Immigration Regulatory Updates

OCTOBER 2026

October 2026 was defined by tightening and uncertainty in the major study and migration destinations, alongside a notable step towards easier travel within Africa. In the United Kingdom, a two-tier Graduate visa and a new levy on international students will change the cost and duration of study-to-work pathways from 2027 and 2028. In the United States, the future of the 2027 Diversity Visa Lottery remains unsettled after an appeals court stayed an order to reopen registration, and the U.S. Embassy in South Africa has restated the strict limits of the refugee programme. By contrast, Congo-Brazzaville has advanced a bill to remove visas for African travellers, although an electronic travel authorisation will still apply.

This edition also opens with a practical point on Temporary Work Permits in Nigeria, and highlights the key developments of the month together with their implications for individuals, employers and educational institutions navigating cross-border mobility.

Did You Know?

The immigration process for a Temporary Work Permit (TWP) in Nigeria can differ depending on whether a foreign national arrives by air or by sea. For organisations mobilising expatriates for short-term assignments, understanding this distinction can make a significant difference to mobilisation planning.

Arriving by air:

- Application: e-Temporary Work Permit (e-TWP)
- Mode of application: Online
- Validity: 90 days

Arriving by sea/vessel:

- Application: TWP/Landing Permit
- Mode of application: Physical
- Validity: 60 days

The distinction is particularly important for organisations in the maritime, offshore and oil and gas sectors, where personnel may mobilise directly to Nigeria aboard a vessel rather than through an airport. What works for personnel flying into Nigeria may not be the appropriate process for personnel arriving aboard a vessel.

The key takeaway is that the mode of arrival should be considered before the immigration application is initiated. Effective immigration planning starts with a simple question: how will the individual enter Nigeria? The specific validity and conditions applicable to a permit should always be confirmed against the approval issued and current immigration requirements.

Mobility Spotlight: What's Changing in Immigration

Development	What changed
Nigeria TWP	e-TWP (online, 90 days) applies to air arrivals; physical TWP/ landing permit (60 days) applies to arrivals by sea or vessel.
UK Graduate visa	Two years retained for graduates of selected high-compliance universities; 18 months for most others from 1 January 2027. Doctoral graduates keep three years.
UK student levy	£925 per international student above a 220-student exemption, from August 2028; projected £445 million in 2028–2029.
US Diversity Visa	Ninth Circuit stays order to reopen 2027 DV registration (29 October); timing of registration unresolved.
US refugee programme	US Embassy in South Africa cautions on strict eligibility and no appeals; a $335,000 outreach campaign was reportedly proposed.
Congo-Brazzaville	Cabinet approved (14 October) a bill removing visas for African nationals from 1 January 2027, with electronic travel authorisation retained; parliamentary approval pending.
Italy	2025 asylum data: 30% overall protection rate; 65% of decisions on Nigerian applicants were rejections.

Beyond the Headlines: Immigration and Mobility Developments

1. United Kingdom: Two-Year Graduate Visa Retained for Selected Universities

The UK Government has announced that it will retain the two-year Graduate (post-study work) visa for graduates of universities with strong immigration compliance records and positive graduate employment outcomes. The announcement adjusts an earlier decision to shorten the route. Other international graduates will receive 18 months from 1 January 2027, while doctoral graduates keep their three-year entitlement.

The list of qualifying universities and the selection criteria have not yet been published. The policy effectively creates a two-tier system in which the institution attended will partly determine how long a graduate may remain in the UK after study. Students who apply for the Graduate visa before 1 January 2027 remain eligible for the existing two-year duration, subject to meeting the requirements.

The change is significant for Nigerians. Nigeria was the UK's third-largest source of sponsored international students in the year ending June 2026, with 26,060 sponsored study visas issued to main applicants, and Nigerian nationals recorded 20,604 Graduate visa approvals in the same period, also the third-largest group. The Graduate visa cannot be extended, so graduates wishing to remain longer must switch to another route, such as the Skilled Worker route, if eligible.

Prospective students should check whether their chosen university is named once the list is published, and factor the possible difference in post-study duration into study and career planning. Employers considering graduate hires should note the shorter window to arrange sponsorship.

2. United Kingdom: International Student Levy to Take Effect from August 2028

From August 2028, universities in England will pay an annual levy of £925 for each international student above an exemption threshold of 220 students. The levy covers both new and existing students and will be overseen by the Office for Students using enrolment data, with the rate to be adjusted annually in line with inflation. By way of illustration, a university with 1,000 international students would pay £721,500 a year.

The Government reaffirmed the policy on 19 October 2026, when Education Minister Josh MacAlister told Parliament that revenue would support the higher education and skills system.

Official projections put receipts at £445 million in 2028–2029, rising to £480 million by 2030–2031. The Minister also pointed to planned increases in domestic tuition fee caps, which he said could generate around £6 billion for providers over five years, against a levy cost of less than £1 billion.

Students do not pay the levy directly, but universities may recover it through higher international tuition fees. Some institutions have already moved: Birmingham City University has raised fees for continuing international students, and the University of Bath has advised overseas students who started in 2026 to budget for annual increases of up to 8%. Universities UK has criticised the policy and questioned the Government's revenue forecasts, amid weaker international recruitment and some institutions reportedly withdrawing offers to applicants from certain countries, including Nigeria, over sponsorship compliance concerns.

Prospective students from Nigeria and other affected markets should budget for tuition increases over the course of a degree and confirm fee terms with the institution before accepting an offer.

3. United States of America: Appeals Court Blocks Order to Reopen 2027 Diversity Visa Lottery

On 29 October 2026, the US Court of Appeals for the Ninth Circuit granted the Government's emergency request to stay a lower court order requiring the State Department to reopen the 2027 Diversity Visa (DV) Lottery. The District Court had, on 14 October, directed the Department to announce registration dates, open the application window and notify selected entrants by 3 December. The case was brought in August by an immigration law firm after the Department did not open registration.

The Ninth Circuit found that the plaintiff had not shown that its commercial interest in representing lottery winners was sufficiently connected to the programme's purpose of encouraging immigration from underrepresented countries. The court made clear that its decision did not endorse the Department's failure to open registration.

The programme makes up to 55,000 immigrant visas available annually, and African nationals have historically been major beneficiaries. Selection does not guarantee a visa, as selectees must still satisfy education or work-experience requirements and pass immigration checks.

Until the appeal is resolved, there is no confirmed registration date for the 2027 DV Lottery. Interested persons should rely only on official State Department announcements and avoid paying intermediaries who claim to guarantee entry or selection.

4. United States of America: Embassy in South Africa Cautions on Refugee Programme Eligibility

The U.S. Embassy in South Africa has issued a public caution that entry into the US Refugee Admissions Program is not guaranteed. Cases are reviewed individually, applicants found ineligible by USCIS cannot appeal or seek reconsideration, and such applicants are directed not to contact the Refugee Support Center or US missions in South Africa, which have no authority over those findings.

The Embassy also warned against fraud, stressing that referrals, applications and related services are free and that no one can lawfully guarantee approval or faster processing. This comes as reports, citing an August State Department proposal seen by The Guardian, indicate that US officials drafted a $335,000 research and advertising proposal to understand why fewer Afrikaners than expected are applying. A State Department spokesperson defended the programme, while South Africa's Foreign Minister has rejected allegations of racial genocide.

Individuals considering the programme should use only official channels and treat any request for payment as a warning sign.

5. Congo-Brazzaville: Visa-Free Entry for Africans Advances, With Electronic Authorisation Required

Congo-Brazzaville's cabinet approved on 14 October 2026 a bill to remove entry visas for African nationals, advancing the presidential pledge to introduce the exemption from 1 January 2027. The measure concerns the Republic of the Congo (capital Brazzaville), not the Democratic Republic of the Congo. Parliament must still adopt the legislation before it becomes law.

According to the cabinet communiqué, exempted travellers would still need to present a form serving as an electronic travel authorisation (ETA). Reports indicate that the interior ministry lists electronic visas and ETAs among services under preparation, but the ETA's fee, processing time, validity, exemptions and launch date remain unconfirmed.

Travellers and employers should not treat the exemption as in force and should not rely on provisional details of the digital platform when booking travel. Confirm the position with the Congolese authorities before travelling from 2027.

6. Italy: High Asylum Rejection Rates for Several African Nationalities in 2025

Data from the Asylum Information Database (AIDA) show that Italy issued 104,560 first-instance asylum decisions in 2025, with an overall protection rate, including special protection, of 30%. Rejection rates were highest for applicants from Morocco (about 90%), Tunisia (about 85%), Egypt (about 83%) and Nigeria (about 65%).

For Nigeria, 3,390 decisions were made: 2,220 were rejections, while 660 applicants received refugee status, 55 subsidiary protection and 460 special protection. First-time applications in Italy fell to 126,635 in 2025 from 151,120 in 2024, though that remains almost double the 2022 figure. The data do not explain why individual claims were rejected and should not be read as a complete picture of Italy's asylum system.

The figures are a reminder that an application for protection does not guarantee a right to remain, and that outcomes depend on the facts of each case.

Conclusion

The developments recorded in October 2026 point to continued tightening of study and migration routes in major destinations, with the UK differentiating by institution and adding costs for universities, and the US facing legal uncertainty over the Diversity Visa Lottery while stressing strict eligibility under its refugee programme. At the same time, Congo-Brazzaville's proposal shows continued movement towards easier intra-African travel, although procedural requirements will remain.

For individuals and businesses, these developments reinforce the importance of planning around the specific entry route, as the Temporary Work Permit distinction illustrates, and of confirming rules against official sources before applications are made or travel is booked. Prospective students should factor in changing costs and post-study durations, and employers should keep immigration documentation current.

As policies and processing arrangements continue to evolve, proactive planning and reliance on current guidance from the relevant authorities will remain important in reducing delays, compliance risks and disruption to international mobility.

Should you require further assistance or clarification on any of the above, please feel free to contact ***pamilerin.akabunwa@moroomafrica.com***.

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