endeavours to communicate if the nationality of the person is conclusively established to its satisfaction within 20 days and in any case not later than 30 days of the receipt of the request.

4.2.2 Where a person acknowledges that they are a national of the other Participant but where a passport or 'Visa Overstayer' document is not available, the requesting Participant will submit the documents listed in Paragraph 3 of Annex II as evidence on the basis of which, the requested

Participant will take steps to verify the nationality of the person. In such cases the requested Participant will communicate if the nationality of the person is conclusively established to its satisfaction within 60 days and in any case no later than 90 days of the receipt of the request.

4.2.3 Where a person declines to cooperate with the nationality verification process by either refusing to give a signature or by providing the requisite details for the Emergency Travel Document Application Form and where the requesting Participant confirms that person's non-cooperation and provides additional information to enable the requested Participant to verify nationality, the requested Participant on a case to case basis will take steps to verify the person's nationality within a reasonable timeframe.

4.2.4 Where the requested Participant does not accept a request for repatriation of the person, it will share the relevant reasons. The decision of the requested Participant is final, but it may agree to consider any reasonable request to review its decision, where the requesting Participant has new evidence or considers there has been a misunderstanding of the evidence.

Paragraph 3. Issue of Travel Documents where re-admission is accepted

4.3.1 Where the requested Participant agrees to re-admit a person, on request by the requesting Participant it will issue an Emergency Travel Document (ETD) within 5 working days.

4.3.2 ETDs issued by the requested Participant, following verification of the person's nationality, will be valid for six months and the requesting Participant will use all reasonable endeavours to return the person using the ETD provided, before its expiry. If that is not possible due to reasons beyond the immediate control of the requesting Participant, such as fresh legal proceedings, refusal to comply and absconding, the requested Participant can issue a new ETD on a case by case basis for a further period of 6 months if the request is received within one year of the issue of the earlier ETD and if there is no reason to suppose that the circumstances of the person have changed.

Paragraph 4. Miscellaneous provisions

4.4.1 Where the UK has evidence that an Indian national is unlawfully present in the UK, and is the parent of a minor child born in the UK but whose birth has not been registered with the relevant Indian diplomatic mission, India will accept a UK birth certificate as evidence for securing an ETD for the child only if the nationality of both the parents and their relationship with the child is conclusively established. Any action under this provision would be without prejudice to any legal option available to the child or to its parents. Minor child means a child, who has not attained the age of

18 years on the date of submission of the request by the requesting Participant.

4.4.2 The requesting Participant will cover the costs associated with the return.

4.4.3 The Participants have decided that any person who has been forcibly removed from the territory of a Participant to the other Participant's territory can be readmitted to the territory of the Participant who made the return, where it is established within a period of time not exceeding 3 months that the provisions for the return were not fulfilled at the time they left that territory. On an exceptional basis, on the request of the requested Participant, this period can be extended to six months.

4.4.4 Participants will use e-mail or any other modern medium allowing the fastest possible data transmission for communication between competent authorities involved in the return procedures. The practical details regarding the return procedure including competent authorities and the list of documents to be submitted are contained in Annex II.

Paragraph 5. Disclosure of Information

4.5.1 Provisions pertaining to disclosure of information in this MoU will be subject to provisions of the domestic laws of both Participants.

4.5.2 The Participants will not use, disclose or store any information shared pursuant to this MoU for any purpose except processing the return and readmission of individuals.

4.5.3 The Participants are permitted, for the purpose of processing the return and readmission of individuals, to disclose information received under this MoU to other domestic authorities responsible for pursuing the same purpose as they carry out their official duties as required by and/or permissible under their domestic law.

4.5.4 The Participants will ensure that security classification and any restrictions, conditions or special handling instructions are adequately marked on all information shared pursuant to this MoU. To prevent the unauthorised disclosure, copying, use, modification or disposal of information received under this MoU, the Participants will restrict access to the information to those who need it in the course of carrying out their official duties for the purpose of processing the return and readmission of individuals and to use recognised security mechanisms such as passwords, encryption, or other reasonable safeguards to prevent unauthorised access. The Participants will ensure that all persons authorised to have access to information received under this MoU are appropriately trained on the handling and usage restrictions which apply to this information and intend to safeguard the information in a manner consistent with this MoU.

4.5.5 Each Participant will notify the other Participant of any accidental or unauthorised access, use, disclosure, modification or disposal of Information received under this MoU as quickly as possible after becoming aware of the security or privacy breach and, where possible, provide all necessary details of the accidental or unauthorised access, use, disclosure, modification or disposal of that information as soon as practicable.

4.5.6 The Participants will provide to each other the most current and accurate information available. In the event that either Participant becomes aware that information being relied upon is inaccurate, it will notify the other Participant immediately and provide correcting information, where available. When a Participant receives correcting information, that Participant will correct, annotate or dispose of inaccurate information, and any information derived from it, in accordance with its domestic laws.

4.5.7 Each Participant confirms that it has in place a system by which individuals may request information about themselves that was shared under this MoU, and, where that information is disclosable to the individual, may request a correction of that information. Each Participant confirms that it has a system in place through which individuals may seek to redress or challenge a decision not to disclose their personal information to them.

4.5.8 Each Participant will assess the continued relevance of the information received under this MoU and to dispose of the information securely when it is no longer relevant in accordance with its domestic laws.

4.5.9 Either Participant may request assurance from the other Participant that sufficient policy, legal or technical safeguards are being maintained with regards to the information shared under this MoU and may request a review of the safeguards.

CHAPTER 5

Paragraph 1. Cooperation and information sharing between competent authorities and agencies to combat illegal migration and strengthen border security against people-smuggling

5.1.1 The Participants recognise the importance of identifying and acting jointly against the drivers of immigration crime leading to illegal migration between the Participants' countries.

5.1.2 The Participants jointly decide to improve inter-agency cooperation and develop strategic dialogue and technical and operational co-operation within the framework of their respective laws and regulations with the aim of combating illegal migration and strengthening border security.

Paragraph 2. Fight against smuggling of migrants and trafficking in human beings

5.2.1 The Participants jointly decide to enhance engagement and information sharing between competent authorities in strengthening border security, including exchanging officers responsible for dismantling illegal migration and migrants' exploitation networks.

5.2.2 The fight against organised illegal migration is based on the acquisition, centralisation and analysis of intelligence in order to identify criminal organisations, on the physical and technical surveillance of networks and on the gathering of evidence. Increased engagement and information sharing between operational partners including exchange of police officers and attachment courses in specialist units will be planned, to enable the exchange of experience and expertise in the areas of border security and illegal migration.

5.2.3 The Participants will also identify opportunities for regular dialogue between Ministers and officials at the level beyond technical cooperation in order to prioritise efforts and target activity more effectively across multiple agencies.

Paragraph 3. Fight against document fraud

5.3.1 The Participants will co-operate by way of exchange of expertise in order to increase the level of security of their nationals' identity and travel documents and to design new documents as per agreed international norms.

5.3.2 The Participants will exchange information relating to falsifications and forgeries of travel documents and help to identify suspect documents.

5.3.3 The UK will share its expertise to train specialists in the fight against document fraud and to provide its expertise in the field of detection equipment.

CHAPTER 6

FINAL PROVISIONS

Paragraph 1. Joint Working Group

6.1.1 The Participants will create a Joint Working Group comprising of representatives of both Participants.

6.1.2 The Joint Working Group will evaluate the implementation of the provisions set forth in the MoU and discuss all appropriate proposals to improve implementation as necessary.

6.1.3 The Joint Working Group will meet at least once a year, or as necessary at the request of either Participant. The Joint Working Group will meet alternately in each of the Participants' countries or virtually with mutual consent. Delegations will be led by a senior representative of each Participant.

6.1.4 Each Participant will inform the other Participant in the event of any substantive changes to immigration policy in their respective countries, through diplomatic channels or through Joint Working Group meetings.

6.1.5 The agenda and the composition of the Joint Working Group will be set for each meeting by mutual consultation.

Paragraph 2. Difficulties regarding the interpretation and application of the MoU

6.2.1 Any difficulties relating to the interpretation or application of this MoU will be discussed within the Joint Working Group referred to in paragraph 1 of Chapter 6 or otherwise through diplomatic channels.

Paragraph 3. Coming into Effect, Duration, Renewal, Termination and Amendment of the MoU

6.3.1 This MoU will come into effect on signature and will continue in effect for seven years until terminated by either Participant giving three months prior written notice.

6.3.2 All the cooperation activities, including any visa or residence permit that has been granted or ETD applications that have been commenced prior to the date of the termination, will not be affected by such termination, unless otherwise decided by the Participants.

6.3.3 Where further internal procedures are required, the implementation of specific provisions related to mobility and returns arrangements will commence on the exchange of the participants confirmation in writing of completion of internal procedures by both Participants.

6.3.4 Unless terminated by either Participant, this MoU will be automatically renewed for similar successive periods.

6.3.5 The Participants acknowledge that this MoU is not intended to create legally binding obligations. Accordingly, the Participants will seek to resolve any disagreement arising out of or in connection with this MoU by discussion and will not refer any such disagreement for judicial settlement.

6.3.6 This MoU may be amended by the mutual written consent of the Participants to ensure that it is kept up to date.

Paragraph 4. Signatures

6.4.1 The foregoing record represents the MoU reached between India and the UK upon the matters referred to therein.

Signed at London on May 4, 2021 in two originals, each in English and Hindi languages, both texts being equally valid. In case of divergence in interpretation, the English text will prevail.

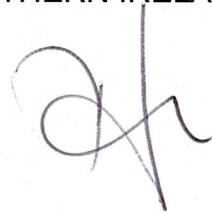
FOR THE GOVERNMENT OF THE
REPUBLIC OF INDIA



Dr SUBRAHMANYAM JAISHANKAR
UNION MINISTER FOR EXTERNAL
AFFAIRS

LONDON, MAY 4, 2021

FOR THE GOVERNMENT OF
THE UNITED KINGDOM OF
GREAT BRITAIN AND
NORTHERN IRELAND



The Rt Hon PRITI PATEL, MP
SECRETARY OF STATE FOR
THE HOME DEPARTMENT

LONDON, MAY 4, 2021

(refer to para 5, Chapter 3)

Exchange of Young Professionals

1. PURPOSE

This Annex sets out the details of the Young Professionals Scheme (hereinafter referred to as "the Scheme") as outlined in Chapter 3 of this MoU, under which young nationals of both Participants' countries can experience life in another culture, with the option of taking up employment as an incidental part of their stay.

2. QUALIFYING REQUIREMENTS

(a) The Participants will consider persons who meet the following requirements to be qualified to take part in the Scheme: .

- i. to submit an individual application to the relevant organisation responsible for collection and submission of applications for the UK or India;
- ii. to comply with all relevant immigration law and regulations, including admissibility and verification, of the country of the other Participant, to the extent not already set out in paragraph 4(b) of this Annex ;
- iii. to be a national of either India or the UK, and hold a valid passport issued by the applicant's country of nationality;
- iv. to have not previously taken part in the Scheme;
- v. to be able to demonstrate that they have the sufficient financial resources to meet their needs during their authorised period of stay;
- vi. to not be accompanied by any dependent(s) under their application pursuant to sub-paragraph (i);
- vii. to pay the applicable fee(s), which include(s) but not limited to the fee for a visa; and
- viii. to hold a valid degree or diploma.

(b) The duration of the authorised period of stay may not exceed 24 months. For UK nationals who wish to remain in India for the maximum total period allowed, this can take the form of two consecutive 12-month periods of stay.

3. AGE REQUIREMENTS

(a) Applicants will be between the ages of 18 and 30 inclusive on the date that the application is submitted pursuant to paragraph 2(i).

(b) Applications can be submitted up to 3 months before the applicant is 18 years old.

4. ENTRY AND STAY

(a) Subject to considerations of public interest, public order, public security and public health, the Participants will:

i) issue to qualified nationals, who satisfy all of the requirements set out in paragraph 2 of this Annex, a Young Professionals Scheme visa, or the Indian equivalent, valid for presentation to enter the UK or India within a period of 3 months; and

ii) grant to qualified nationals holding a valid Young Professionals Scheme visa, or the Indian equivalent, pursuant to sub-paragraph (i) permission to remain in India or the UK for the maximum period of 24 months with multiple re-entry from the date of first entry into the relevant country.

(b) The Participants may, consistent with their laws and regulations, refuse the application by any person for a Young Professionals Scheme visa or the Indian equivalent, or refuse the entry of any person taking part in the Scheme or remove any such person if they consider the person to be undesirable.

5. GENERAL PROVISIONS

(a) Qualified nationals who are taking part in the Scheme are subject to the laws and regulations in force in the host country, particularly with regard to: employment standards, including wages, working conditions, employment insurance benefits and occupational health and safety. For the avoidance of doubt, the Scheme will not permit nationals of India and the UK to engage as professionals in employment for which they are not qualified or as a professional sportsperson (including as a coach).

(b) The Government Authorities referred to in paragraph 6(a) of this Annex will do their utmost to ensure that successful applicants to the Scheme promptly receive the entry visas and/or residence permits stipulated by the prevailing legislation in the host country and that any difficulties that may arise are settled as quickly as possible.

6. IMPLEMENTATION

(a) The Government Authorities responsible for implementing the Young Professionals Scheme outlined in Chapter 3 of this MoU and this Annex will be:

for the UK: the Home Department;
for India: the Ministry of Home Affairs.

(b) The Participants will determine individually and inform each other, through exchanges of written communications, the minimum amount of financial resources required under paragraph 2(a)(v) of this Annex.

(c) The Participants will each permit a maximum of 3000 qualified nationals per year to take part in the Scheme.

(d) The Participants will exchange usage data of the Scheme, in writing, on an annual basis.

7. FINAL DISPOSITIONS

(a) Either Participant may temporarily suspend the Scheme in whole or in part, for reasons of public security, public order, public health or immigration considerations. Such notification will be provided in writing, a minimum of 28 days in advance of the suspension taking effect.

(b) Either Participant may terminate the application of the Scheme by giving three months' prior written notice to the other Participant.

(c) Termination or suspension of the Scheme will not affect the entry or stay of persons who already hold a valid Young Professionals Scheme visa or the Indian equivalent pursuant to paragraph 4 of this Annex.

ANNEX II

Practical Details Regarding the Return Procedure

1. The competent authorities for implementing Chapters 4 and 5 of the MoU will be:

1.1 For the UK Participant:

Filing of return applications: the competent authority or, where relevant, the Home Department.

Processing of return applications: the competent diplomatic or consular authority.

Settling difficulties with interpretation of the Agreement: Home Department

1.2 For the Indian Participant:

Filing of return applications: the competent state governments.

Processing of return applications: the competent diplomatic or consular authority.

Settling difficulties with interpretation of the Agreement: Ministry of External Affairs. For Chapter 5, Ministry of Home Affairs will be the competent authority.

Both Participants will send through diplomatic channels the direct contact details of the competent authorities as well as any subsequent changes thereto.

2. The Participants' competent authorities will use their national official language(s) when implementing the return procedure and, where applicable and by mutual decision, another language of their choice.

3. For the purpose of 4.2.2 paragraph 2 of Chapter 4

For persons without an expired passport, any two of the following documents are required (*subject to their authenticity, to be verified by the requested Participant*).

- i) a consular registration card;
- ii) a certificate of nationality or citizenship;
- iii) where relevant, an expired UK travel document or an Emergency Certificate issued by the Indian authorities;
- iv) a certificate of naturalization or of restoration of nationality;
- v) a military passbook;
- vi) a seaman's discharge book or seafarer's identity document issued under

the Geneva Convention of 19 June 2003 and the London Convention of 9 April 1965.

vii) any document, issued by another government, bearing a photograph and stating or clearly indicating the citizenship such as:

- national identity card,
- a driving licence;
- a birth certificate;

4. The date, time, and other return arrangements will be decided upon by mutual agreement between the Participants competent authorities and sent via e-mail or any other technical medium allowing the fastest possible data transmission.

5. The list of documents and/or places set out in paragraphs 3 and 4 above may be subject to amendments, after consultation, through an exchange of diplomatic notes. If either of the Participants deems it necessary for the return application to be laid out in a particular manner, it will inform the other Participant beforehand through diplomatic channels.
